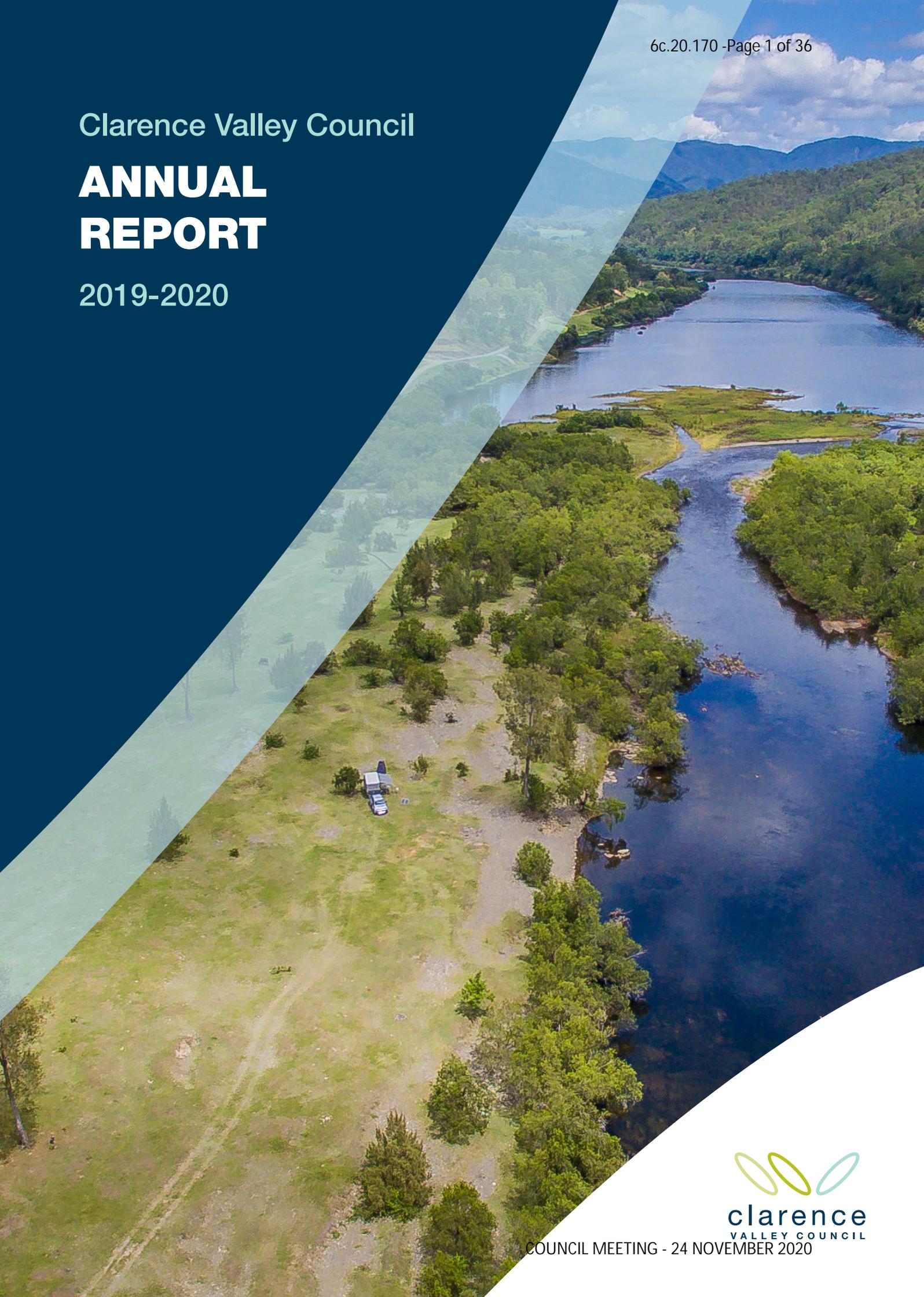


Clarence Valley Council

# ANNUAL REPORT

2019-2020





# OUR AREA



**51,662**

TOTAL POPULATION



**1,441,000**

TOURISM VISITORS ANNUALLY



**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



**520.7**  
FULL-TIME  
EQUIVALENT STAFF



**ASHLEY LINDSAY**  
GENERAL  
MANAGER

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**LAURA BLACK**  
DIRECTOR CORPORATE  
& GOVERNANCE



**JAMIE FLEETING**  
DIRECTOR WORKS  
& CIVIL



**DES SCHRODER**  
DIRECTOR ENVIRONMENT,  
PLANNING & COMMUNITY

# Overview

## STATUTORY ANNUAL REPORT 2019/2020

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

#### 1. Delivery Program 2019/2020 – s428(1)

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 strategic document that sets out the goals and aspirations of its community over the longer term. This is supported by a four year Delivery Program and an annual Operational Plan that sets out a range of objectives, tasks and projects that will deliver on these goals and aspirations in the medium and short term respectively. The Delivery Program is a four year document designed to be aligned with the four year term of Council.

The “July 2017 To June 2021 (Revised) Delivery Program and 2019/20 Operational Plan” document was adopted by Council in June 2019.

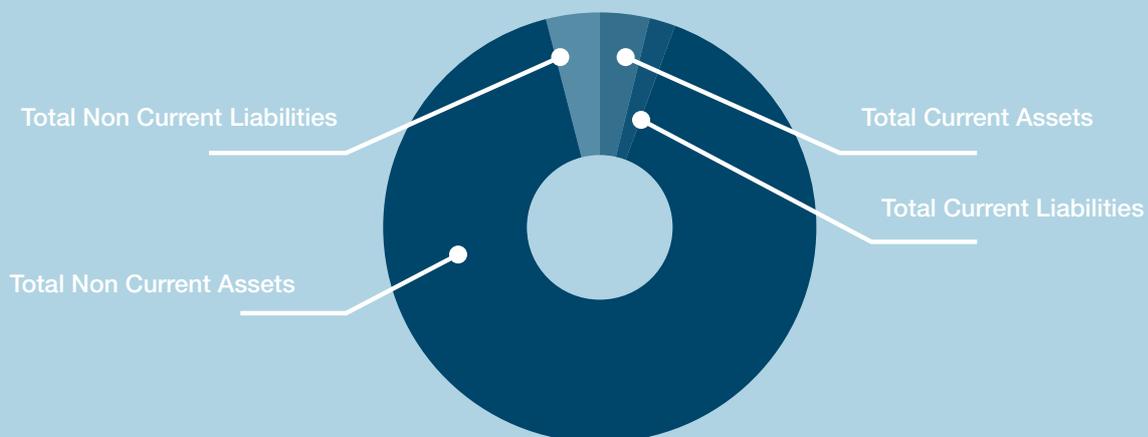
