

ANNUAL REPORT

SECTION 2 – STATUTORY INFORMATION



1 JULY 2011 TO 30 JUNE 2012



Tabled at the Ordinary Meeting of 22 November 2012
www.coffsharbour.nsw.gov.au



Helping to achieve the 2030 Community Vision

Coffs Harbour City Council 2011/2012 Annual Report - Section 2 – Statutory Information

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Annual Report 2011/2012 - Section 2 - Statutory Information

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Annual Report 2011/2012 - Section 2 - Statutory Information

Introduction

The Annual Report refers to the period 1 July 2011 to 30 June 2012.

Section 2 of the Annual Report includes information that is prescribed by the Local Government (General) Regulation 2005. It is considered important for the community to have access to this information so it can better understand how Council has been performing both as a service provider and a community leader.

In a separate document, Section 1 of the report focuses mainly on Council's implementation of its Delivery Program and Operational Plan – the plans that are wholly Council's responsibility under the NSW Integrated Planning and Reporting (IPR) Framework. This represents an overview of the effectiveness of Council activities in implementing the strategies and achieving the objectives of the *Coffs Harbour 2030* Community Strategic Plan. The IPR legislation requires councils to provide this information every six months and as an "End of Term" Report at the conclusion of the term of each elected council.

Also tabled separately, Section 3 of the Annual Report contains Council's annual financial statements, as required by the Local Government Act 1993 - Section 428 (4) (a).

All sections of the Annual Report can be accessed at Council's website: www.coffsharbour.nsw.gov.au

Compliance with Special Variation Approval Conditions.

▪ **City Centre Revitalisation (2000)**

In July 2000, Coffs Harbour City Council secured Ministerial approval for an increase in general income of 5.0% to meet costs associated with Council's planned City Centre improvements.

The approval was on the understanding that:

1. Coffs Harbour City Council would levy an increase in rates to meet costs associated with a City Centre Improvements program, as defined by Council, for a period of twelve years; and
2. Council would reduce its general income for the 2012/2013 rating year by \$401,000, plus the equivalent cumulative proportion of this increase, from any general variation increases - or any special variation increases - approved for the 2001/2002 to 2012/2013 rating years inclusive.

The City Centre Revitalisation remains an unqualified success in reinvigorating the area.

Council introduced an extraordinary business rate (referred to as the CBD Rate) to provide the basis for \$5.14M in loan funding across a 10 year period. Annual loan repayments of \$704,855 were serviced from the rate variation and CBD-related revenues.

Council secured approval to continue this special variation during 2012/2013 to assist in the development of a new Masterplan for the City Centre. A further application is to be made to the Independent Pricing and Regulatory Tribunal (IPART) to extend the special variation for a further nine years to fund an ongoing program of City Centre improvements (as directed by the Masterplan).

▪ **Community Facilities Program (2006)**

In response to community demands, Council developed a \$21.5m schedule of capital infrastructure works - called the Community Facilities Program – as part of the 2006/2009 Management Plan. Council applied for a variation in rates to assist in funding the program.

On 26 June 2006, the Minister for Local Government approved Coffs Harbour City Council's application for a 9.56% special variation to General Income for 2006/2007 (see *DLG Reference A49996*). The approval was subject to the following conditions:

1. The Council will raise \$1,390,970 of the increase by additional rates for the costs associated with the infrastructure projects in Council's Community Facilities Program, and
2. The Council clearly report in its Annual Report for the period 2006/2007 to 2015/2016 information on the total income received, expenditure per project/program and outcomes achieved, and
3. The Council develops a comprehensive Asset Management Plan linked to a long-term financial plan. Council is to report to the Department of Local Government on the progress of the Asset Management Plan's development by 31 December 2006.

The following table provides information on the total income received and expenditure per project/program. A summary of outcomes achieved follows on page 5.

