



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
28 OCTOBER 2010

Contents

ITEM	DESCRIPTION	PAGE
	MAYORAL MINUTE	1
MM10/2	APPOINTMENT OF GENERAL MANAGER	1
	CORPORATE BUSINESS DEPARTMENT REPORTS	3
CB10/55	FINANCIAL REPORTS 2009/10	3
	CITY SERVICES DEPARTMENT REPORTS	5
CS10/41	REVIEW OF WORKS FEES & CHARGES - ROAD OCCUPANCY	5



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

28 OCTOBER 2010

MAYORAL MINUTE

MM10/2 APPOINTMENT OF GENERAL MANAGER

Purpose:

To advise Council and the Community of the appointment of a General Manager to fill the vacancy following the termination of the previous incumbent.

Description of Item:

Council resolved at the meeting of 2 August 2010, to terminate the contract of the General Manager Stephen Michael Sawtell.

Council resolved at the meeting of 2 August 2010, to commence recruitment for a new General Manager.

Statutory Requirements:

Council is required by Section 334 of the Local Government Act to appoint a General Manager.

Issues:

Following Council's resolution of 2 August 2010, the vacant position of General Manager was advertised nationally and internationally via the internet.

There has been considerable interest in this position and the caliber of applicants was extremely high. Interviews were conducted on 22 and 23 September 2010. A decision regarding the successful candidate was reached unanimously by all Councilors present on 23 September 2010.

I am pleased to advise that following this competitive process, Stephen Charles McGrath was offered and has accepted the position of General Manager, subject to the finalisation of contractual issues.

MM10/2 - Appointment of General Manager (Cont'd)

This process has once again identified the level of competence, skills and expertise within this organisation.

Recommendation:

- 1. That Coffs Harbour City Council appoint Stephen Charles McGrath as General Manager of Coffs Harbour City Council in accordance with Section 334 of the Local Government Act**
- 2. That the term of this appointment commence on 15 November 2010 for a period of 4 years.**
- 3. That the delegations of the Council under Section 377 of the Local Government act, to the General Manager as attached be delegated to Stephen Charles McGrath for the duration of the appointment.**
- 4. That all documentation related to this employment contract be executed under common seal of Council.**

**Keith Rhoades, AFSM
Mayor**

CORPORATE BUSINESS DEPARTMENT REPORTS

CB10/55 FINANCIAL REPORTS 2009/10

Purpose:

Statements to be signed to meet legislative requirements in relation to the completion of the Annual Financial Statements for 2009/2010.

Description of Item:

Attached are two statements, i.e. "General Purpose Financial Statements – Statement by Councillors and Management" and "Special Purpose Financial Statements – Statement by Councillors and Management", which are required to be signed prior to the submission of the statements to the Division of Local Government. The Auditor will not provide his audit reports (which also are required to be included in the statements sent to the Division of Local Government), until he receives signed copies of the statements.

Tabled at this meeting are the Annual Financial Statements (includes General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules) for 2009/10.

Sections 413 to 416 of the Local Government Act require audit completion of the Annual Financial Statements by 31 October and for them to be forwarded to the Division of Local Government by 7 November. Signed copies of the statements will be provided to the Auditors.

A full set of audited Financial Statements and a report thereon, will be provided at the November 11, 2010 Council Ordinary Meeting.

Sustainability Assessment:

- **Environment**

There are no perceived current or future environmental impacts.

- **Social**

There are no perceived current or future social impacts.

- **Economic**

Broader Economic Implications

There are no perceived current or future economic impacts.

Delivery Program/Operational Plan Implications

Costs for preparation of the Annual Financial Statements (i.e. labour and materials) are allocated within the Finance and Program Support budget programs.

Consultation:

The Annual Financial Statements were collated with the assistance of various Corporate Business and City Services staff in conjunction with Thomas Noble and Russell (Council's external auditors).

Related Policy and / or Precedents:

Annual Financial Reports – Completion and Public Access.

Statutory Requirements:

Sections 413 to 416 of the Local Government Act 1993 and Section 215 of the Local Government (General) Regulation 2005.

Issues:

Failure to approve the above mentioned statements will result in non compliance with relevant legislation.

Implementation Date / Priority:

The Annual Financial Statements will be authorised for issue on 28 October 2010.

Recommendation:

That the “General Purpose Financial Statements – Statement by Councillors and Management” and “Special Purpose Financial Statements – Statement by Councillors and Management” forms for 2009/2010 be approved for completion by the designated signatories.

**Craig Milburn
Director
Corporate Business**

CITY SERVICES DEPARTMENT REPORTS

CS10/41 REVIEW OF WORKS FEES & CHARGES - ROAD OCCUPANCY

Purpose:

The purpose of this report is to recommend to Council alterations to the existing fees and charges associated with occupancy within the road reserve, particularly construction zones and site hoardings.

Description of Item:

When a building is being constructed or refurbished and has little to no setback, such as a shop front, the builder often finds that there is a need to encroach and occupy Council's footway area to facilitate works on the shop-front itself. This occupancy is generally only one metre from the property boundary, for the width of the property (typically 5m to 15m), with the placement of timber plywood hoarding to facilitate works on the front of the building. The builder often also finds the need to occupy the kerbside space adjacent the development site for the delivery of materials.