A report on Council’s performance against these plans was presented to Council in July 2020 for the 2019/2020 financial year. Overall Council achieved a 92% success rate in the delivery of the actions and projects contained in the 2019/2020 Operational Plan, the actions not completed were hindered by 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.20.121).

#### 2. Financial Report 2019/2020 – s428(1)

Clarence Valley Council’s audited financial reports for the year 2019/20 are reported separately in the Clarence Valley Council General Purpose Financial Report for the year ended 30 June 2020. 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).

**A summary of the Financial Statements is provided below:**

	<b>2020</b>	<b>2019</b>
	\$'000	\$'000
<b>Income Statement</b>		
Total income from continuing operations	166,026	138,183
Total expenses from continuing operations	158,550	134,483
Operating result from continuing operations	<b>7,476</b>	<b>3,700</b>
<b>Net operating result for the year</b>	<b>7,528</b>	<b>4,428</b>
Net operating result before grants and contributions provided for capital purposes	(17,212)	(8,389)
<b>Statement of Financial Position</b>		
Total current assets	128,362	98,932
Total current liabilities	(47,474)	(33,779)
Total non-current assets	2,003,582	2,013,145
Total non-current liabilities	(111,067)	(116,338)
Total equity	<b>1,973,403</b>	<b>1,961,960</b>
<b>Other financial information</b>		
Unrestricted current ratio (times)	3.23x	4.42x
Operating performance ratio (%)	-1.4%	-1.8%
Debt service cover ratio (times)	3.33x	3.31x
Rates and annual charges outstanding ratio (%)	7.3%	6.5%
Buildings and infrastructure renewals ratio (%)	30.9%	31.7%