Compliance with Special Variation Approval Conditions *(Continued)*

Rate Variation Program – 2006/2012 - Community Facilities Program Financial Report - Commencement to 30 June 2012

	To 30/6/11 \$	2011/12 \$	To 30/6/12 \$
Income			
Rate revenue (additional from rate variation)	7,710,115	1,690,950	9,401,065
Loan funds raised - Community Facilities Program	8,558,153		8,558,153
Grants:			
Hogbin Drive Extension Stage 2	10,279,943		10,279,943
Nana Glen Swimming Pool	450,000		450,000
City Park (Brelsford)	1,068,000		1,068,000
Middle Creek Bridge	570,289		570,289
Total Grants	12,368,232		12,368,232
Contributions:			
Private Works Reserve (for Public Amenities Upgrade)		26,389	26,389
Nana Glen Swimming Pool (from NG Community)	200,000		200,000
Hogbin Drive (Country Energy)	49,762		49,762
Sawtell Town Improvement Program	8,368		8,368
Total Contributions	258,130	26,389	284,519
Sale of Land - Hogbin Drive	88,972		88,972
Other Council contributions (loans, revenue, reserves)	2,129,158		2,129,158
Interest earned	346,973	70,095	417,068
Total Income	31,459,733	1,787,434	33,247,167

(Continued Next page)

Rate Variation Program - 2006/2012 - Community Facilities Program *(Continued from previous page)*

Financial Report - Commencement to 30 June 2012

	To 30/6/11	2011/12	To 30/6/12
	\$	\$	\$
Expenditure			
Works:			
Hogbin Drive Extension Stage 2	16,811,634		16,811,634
City Park	1,423,070	37,139	1,460,209
Museum Development*	372,674		372,674
Netball Courts Woolgoolga*			0
Richardson Park Drainage & Fitzroy Oval Lighting*		194,806	194,806
Public Amenities Upgrade *		26,389	26,389
Nana Glen Swimming Pool	852,654		852,654
Jetty Structure Restoration	1,500,001		1,500,001
Coffs Coast Sport & Leisure Park Works*	14,891	34,013	48,904
Middle Creek Bridge	847,893		847,893
Coral Street Bridge Replacement	762,698		762,698
Nana Glen Improvements	358,814		358,814
Woolgoolga Town Improvements	390,569		390,569
Sawtell Headland Improvements	349,959	29,767	379,726
Sawtell Town Improvements	344,675		344,675
Jetty Strip Improvements	68,459		68,459
Total Works	24,097,991	322,114	24,420,105
Operating:			
Nana Glen Swimming Pool	391,787	109,459	501,246
City Park - New Facility			
City Park - Playground	78,881	58,124	137,005
Total Operating	470,668	167,583	638,251
Loan repayments	5,372,683	1,037,379	6,410,062
Total Expenditure	29,941,342	1,527,076	31,468,418
Funds on Hand at 30 June			
Loan funds on Hand - Community Facilities Program	1,311,603	(96,168)	1,215,435
Other funds	206,788	356,526	563,314
Total Funds on Hand	1,518,391	260,358	1,778,749

* (New works)

Compliance with Special Variation Approval Conditions

▪ **Community Facilities - Outcomes Achieved**

2011/2012 saw work progress on the last of the eleven infrastructure projects initiated through the Community Facilities Program's original (2006/2007) schedule of works:

- *City Park* – Council completed the Brelsford Park Adventure Playground in February 2010 – the facility has proved extraordinarily popular as a regional attraction. Consultative and design processes have continued following a review of the Brelsford Park Masterplan that has expanded the project scope to include the development of a regional skate plaza.
- *Sawtell (Bonville) Headland Improvements* – were completed in March 2012 after extensive consultation with local interest groups. Improvements included the construction of amenities, the headland walkway, carpark and road upgrades.

The completion of nine other projects from the original schedule of works has been reported in previous Annual Reports.

Through the Community Facilities Program, the Rate Variation revenue has subsequently assisted in funding the upgrade of drainage at Richardson Park and the installation of lighting at Fitzroy Oval. It is also contributing funds associated with the following projects:

- The new Museum facility in Harbour Drive which will be completed in 2012/2013;
- The upgrade of the Woolgoolga netball courts in 2012/2013; and
- The continuation of upgrades to public amenities.

Compliance with Special Variation Approval Conditions (*Continued*)

- ***Priority Infrastructure and Economic Development (2008)***

On 27 June 2008, the Minister for Local Government approved a special variation of 5.95% for Coffs Harbour City Council for 2008/2009. On top of the approved 3.2% 'rate pegging' allowance, this represented a further 2.5% increase in Residential, Farmland, CBD Business and citywide Business rates and an additional 3.5% increase in the citywide Business rate.

The approval was subject to the following conditions:

1. The Council will levy a rate increase for the costs associated with priority infrastructure and economic development projects, as defined by the Council; and
2. The Council clearly reports in its annual report for the period 2008/09 to 2012/2013 information on the total income received, expenditure per project/program and outcomes achieved.