Within Council's current Fees and Charges adopted on 24th June 2010, these activities on Council's road reserve are accounted for with the fees associated with a Construction Zone as shown below:

Description of Fee or Charge	Account Number	Unit	Fee or Charge 2010/11 Incl. of GST	Pricing Policy	GST Included
Construction Zones	1-30905-000-1335				
Construction Zones (Kerbside Space)		Metre / Week	\$18.00 (Min. \$115.00)	E	N
Footpath Occupation (Hoardings or construction materials on footpath)		M2 / Week	\$18.00 (Min. \$115.00)	E	N

A developer is required to seek approval and pay the appropriate fee based upon their proposed activities associated with the development.

The above fees could result in prohibitive amounts being charged that discourages development, particularly where the developers of a site have to occupy a large area of land for a long period of time.

These fees are structured such that a developer / contractor is encouraged to minimise the disruption caused to the community by reducing the footprint of the occupancy as well as the duration of the works. However, there is an argument that the fees above are reflective of typical shop front refurbishment with a duration of typically four weeks, and not a full-site, large scale development with extensive frontage and long duration of works.

It is also noted that there is a deficiency with the existing fees and charges for footpath occupation such that it does not recognise the different types of hoarding used with construction sites being:

A-Class Hoarding, which is chainmesh fencing or plywood type hoarding, or

B-Class Hoarding, which enables the provision of overhead site offices placed over the footway.

It is proposed that within the fees and charges that the existing fees are revised to differentiate between the placement of hoarding for long term works as apposed to short term footpath occupancy activities such as, the storage of materials on the footpath and short term worksites. New fees and charges proposed are found per the Attachment A.

Sustainability Assessment:

- **Environment**

No environmental issues are associated with this issue.

- **Social**

It is envisaged that the application of the proposed fees and charges will not create any additional social impacts to those already anticipated through road occupancy activities.

- **Civic Leadership**

The proposal to adjust Council's Fees and Charges associated with road occupancy activities are a reflection of Council's role as an advocate within the Coffs Harbour 2030 Community Strategic Plan, such that:

Objective LP1.2 : Our economy is strong and diverse providing a wide range of rewarding employment opportunities which are available to all.

Strategy LP1.2.2: Assist existing business operations to grow as sustainable enterprises.

- **Economic**

Broader Economic Implications

It is believed that revising Council's fees and charges associated with road occupancy will address a shortcoming within the existing fees and charges and potentially remove a deterrent for developers considering to invest within the city.

Delivery Program/Operational Plan Implications

The proposed changes to the fees and charges has little to no impact on Council's budget nor the delivery of the Operational Plan.

Consultation:

In reviewing the fees and charges associated with road occupancy, the fees and charges of various other councils of similar size and circumstance were assessed to gauge the relative position of Coffs Harbour City Council. The proposed fees and charges per Attachment A were nominated based on this assessment as well as historical fees previously charged by Council.

Related Policy and / or Precedents:

Changes to the Fees and Charges are sometimes required due to new or emerging circumstances and require the endorsement of Council.

Statutory Requirements:

The issue of granting approvals for work on the road reserve is undertaken in accordance with Section 138 of the Roads Act 1993 - *Works and Structures*, and Section 68 of the Local Government Act 1993 – *What activities, generally, require the approval of Council?*

Issues:

There is a perceived balance between encouraging redevelopment of the city through competitive fees and charges, with the need to be accountable for costs incurred to Council and the community arising from road occupancy activities.

On this basis, the adoption of the revised fees and charges is seen as appropriate.

Implementation Date / Priority:

The resolution should be put into effect at the earliest opportunity.

Recommendation:

- 1. That Council advertise the revised fees and charges for Road Opening or Other Private Work on Public Road and Construction Zones as outlined in Attachment A.**
- 2. If no adverse comments are received, the fees and charges be adopted.**

**Jenni Eakins
Director, City Services (Acting)**

Attachments:

ATTACHMENT A

Description of Fee or Charge	Account Number	Unit	Fee or Charge 2010/11 Incl. of GST	Pricing Policy	GST Included
<p>Road Opening or Other Private Work on Public Road</p> <p>Application Fee: Initial charge – activity up to 1 week in duration</p> <p>Charge for additional time over 1 week</p> <p>Footpath Occupancy</p> <p>Road Occupancy (up to 30m length)</p>	<p>1-30900-000-1328</p> <p>ROAD</p>	<p>1st Week</p> <p>Subsequent Weeks</p> <p>Per m² per week</p> <p>Per lane per day</p>	<p>\$121.00</p> <p>\$66.00</p> <p>\$18.00 (Min. \$115.00)</p> <p>\$90.00</p>	<p>E</p> <p>E</p> <p>E</p> <p>E</p>	<p>N</p> <p>N</p> <p>N</p> <p>N</p>
<p>Construction Zones (min 1 month duration)</p> <p>Application Fee:</p> <p>Construction Zones (Construction Zone is a parking area on the carriageway, adjacent to a construction site for the exclusive use by vehicles engaged in the construction works.)</p> <p>Hoardings, scaffolding or construction materials on footpath</p> <p>A Class Hoarding</p> <p>B Class Hoarding</p>	<p>1-30905-000-1335</p>	<p>Metre / month</p> <p>Metre / month</p> <p>Metre / month</p>	<p>\$121.00</p> <p>\$18.00</p> <p>\$9.00</p> <p>\$18.00</p>	<p>E</p> <p>E</p> <p>E</p> <p>E</p>	<p>N</p> <p>N</p> <p>N</p> <p>N</p>