**Financial Position**

### 3. Amount of Rates and Charges written off during the year – Reg. cl132

Rates and charges written off in the financial year 2019/2020 were:

TYPE	AMOUNT
Small balance write offs (<\$3.00 as per Revenue Policy)	\$1,502.64
Other Rates & Charges and Debtors write-offs (reported to Council)	-
Postponed rates write offs	\$26,647.37
Sale of land for unpaid rates	-
Voluntary conservation agreements	\$12,986.70
Pensioner abandonments*	\$1,043,501.00
<b>Total</b>	<b>\$1,084,637.71</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



**67,429**  
CALLS ANSWERED



**1,293**  
RATING  
CERTIFICATES



**1,812**  
PLANNING  
CERTIFICATES



**90%**  
EXCELLENT  
SERVICE RATING



**675**  
DEVELOPMENT  
APPLICATIONS

**1710**  
COMPANION  
ANIMAL ENQUIRIES

**644,822m**  
ROADS RESEALED



**9,750**  
RECORDS  
REGISTERED



**1,960**  
REQUEST TO ACCESS  
INFORMATION  
APPLICATIONS



**597**  
CONSTRUCTION  
CERTIFICATES

Invoices processed	32,536
Rates Notices Issued	70,409
Water Notices Issued	62,826
Clarence Valley Water consumption	5,987(ml)
Online visits to Library	93,161
Food premise inspections	238
Head of cattle sold at Saleyards	48,327
Visits to Gallery	24,823
Street trees planted	200
Total pool entries	105239
Emails received	1,015,000
Waste collection (tonnes)	21,743
Website page views	736,374
Hectares of mowed reserves, parks and sportsfields	4,536

#### 4. 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.

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

Clarence Valley Council has a policy called “Councillor Expenses and the Provision of Facilities for Councillors” that governs the expenses paid and facilities provided to the Mayor, Deputy Mayor and Councillors in the discharge of their civic duties. This policy can be viewed on Council’s website [www.clarence.nsw.gov.au](http://www.clarence.nsw.gov.au)

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 2019/20 the total amount of money expended on mayoral and councillors’ fees is as follows:

**Mayoral and Councillors’ Fees \$195,570**

In 2019/20 the total amount of money expended on mayoral and councillors’ fees is as follows:

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)	\$4,151
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	\$3,430
Training of Councillors and the provision of skill development for Councillors	Nil
Interstate travel expenses conferences and seminars	Nil
Overseas visits undertaken during the year by councillors while representing the 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	17,490	17,490	17,490	20,425	17,490	17,490	52,715	17,490	17,490	-	195,570
Office equipment eg. Mobile phones, Printers, iPads, Internet, etc including call costs	1,033	329	176	329	329	329	971	329	329	-	4,151
Conferences & Seminars	-	1,517	-	-	-	-	1,913	-	-	-	3,430
Training & Skill development	-	-	-	-	-	-	-	-	-	-	-
Interstate visits (Conferences & Seminars)	-	-	-	-	-	-	-	-	-	-	-
Overseas visits	-	-	-	-	-	-	-	-	-	-	-
Motor vehical Allowance* / Expense	1,635	362	1,092	-	-	1,568	12,000	-	914	-	17,571
Civic activities / Functions / Meetings	-	-	32	-	-	-	634	141	-	4,360	5,167
Newspaper & others	-	-	-	-	-	-	-	-	-	-	-
<b>Councillor totals</b>	<b>20,158</b>	<b>19,698</b>	<b>18,790</b>	<b>20,754</b>	<b>17,819</b>	<b>19,387</b>	<b>68,233</b>	<b>17,959</b>	<b>18,372</b>	<b>4,360</b>	<b>225,889</b>