In relation to approval condition 2 above, the tables on pages 7, 8 and 9 provide information on the total income received and expenditure per project/program in 2011/2012 and the outcomes achieved.

Compliance with Special Variation Approval Conditions (Continued)

▪ Priority Infrastructure and Economic Development (Continued)

Variation Yield including Revotes (\$)	Priority Infrastructure Works 2011/2012	Rate Variation Funds (\$)	Actual (\$)	Revote ** (\$)	Comments
934,180	Bridges Major Repairs	6,531	6,531	0	
	Timmsvale Bridge, Timmsvale Rd	167,450	167,450	0	Works completed September 2011
	Investigations	60,000	45,753	14,247	
	Major Bridge Repairs - Unallocated	64,735	8,890	55,845	
	Harry Jensen Bridge Repairs and Cathodic Protection (CP) System	125,000	98,186	26,814	Works still in progress
	Houlahans Bridge, Dairyville Rd	77	77	0	Works completed
	Mount Coramba Bridge	274	274	0	Works completed
	Old Bucca Road Bridge	115,000	90,543	24,457	Works still in progress - due for completion December 2012
	Hartleys Bridge	249,700	0	249,700	Works to commence March 2013
	Murrays Bridge, Lower Bo-Bo	40,000	29,238	10,762	Bridge completed - minor approach works pending
	Sawtell CP system	12,555	12,555	0	Works completed February 2012
	Herds Bridge	5,000	0	5,000	Works yet to commence
	MR 540 - Hogbin Drive Cycleway Bridge Replacement	32,858	32,858	0	Works completed November 2011
	McClellands Bridge	35,000	0	35,000	Works to commence November 2012
	CP - Sawtell Bridge	20,000	20,000	0	Works completed
	Totals	934,180	512,355	421,825	
<i>** Funding carried forward into subsequent financial year.</i>					

Compliance with Special Variation Approval Conditions *(Continued)*

- **Priority Infrastructure and Economic Development *(Continued)***

Variation Yield including Revotes (\$)	Economic Development Projects / Activities 2011/2012	Rate Variation Funds (\$)	Actual (\$)	Revote ** (\$)	Comments
150,600	Events Facilitation*	36,409	36,409	0	<i>(See table next page)</i>
	Buskers Festival	48,770	48,770	0	Funding difference between revenue & expense
	Business Development Workshops	5,774	5,774	0	
	Community Economic Development Program	19,570	19,570	0	
	Investment Attraction Material & Activities	10,814	10,814	0	
	Economic Product Development	16,024	16,024	0	
	Business Development Manager Technology Park	13,239	13,239	0	
	Totals	150,600	150,600	0	
<i>** Funding carried forward into subsequent financial year.</i>					

Compliance with Special Variation Approval Conditions (Continued)

- **Priority Infrastructure and Economic Development (Continued)**

* Events Facilitation 2011/2012 (From Previous Table)	
Description	Actual (\$)
NNSWF Events Package	11,500
Golf Bonville	4,000
Australian Junior Surfing Titles	5,000
Festival of Sail	1,000
Sawtell BMX Club Open Day	1,500
Skydive Spectacular	909
NSW Country Cycling Champs	500
Pittwater - Coffs Marketing	5,000
Outriggers	2,500
Coffs Half Marathon / Fun Run	2,000
NSW Kneeboard Titles	1,000
Short Sharp Industry Development Partnership	1,500
Total	36,409

Compliance with Special Variation Approval Conditions (*Continued*)

▪ ***Flood Mitigation and Drainage Works (2010)***

On 24 June 2010, the Minister for Local Government approved a special variation of 7.00% for Coffs Harbour City Council commencing in 2010/2011.

The approval was subject to the following conditions:

1. The Council will raise \$1,373,358 of the increase by additional rates for the costs associated with flood mitigation and drainage works, as defined by Council; for a period of ten years; and
2. Council will reduce its general income for the 2021/2022 rating year by \$1,373,358 plus the equivalent cumulative proportion of this increase from any general variation increases or any special variation increases approved for the 2010/2011 to 2020/2021 rating years inclusive; and
3. Council clearly reports in its annual report for the period 2010/2011 to 2020/2021 information on the total income received, expenditure per project/program and outcomes achieved.