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



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

Contracts awarded by 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 (INC GST)
6e.19.008	Planit Consulting Pty Ltd	Consulting Services for Detailed Survey, Investigation, Design and Documentation for 3 Roundabouts -Yamba	\$318,668.90
6e.19.009	Corbett Earthmoving Pty Ltd	Yamba Sporting Complex Car Park Design and Construct	\$357,945.00
6e.19.010	Synergy Resource Management	Ken Leeson Oval Iluka - Laser Levelling, Irrigation and Turf Construction	\$527,419.79
6e.19.011	Komatsu Australia Pty Ltd	Supply 2 Motor Graders	\$434,104.00
6e.19.013	Paveline International Pty Ltd	Road Maintenance Auto Patching Truck	\$435,380.00
6e.19.015	O'Donnell & Hanlon Pty Ltd	Grafton Regional Art Gallery Upgrade	\$6,813,738.00
6e.19.018	Ecotechnology Australia Pty Ltd	Backlog Sewer Works at Malabugilmah Community	\$439,215.20

COUNCIL MEETING MINUTE	CONTRACTOR NAME	DETAILS OF CONTRACT	TOTAL ESTIMATED VALUE (INC GST)
6e.20.001	Advance Sweepers Pty Ltd . Arbpro Pty Ltd . Cable & Pipe Locations. Cambuild Constructions. Chambers Constructions Pty Ltd. Clarence Earthmoving. Jacques Earthmoving. Clarence valley Haulage. Coates Hire Operations. Corbett Earthmoving Pty Ltd. CW & VJ Cooper Pty Ltd. Damians Excavations. North Coast Road Sweepers. D C Civil Enterprises. Ellis Profiling (QLD) Pty Ltd. Ezyquip Hire Pty Ltd. G Child Earthworx Pty Ltd. Hayes Civil Pty Ltd. Hazell Bros Plant Hire (QLD) Pty Ltd. Hyroll Hire Pty Ltd. KBS Mackay. Keegan Civil Pty Ltd. Kennards Hire Pty Ltd. LL & TA Jones Bob Cat Hire. McLennan Earthmoving Pty Ltd. Mitchbrook Construction. Newman Quarrying. North Coast Contracting (Aust) Pty Ltd. Porter Excavations Pty Ltd. R M Earthmoving. Rollers Australia Pty Ltd. R T Kenny Pty Ltd. Smith Plant Hire NSW Pty Ltd. Stabilcorp Pty Ltd. Valley Earthworks Pty Ltd. WDI Earthmoving. Wicks & Parker Pty Ltd. Compass Equipment Hire Pty Ltd. JM and Sons Pty Ltd. Michael Smidt.	Supply of Hire Plant to CVC - 01/04/20 to 30/06/2021	<b>Over \$250k</b>

<b>COUNCIL MEETING MINUTE</b>	<b>CONTRACTOR NAME</b>	<b>DETAILS OF CONTRACT</b>	<b>TOTAL ESTIMATED VALUE (INC GST)</b>
6e.20.002	AGS Commercial Pty Ltd	Maclean Showground Pavillion	<b>\$961,115.00</b>
6e.20.003	AGS Commercial Pty Ltd	Construction of Sports Facility, Rushforth Park	<b>\$1,634,135.80</b>
6e.20.004	Swimplex Aquatics ATF Aquatics Unit Trust	Maclean Pool Filtration Equipment	<b>\$445,748.00</b>
6e.20.005	Abergeldie Rehabilitation Pty Ltd	Sewer Mains Rehabilitation	<b>\$809,123.00</b>
6e.20.006	Ledonne Constructions Pty Ltd	Epoxy Coating Tender	<b>\$1,399,351.00</b>
6e.20.007	Southside Truck Centre	Supply One New Truck and Dog Trailer	<b>\$447,945.00</b>
6e.20.008	Public Works Advisory	North Grafton Sewer Treatment Plant Concept and Detailed Design	<b>\$950,614.00</b>
6e.20.010	JKT & Sons Pty Ltd	Management and Operation of the Iluka Riverside Holiday Park	<b>\$284,000.00</b>
6e.20.011	Nanobuild Pty Ltd	Maclean Pool Plant Room	<b>\$1,232,007.46</b>
6e.20.013	Alan Kneale Electrical Pty Ltd	Sports Lighting Upgrades - Barnier and McKittrick Parks and Ngayundi Sports Complex	<b>\$633,225.00</b>
6e.20.014	Corbett Earthmoving Pty Ltd	Calypso Holiday Park Redevelopment - Stage 1	<b>\$343,384.00</b>

# NATURAL RESOURCE MANAGEMENT



**606**  
COASTAL EMU  
SIGHTINGS  
REGISTERED



**1531**  
KOALA SIGHTINGS  
REGISTERED



**1,175**  
KOALA REVEGETATION  
BROCHURES  
DISTRIBUTED



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



**750**  
DOGS AND  
WILDLIFE SURVEY  
DISTRIBUTED





## 7. Legal Proceedings: Expenses and Progress Reg. cl 217(1)(a3)

There was one outstanding case of legal proceedings taken against Council in 2019/2020 and one continuing from 2018/2019. Both have been completed with a total cost of \$30806.30 (\$1126.30 and \$29860.23 respectfully) . Council were awarded \$10,000 in the matter that commenced in 2018/2019.

## 8. Work on Private Land – s67(3) and Reg. cl 217(a4)

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

- **Coldstream Street Yamba** – Council Minute 6c.20c.011 on 25 February 2020. Council approved a 2019/2020 budget allocation for the removal of approximately 27m<sup>2</sup> of existing pavement, regrading and replacement with a suitable alternative up to a cost of \$5,400.

## 9. 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 \$60,135. In addition, it approved grants totalling \$1,500 from the Clarence Valley Sports and Cultural Trust Fund to assist elite young sportspersons, however, due to the impact of COVID restrictions the funds were not required to be paid. Council gave a further \$71,494 in financial assistance to various organisations to assist with the running of festivals, exhibitions and celebration

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

External bodies exercised the following Council functions in the year 2019/2020:

- **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.

Other organisations performing services in the Clarence Valley Council area but without any delegations from Council were:

- **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



ENGAGED WITH

**498**

STUDENTS AT OUR HEALTH  
AND WELLBEING EVENTS AND

**2,298**

YOUNG PEOPLE VIA OUR  
OUT OF THE BOX PROGRAM

## 11. 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 2019/2020.

## 12. Statement of all corporations, partnerships, trusts, joint ventures, syndicates or other bodies in which council participated –

Reg. cl. 217(1)(a8)

Council participated in the following corporations, partnerships, trusts, joint ventures, syndicates or other bodies during the year:

- **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 the Clarence Valley Council General Purpose Financial Report 2019 on the Council website.

### 13. 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 the Council's adopted EEO Protocol and EEO Management Plan. This plan is scheduled for full review in the 20/21 financial year. Council have achieved the following to ensure equal employment opportunity

- Council has participated in an internal HR Audit to ensure all human resource processes are robust and transparent and inline the legislation. A business improvement review specifically for recruitment and selection was also completed. The audit and review resulted in the introduction of the My Employee Journey Framework which brings a holistic view to the journey of all employees. This framework provides a commitment to equal opportunity employment.
- Position advertisements that include standard EEO statement and are written in plain English and free from bias.
- There are 13 positions on Council's organisation structure (including 3 trainee positions) designated as First Nations People identified positions. In addition to those identified positions, Council has engaged a number of employees from First Nations background through the open recruitment process. A total of 25 employees identify as First Nations. In addition, during 2019/2020 Council engaged 4 First Nations People as trainees under the Arts Ready School Based Trainee Program. The Aboriginal Employment Strategy seeks to have approximately 5% (or 26 positions) representation of First Nations People in the Council workforce. This strategy will be reviewed in the 20/21 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 (34%) age group. Council's workforce comprises of 70% male and 30% 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 2020/2021 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 completes this online training.
- Council has commenced the implementation of the Local Government Capability Framework which involves updating all position descriptions. This process will ensure all position descriptions are up to date and remove any artificial barriers.