This rate variation assists in funding a ten-year program of flood mitigation and drainage works in and around Coffs Harbour.

Funding for the program is augmented by the Stormwater Management Charge levied by Council.

The works are designed to help address a long-standing need to protect significant areas of the city from inundation and damage in times of high rainfall and extreme storm events. The necessity to fast-track these works was made clear in 2009 when the city experienced a number of flash-flooding incidents.

Work is progressing well, although land acquisition issues have slowed the pace on a number of the larger projects. Fortunately there has been no repeat of the severe weather events of 2009; however the completed works have performed according to design in accommodating rainfall experienced to date. There is confidence that the ongoing implementation of the works program will bring a new level of flood security to Coffs Harbour.

In relation to approval condition 3 above, the tables on the following pages provide information on the total income received and expenditure per project/program in 2012/2012 and the outcomes achieved.

Compliance with Special Variation Approval Conditions *(Continued)*

Flood Mitigation and Drainage Works Program 2011/2012										
			Funding Source			Allocation of Revotes				
Program Year	Project	Project Estimate (\$)	Urban Works Funded by Stormwater Levy (\$)	Non-Urban Works Funded by Rate Variation (\$)	Grant Funding (\$)	Actuals to 30/06/12 (\$)	Stormwater Levy Funds (\$)	Rate Variation Funds (\$)	Grant Funds (\$)	Job Complete (Y / N)
2011/12	Unallocated Drainage Works	573,967	376,023	197,944			376,023	197,944		
2010/11	Flood Detention Basin (Upper Shepards Lane)	1,024,660		958,219	66,441	4,388		956,757	63,515	N
2010/11	Early Flood Warning System & 2D Modelling	516,110	134,074	134,074	247,962	320,152	80,715	80,715	34,528	N
2010/11	Flood Detention Basin (Spagnolos Road)	3,299,814		3,099,814	200,000	150,599		3,049,614	99,601	N
2011/12	Watermain Relocation (Spagnolos Road)	950,000		950,000		634		949,366		N
2010/11	Central Business District Drainage Works	1,905,222	1,312,655	562,567	30,000	134,435	1,239,551	531,236		N
2011/12	Loaders Lane Levee works	150,000	90,000	60,000		0	90,000	60,000		N
2011/12	Murphy Crescent Drainage Works	22,868	22,868			22,868				Y
2011/12	Creek Clearing & Drainage Works	144,999	43,499	101,500		9,593	40,622	94,784		N
2011/12	Park Beach Trunk Drainage (Stage 1)	30,000	7,000	3,000	20,000	4,411	5,971	2,559	17,059	N

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Compliance with Special Variation Approval Conditions (Continued)

Flood Mitigation and Drainage Works Program 2011/2012 (Continued)										
			Funding Source			Allocation of Revotes				
Program Year	Project	Project Estimate (\$)	Urban Works Funded by Stormwater Levy (\$)	Non-Urban Works Funded by Rate Variation (\$)	Grant Funding (\$)	Actuals to 30/06/12 (\$)	Stormwater Levy Funds (\$)	Rate Variation Funds (\$)	Grant Funds (\$)	Job Complete (Y / N)
2010/11	Flood Detention Basin (Bennetts Road)	4,934,745		2,469,970	2,464,775	315,585		2,364,774	2,254,385	N
2010/11	Shell Cove Lane Drainage Works	5,740	2,870	2,870		5,740				Y
2010/11	Taloumbi Road Drainage Works (Stage 1)	5,858		5,858		5,858				Y
2011/12	Fawcett Street Drainage Works	480,000	480,000			166,973	313,027			N
2011/12	Prince Street Drainage Works	30,000	30,000			0	30,000			N
2010/11	Oxley Place Flow Path Improvement	15,823	15,823			15,823				Y
2011/12	York Street Drainage Works	40,000	40,000			0	40,000			N
2010/11	Wybalena Crescent Drainage Works	103,607	103,607			103,607				Y
2011/12	Investigation & Design	54,054	54,054			11,098	42,956			N
2011/12	Marcia Street / Pacific Hwy Drainage Improvement	273,433	136,717	136,716		0	136,717	136,716		N
2010/11	Bellingen Road Pipeline Replacement	99	99			99				Y

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Compliance with Special Variation Approval Conditions (Continued)