## 14. Statement of the total remuneration package of the general manager – cl 217(1)(b)

The total remuneration comprised in the remuneration package of the General Manager during the year was as follows:

The total value of remuneration package*	<b>\$282,117</b>
The total value of the salary component of the package	<b>\$258,731</b>
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	<b>Nil</b>
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	<b>\$23,387</b>
the total value of any non-cash benefits for which the general manager may elect under the package	<b>Nil</b>
the total amount payable by the council by way of fringe benefits tax for any such non-cash benefits	<b>Nil</b>

## 15. 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, Planning and Community)

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	<b>\$665,115</b>
The total value of the salary components of their packages	<b>\$589,546</b>
The total amount of any bonus payments, performance payments or other payments that do not form part of the salary components of their packages	<b>\$2,798</b>
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	<b>\$72,771</b>
the total value of any non-cash benefits for which any of them may elect under the package	<b>Nil</b>
the total amount payable by the council by way of fringe benefits tax for any such non-cash benefits	<b>Nil</b>

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

Council did not levy any annual charges for stormwater management services in 2019/2020.

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

Council did not levy any annual charges for coastal protection services in 2019/2020.

## 18. State of the Environment Report – s428A(1)

The revised due date is 31 July 2021 for the finalisation of the 2020 Regional State of the Environment report. This aligns the report with the Local Government elections and Integrated Planning and Reporting timeframe, rescheduled due to COVID-19.

The rescheduling allows Council to incorporate the 2020 FY data, which will include impacts to the environment throughout the year - from bush fire, floods and COVID-19.

The Regional State of the Environment 2016 Report (SoE) meets the reporting requirements of the IP&R framework and provides environmental benchmarks that councils and natural resource managers can use for better decision-making. The SoE Report can be viewed on Council's website [www.clarence.nsw.gov.au](http://www.clarence.nsw.gov.au)

## 19. Particulars of any environmental agreement entered into in accordance with any requirements imposed under s406 – s54P

Council did not enter into any environmental agreements in 2019/20.

## 20. Report on special variation expenditure (if required) – s508(2)

In 2018/2019 Council the total amount raised from the 8% SRV was \$2,708,694

which was utilised for Capital Works Projects which are detailed on the Council [website](#).

## 21. 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 cost of such studies are to be included if council subsequently proceeds with the project).

During 2019/2020, no capital projects were above the threshold identified in the Capital Expenditure Guidelines.

## 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

### 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	402
Cats	161

#### Dangerous and nuisance dog actions/orders:

Dangerous Dog Declaration Orders	2
Restricted Breeds	5
Nuisance Dog Orders	55
Registration Notices	45
Seizure Notices	306

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

Council's Rangers have attended 71 dog attacks this year.

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

Expense	
Staffing Wages	\$125,636
Income	
Fines	\$12,629
Impounding and Deterrent Fees	\$11,932
Micro-chipping Fees	\$4,420
Sustenance fees charged	Included in impounding fees
Sales Fees	\$14,886



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

A social media presence and animal foster network are 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 Council has in place to promote and assist the de-sexing of dogs and cats - 16.2(d) Guidelines

Council's policy on sale animals is they all must be desexed before sale. This has once again contributed to a reduction in the number of kittens and puppies brought to the Pound as abandoned.

Council continues to hold reduced fee micro-chipping days to assist as many members of the public as possible in getting 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 have been working tirelessly in liaising with animal rescue groups throughout the area and interstate and have forged strong partnerships to provide a rescue pathway for unwanted animals.

### 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**



**21,476**  
WATER CONNECTIONS  
**1,112**  
METERS REPLACED  
**160**  
NEW METERS AND  
CONNECTIONS

## 23. Government Information (Public Access) Act 2009 and Regulation

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

Under Section 125(1) of the Act, each agency must, within 4 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)
- 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.*

Applications refused during 2019/2020, wholly or partly	6
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Applications received	21
In hand at 1 July 2019	2
Applications processed	20
In hand at 30 June 2020	0

- 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.