Flood Mitigation and Drainage Works Program 2011/2012 (Continued)										
			Funding Source			Allocation of Revotes				
Program Year	Project	Project Estimate (\$)	Urban Works Funded by Stormwater Levy (\$)	Non-Urban Works Funded by Rate Variation (\$)	Grant Funding (\$)	Actuals to 30/06/12 (\$)	Stormwater Levy Funds (\$)	Rate Variation Funds (\$)	Grant Funds (\$)	Job Complete (Y / N)
2011/12	Pony Court, Moonee Overland Flow Path Works	11,800		11,800		11,800				Y
2010/11	Third / Fourth Avenue, Sawtell Reline Pipeline	30,818	30,818			30,818				Y
2011/12	Barnes St, Woolgoolga Drainage Works	27,633	27,633			27,633				Y
2011/12	Trafalgar St, Woolgoolga Drainage & Flow Path Works	216,574	216,574			216,574				Y
2011/12	Coral Street Inlet Pipes & Drainage Works	20,000	20,000			3,847	16,153			Y
2011/12	Bennetts Road, Coffs Harbour Culvert Repairs	20,000		20,000		16,625		3,376		Y
2011/12	Moore Street Drainage Works	40,000	40,000			0	40,000			N
2011/12	Narranga School, Robin Street Drainage Works	18,055	5,416	12,639		18,055				Y

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Compliance with Special Variation Approval Conditions (Continued)

Flood Mitigation and Drainage Works Program 2011/2012 (Continued)										
			Funding Source			Allocation of Revotes				
Program Year	Project	Project Estimate (\$)	Urban Works Funded by Stormwater Levy (\$)	Non-Urban Works Funded by Rate Variation (\$)	Grant Funding (\$)	Actuals to 30/06/12 (\$)	Stormwater Levy Funds (\$)	Rate Variation Funds (\$)	Grant Funds (\$)	Job Complete (Y / N)
2011/12	Fishermans Drive, Emerald Beach Pipe Extension	10,000	3,000	7,000		1,441	2,568	5,991		N
2011/12	The Promenade - Harbour Drive Pipe Repairs	14,487	4,346	10,141		14,487				N
2011/12	Coffs Creek Infilling & Hydraulic Capacity Works	60,000	9,000	21,000	30,000	11,628	7,256	16,930	24,186	N
Totals		15,030,366	3,206,076	8,765,112	3,059,178	1,624,771	2,461,559	8,450,762	2,493,274	

Overseas Visits

Local Government Act 1993 - Section 428 (4) (b)

Local Government (General) Regulation 2005 - Section 217 (1) (a)

1 July 2011 to 30 June 2012.

Coffs Harbour City Council was represented in one overseas activity in 2011/2012.

In February 2012, Kathy Abell (Community Development Manager) participated in the Local Government Managers Australia (LGMA) International Exchange Program to California, USA, to study best practice human resource management in local government. This three week visit was facilitated by Local Government Managers Australia and the League of California Cities USA. The return airfares were funded by LGMA while the League covered the costs of accommodation and registration fees to participate in their annual conference. The League also arranged for home host accommodation with US city managers for the duration of the stay. The costs associated with this trip for Council were \$1,436.02 (from the Training budget); Kathy was paid professional development leave for the duration of her visit. The program represented excellent value for Council in terms of delivering high quality professional development outcomes for the organisation with this knowledge also now being able to be contributed to several organisational wide projects.

Elected Members' Expenses

Local Government Act 1993 - Section 428 (4) (b)
 Local Government (General) Regulation 2005 - Section 217 (1) (a1)
 1 July 2011 to 30 June 2012.

Expense	Amount (\$)
Mayoral Allowance	36,320
Councillor fees	149,760
Mayor vehicle expenses	18,000
Provision of dedicated office equipment allocated to councillors	8,133
Telephone calls made by councillors	2,311
Attendance by Councillors at conferences and seminars (excluding overseas and interstate)	16,966
Training of councillors and provision of skill development	-
Interstate visits by councillors, including transport, accommodation and out-of-pocket expenses	8,366
Overseas visits by councillors, including transport, accommodation and out-of-pocket expenses	-
Expenses of any spouse, partner or other person who accompanied a councillor	678
Expenses involved in the provision of care for a child or an immediate family member of a councillor	-
Other councillor expenses (catering, election, stationery, etc)	7,081
Total	247,615

Major Contracts (Greater than \$150,000) Awarded

Local Government Act 1993 - Section 428 (4) (b)

Local Government (General) Regulation 2005 - Section 217 (1) (a2)

1 July 2011 to 30 June 2012.

Contract No.	Contract	Supplier	Commencement Date	Revised Contract Sum (\$)
RFT-491-TO	Hire of Equipment (Plant & Truck) 2011/12	Various	14/07/2011	Schedule of Rates
RFT-492-TO	Richardson Park Subsurface Drainage Installation	Turf Drain Australia	20/07/2011	\$196,018
RFT-493-TO	Supply and Install Guardrail, Bucca Road Bucca	Tranex Equipment	04/08/2011	\$164,731
RFT-500-TO	Painting of Corindi Reservoir	RMP Abrasive Blasting	28/11/2011	\$182,305
RFT-496-TO	Sewer Relining	Interflow Pty Ltd	01/02/2012	\$751,694
RFT-518-TI	Installation of Floodlighting at Fitzroy Oval	Musco Lighting P/L	30/01/2012	\$221,500
RFT-510-TO	Provision of Security & Monitoring Services	SNP Security	01/04/2012	\$584,744
RFQ-528-QI	Bush Regeneration Works for the Orara River Rehabilitation Project	Panel of Suppliers	27/03/2012	Schedule of Rates
RFT-516-TO	Removal & Disposal of 250mm AC pipe, Coffs to Boambee Ck SRM	AADEMEX	26/04/2012	\$230,820
RFT-530-TO	Slope Remediation Works Soil Nailing various Locations Kalang Rd Bellingen	Pan Civil	26/04/2012	\$292,160
RFT-522-TO	Prepare Environmental Studies and a Planning Proposal for Rezoning Nth Boambee Valley	DEG001: de Groot & Benson	11/05/2012	\$198,605
RFT-478-TO	Construction of Bennetts Rd Detention Basin	The Trustee for the PR Trust and Ryan Earthmoving Pty Ltd	16/05/2012	\$2,675,018
RFQ-533-QO	Supply and Delivery of Protective Clothing Uniform Items	BLA003: Blackwoods	24/06/2012	Schedule of Rates

Legal Proceedings

Local Government Act 1993 - Section 428 (4) (b)

Local Government (General) Regulation 2005 - Section 217 (1) (a3)

1 July 2011 to 30 June 2012.

Ref	Case Name	Court (NSW)	Matter	Costs Paid (\$)	Costs Received	STATUS REPORT	
1115W	Coffs Harbour City Council v The Minister for Planning & Ors - 32153 of 2012	Supreme Court - Court of Appeal	Appeal against judgement handed down in the Land & Environment Court in proceeding no. 11/40219. The matter regarded an appeal against the Concept Plan Approval MP_0083 - Sandy Beach North (Hearnes Lake).	\$86,347.15	NIL	PENDING	On 23.02.2012 Council resolved to appeal against the judgement handed down in the Land & Environment Court. The appeal is due to be heard in the NSW Court of Appeal on 7 November 2012.
1115L	Lehman Bros. Holding Inc et al [Jointly Administered] Coffs Harbour City Council v Lehman Bros. Australia Ltd 2492 of 2007	US Bankruptcy Court, Southern District of New York, USA. Federal Court of Australia, NSW District Registry.	Complex litigation relating to Chapter 11 (US) bankruptcy and investment funding.	\$1,176.16	NIL	PENDING	The judgement was handed down on 21.09.12 in the Federal Court. The basis of the claim for damages against Lehman Bros. was proven. Due to a range of factors it is not possible at this stage to calculate the amount to which members of the class action will be entitled
1115X	Coffs Harbour City Council v Klewer & Lacey	Local Court	Unauthorised removal of vegetation.	\$16,573.90	\$5,032.59	FINALISED	This matter was finalised on 24.02.2012 Offences were proven against Ms Klewer. A fine was imposed of \$15000 as well as an order to pay Council's costs of \$15723.06. Costs received from second respondent.