**1,541**  
KM OF WATER  
MAINS

**30**  
RESERVOIRS

**20**  
WATER PUMP  
STATIONS

**3.1**  
KM OF NEW  
WATER MAIN



**284**  
KM GRAVITY MAINS  
AND RETICULATION

**117**  
KM RISING  
SEWER MAINS

**119**  
SEWER PUMP  
STATIONS

**6**  
SEWER TREATMENT  
PLANTS

## 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	0	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)	3	1	0	1	0	0	0	0
Members of the public (other)	8	0	5	1	0	1	0	0
<b>Total</b>	<b>11</b>	<b>1</b>	<b>5</b>	<b>2</b>	<b>0</b>	<b>1</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*	3	0	0	0	0	0	0	0
Access applications (other than personal information applications)	8	0	4	2	0	1	0	0
Access applications that are partly personal information applications and partly other	0	1	1	0	0	0	0	0
<b>Total</b>	<b>11</b>	<b>1</b>	<b>5</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

\* 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 occasions when application not successful
Responsible and effective government	0
Law enforcement and security	0
Individual rights, judicial processes and natural justice	6
Business interests of agencies and other persons	0
Environment, culture, economy and general matters	0
Secrecy provisions	0
Exempt documents under interstate Freedom of Information legislation	0

**Table F: Timeliness**

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



## 24. Environmental Planning and Assessment Act 1979

### Particulars of compliance that will effect planning agreements in force during the year – s93G(5)

Council entered into one new voluntary planning agreement in 2018/2019.

ITEM	Developer	Project	Summary of Planning Agreement	Status 2018/2019
1	Mainrow Pty Ltd	Motel 2 Queen Street Yamba (DA2014/0214)	Contribution of \$36,457.85 in lieu of vehicle parking that could not be provided on site.	Executed and \$36,457.85 paid by receipt No.823700 on 19/12/19
2	MG Barnett Pty Ltd	Extension to veterinary surgery 91 Prince Street Grafton (DA2019/0298)	Contribution of \$18,920.00 in lieu of vehicle parking that could not be provided on site.	Executed and \$19,920.00 paid 17/01/2020
3	Sheridan's Hard Rock Quarry Pty Ltd	Hard Rock Quarry 242 Faheys & Bulgins Road Hernani (DA2014/0098)	Contribution towards road maintenance of quarry haulage route of \$0.12 per cubic metre	Executed.
4	Lucas Opperman Visagie & Margaret Ann Visagie	Two Lot Subdivision 139 Clearview Road, Coutts Crossing (SUB2019/0022)	Contribution towards upgrade of Clearview Road \$10,000.00	paid for receipt no.830384 11/03/2020
5	Dobel Ave Pty Ltd	Boundary Adjustment 198 Gardiners Road James Creek (SUB2019/0029)	Contribution of \$12,500.00 towards Biodiversity Offset Fund	executed, paid for receipt no. 823700 19/12/19
6	Aurecon Australiasia Pty Ltd	Telecommunication tower behind Minnie Water Caravan Park Hiawatha Road, Minnie Water (DA2018/0678)	Contribution of \$5,000.00 towards biodiversity offset fund	paid for receipt no.812700 23/08/2019

## 25. Public Interest Disclosure Act 1994 and Regulation

### 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 2019/2020, 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 2018 to June 2019		
	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	

## GRAFTON REGIONAL GALLERY



**25,467**  
GALLERY VISITORS  
(ONSITE, OUTREACH  
AND TOURING)

**10**  
DEVELOPMENT  
WORKSHOPS HELD

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



**102**  
LOCAL ARTISTS  
INVOLVED



**956**  
VOLUNTEER  
HOURS



**46**  
EXHIBITIONS  
HELD



**59**  
NEW ARTWORK  
ACQUISITIONS

## 26. Carers Recognition Act 2010 – S8(2)

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

#### Services for Carers

Council, through its Care & Support Services provides information, support, direct services and advocacy for people who care for family members with a disability, chronic illness or are frail aged. Care & Support have a range of aged care services that may be of assistance to working carers who are responsible for their parents or older family members. The service is NDIS registered and provides direct services, plan management and support coordination.

### 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.



## 27. 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 of 2 Councillors, 9 community members (including an Occupational Therapist and a guide dog Orientation & Mobility Specialist). Some meetings have been postponed due to COVID-19 restrictions.