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Legal Proceedings (Continued)

Ref	Case Name	Court (NSW)	Matter	Costs Paid (\$)	Costs Received	STATUS REPORT	
1115Y	Rothwell Boys Pty Limited v Coffs Harbour City Council & Ors	Land & Environment Court	Class 1 Application against deemed refusal of DA 1132/10.	\$55,821.83	NIL	FINALISED	Appeal upheld by the Court. DA 1132/10 approved subject to conditions of the Court order dated 18.06.2012. Each party to pay their own costs.
1115Z	Roger Barker v Coffs Harbour City Council	Land & Environment Court	Class 1 Application against refusal of DA 927/06.	\$2,203.80	\$2,000.00	FINALISED	Proceedings discontinued by consent on terms that the applicant pay the Council's costs of \$2000.
1116A	Coffs Harbour City Council v Richard Welch	Local Court	Development without Consent.	\$6,475.45	NIL	FINALISED	Offences proven and defendant ordered to pay \$1000 for each offence and Council's costs of \$7000.
11191	Dunlop v Coffs Harbour City Council - 10889 of 2011	Land & Environment Court	Summons seeking leave to appeal decision of Land & Environment Court in case 10142/2005.	\$5,326.00	\$3,000.00	FINALISED	Notice of Discontinuation filed with the Court by the Trustee in Bankruptcy. Applicant's solicitor to reimburse Council for some of the costs.
1116B	Coffs Harbour City Council v G & M Cuthbert	Local Court / Land & Environment Court	Prohibited development.	\$50.00	NIL	FINALISED	Proceedings withdrawn from Local Court and discontinued in the Land & Environment Court. Agreement by defendant to pay the Penalty Infringement Notice.
			TOTAL	\$173,974.29			

Works Subsidised On Private Land

Local Government Act 1993 - Section 428 (4) (b)

Local Government (General) Regulation 2005 - Section 217 (1) (a4)

1 July 2011 to 30 June 2012.

No resolutions were made during this period concerning work subsidised by Council and carried out on private land.

Donations and Contributions

Local Government Act 1993 - Section 428 (4) (b)

Local Government (General) Regulation 2005 - Section 217 (1) (a5)

1 July 2011 to 30 June 2012.

Amounts granted under Section 356 of the Act	
RECIPIENT	AMOUNT(\$)
Donations Unallocated (Mayor & GM)	2,340
Schools Annual Presentations	4,450
Relay for Life (Cancer Council)	518
North Coast Academy of Sport	4,500
Westpac Rescue Helicopter	500
Senior Citizens Week	4,106
Coffs Harbour Spring Garden Festival	800
Southern Cross University Presentations	300
Event Subsidies (road closures)	338
TAFE Presentations	250
Development Application Fees	1,022
Other Health Services – Life Education Van	4,168
Nana Glen Heartstart	1,000
Mountain Heartstart	1,000
Hope Bears Charity	150
Coffs Harbour Ladies Silks Day	250
Counselling Services	800
Sawtell Amateur Swimming Club	500
Coffs Harbour Girl Guides	350
Nana Glen Pre School	500
Sawtell & Woolgoolga Chambers of Commerce	17,900
Rates Subsidy – Sporting & Cultural Groups	51,048

(Continued next page)

Donations and Contributions *(Continued)*

Amounts granted under Section 356 of the Act	
RECIPIENT	AMOUNT(\$)
Surf Life Saving Clubs – Subsidy & Rates	49,531
SES Subsidy	55,130
State Emergency Services – Contribution	89,300
Visual & Performing Arts Groups	21,437
Woolgoolga Sports Council Inc	58,300
Sawtell & Toormina Sports & Recreation Club	21,576
Glenreagh Mountain Railway	10,000
Woolgoolga Seniors Centre Inc.	6,200
NSW Fire Brigades Subsidy	432,634
RFS Subsidy	386,650
Rotary Club Coffs Coast Cycle Challenge	4,000
Coffs Harbour Coral Groups	1,761
Coffs Harbour Pipe Band	6,000
TOTAL	1,239,311

Rates and Charges Written Off

Local Government Act 1993 - Section 428 (4) (b)
Local Government (General) Regulation 2005 - Clause 132
1 July 2011 to 30 June 2012.

The total value of rates and charges written off for the year 2011/2012 was **\$3,263,840.23**

Item	Amount (\$)
Pension Rebates	2,871,341.48
Postponed Rates	190,004.61
Interest > \$50	1,502.94
Water Usage Charges	146,093.42
Sewer Usage Charges	52,556.57
Trade Waste Usage Charges	2,341.21
TOTAL	3,263,840.23

Notes:

- A Government subsidy is provided for part of the Pension Rebates.
- Postponed Rates are amounts abandoned as required under Section 595 (Local Government Act)

(The total value of rates and charges written off for the year 2010/2011 was **\$3,217,273.38**)

Functions Delegated by Council

Local Government Act 1993 - Section 428 (4) (b)
Local Government (General) Regulation 2005 - Section 217 (1) (a6)
1 July 2011 to 30 June 2012.