Here are some of the projects the Committee has had influence over

- Feedback on draft planning documents for example the Grafton Bridge Project.
- Lobbied Rotary Yamba to install a bench seat at a Taxi Pick up and Drop off area in Yamba.
- Drafting some mobility maps.
- 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 went out to businesses about revitalising the main street scape by ensuring accessibility for all
- Free Accessibility workshops for businesses during NSW Small Business Month Access at a glance program - promoting using window signage and stickers to indicate if a place or space is accessible at a glance.
- Access and inclusion planning and delivery is included in the planning of events.

#### Creating Liveable Communities;

- Public toilet strategy completed. Signage review to be undertaken.
- Draft public amenities strategy completed and to go on exhibition 2020/2021. Review of all public toilet condition undertaken.

- New accessible parking spaces to be installed in new car park as part of the new Grafton Bridge at the instigation of Council
- The Gallery is proactive in presenting and supporting program opportunities for people with disability and the Gallery is wheelchair accessible. All our libraries are wheelchair accessible and our 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 provides all children the liberating experience of dynamic movement. It allows for all children to play side by side. Not only does the 'Wheelspin' accommodate wheelchairs, it allows several children the opportunity to spin together.
- As part of the planning, approval and legal requirements all new and or refurbished commercial buildings are compliant with disabled access requirements.

- Pippi Beach and Wooli Beach have improved access areas
- MLAK keys given to residents free of charge
- Accessible toilets remain unlocked throughout the day, access afterhours via use of MLAK
- Maintains network of accessible toilets
- Council is continuing the process of expanding the shared pathway network
- Ongoing audits of pathways and public toilet infrastructure.
- Advertising of all positions encourage all members of our community to apply.
- Workspace and access considers are reviewed as needed.
- Council will redevelop the main office building in 20/21 which will be all accessible for the whole of community. The new design will include a lift.

#### **Access to Meaningful Employment;**

- Council will review all policies and procedures in 2019/2020 ensure they are promote an equal employment opportunity workplace (EEO). Council will continue with this review into 20/21 to ensure all internal documents from the People and Culture Team are up to date and promote EEO. Council are working on updating the Workforce Diversity and Inclusion framework to ensure ongoing opportunities for people with disabilities.

#### **Improve access to systems and processes**

- Councils web site contains a number of references including - access, Access Committee, and Community Services Directory.
- Council will be updated their web page in 20/21 to ensure an all access environment.
- All Council meeting have been broadcasted live via Facebook.

Planning and development of the 2021/2025 Disability Inclusion Action Plan in underway. Council continues to engage the community to ensure the priorities are current and relevant into the future.

## **28. Recovery and Threat Abatement Plans – s220ZT**

### **Compliance with the Fisheries Management Act, 2014**

- 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
- Black Rockcod Recovery Plan
- Eastern Freshwater Cod Recovery Plan
- Oxleyan Pygmy Perch Recovery Plan

# OTHER REPORTING

## 29. 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		Incomplete as at 30 June
				Completed within policy timeline*	Completed outside policy timeline*	
2019/2020	0	0	10	10	0	0
2018/2019	0	0	9	9	0	0
2017/2018	0	0	10	7	3	0
2016/2017	1	1	51	44	7	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

## 30. 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 2019/2020 there was no privacy complaint against Council.

## 31. Details of Inspections of Private Pools

### Compliance with the Swimming Pools Act 1992 s22F and Swimming Pools Regulation 2018 c123

Number of inspections of tourist and visitor accommodation	0
Number of inspections of premises with more than 2 dwellings	11
Number of inspections that resulted in issuance of certificate of compliance under S22D of Swimming Pools Act	149
Number of inspections that resulted in issuance of certificate of non-compliance under Cl21 of Swimming Pools Regulations	33



Clarence Valley Council

02 6643 0200

[council@clarence.nsw.gov.au](mailto:council@clarence.nsw.gov.au)

2 Prince Street Grafton

[www.clarence.nsw.gov.au](http://www.clarence.nsw.gov.au)