External bodies that exercised functions delegated by Council were:

- **Coffs Harbour International Stadium Limited**
Company exists, but does not have any Council delegation.
- **Coffs Harbour Sports Advisory Committee Incorporated**
Delegation includes managing the opening and closing of sports fields.
- **Woolgoolga Sports Council Incorporated**
Delegation includes managing the opening and closing of sports fields.

Companies in Which Council Held a Controlling Interest

Local Government Act 1993 - Section 428 (4) (b)
Local Government (General) Regulation 2005 - Section 217 (1) (a7)
1 July 2011 to 30 June 2012.

Nil

Partnerships, Cooperatives or Other Joint Ventures

Local Government Act 1993 - Section 428 (4) (b)
Local Government (General) Regulation 2005 - Section 217 (1) (a8)
1 July 2011 to 30 June 2012.

- **Statecover Mutual Limited**
- **Coffs Harbour Technology Park**

Human Resources Activities

Local Government Act 1993 – Section 428 (4) (b)

Local Government Act (General) Regulation 2005 – Section 217 (1) (a 9)

01 July 2011 to 30 June 2012

Activities Undertaken to Implement Council's Equal Employment Opportunity Management Plan

- Council undertook a review and update of the EEO Management Plan.
- Council continued with training and development for all staff.
- Council conducted Anti Bullying & Harassment training for all staff to assist in raising awareness in relation to bullying and harassment prevention.
- The Women's Development Team successfully applied for 50:50 Bronze Accreditation for Gender Equity. This was celebrated with an afternoon tea presentation for female staff.
- Council supported staff with disabilities throughout the year, providing flexible employment where required and equipment needs.
- During the year, the position of Aboriginal Community Development Officer was filled on a permanent basis, having been vacated by the previous incumbent. An Aboriginal trainee was also assigned to work with the Aboriginal Community Development Officer. Another Aboriginal trainee successfully completed her traineeship and secured a permanent position with Council
- Council conducted a staff survey to gauge staff opinions on a range of matters in the workplace, including bullying and harassment, and fair treatment.
- Council embarked upon an Emerging Leaders Program which seeks to enhance the skills and give opportunities to staff seeking to progress their careers. Female staff were particularly encouraged to apply for the program and the final gender ratio was 8 females and 7 males.
- Council also entered a team in the LGMA Management Challenge which is an international challenge day set up by LGMA National and the NZ equivalent. In putting the Council team together, participation of female staff was actively encouraged as this program presents an opportunity for skill development and networking among local government peers.
- A council employee was also the successful applicant for the LGMA Management Exchange to the USA. This staff member was supported in her application. This is the second female applicant from Coffs Harbour City Council who has been successful in participating in the USA exchange. The exchange provides an excellent opportunity for greater insight into local movement and an opportunity to enhance skills.

General Manager Remuneration

Local Government Act 1993 - Section 428 (4) (b)

Local Government (General) Regulation 2005 - Section 217 (1) (b)

1 July 2011 to 30 June 2012.

The remuneration package total effective for the position of General Manager at 30 June 2012 was \$244,488.13. The statement includes the total of the following:

- (i) the total value of the salary component of the package,
- (ii) the total amount of any bonus payments, performance payments or other payments made to the general manager that do not form part of the salary component of the general manager,
- (iii) the total amount payable by the council by way of the employer's contribution or salary sacrifice to any superannuation scheme to which the general manager may be a contributor,
- (iv) the total value of any non-cash benefits for which the general manager may elect under the package,
- (v) the total amount payable by the council by way of fringe benefits tax for any such non-cash benefits.

Senior Staff Remuneration

Local Government Act 1993 - Section 428 (4) (b)

Local Government (General) Regulation 2005 - Section 217 (1) (c)

1 July 2011 to 30 June 2012.

The remuneration package total effective for all three Senior Staff positions at 30 June 2012 was \$570,566.59. The statement reflects the total remuneration comprised in the remuneration packages of all senior staff members (other than the general manager) employed during the year, expressed as the total remuneration of all the senior staff members concerned (not of the individual senior staff members) and including totals of each of the following:

- (i) the total of the values of the salary components of their packages,
- (ii) the total amount of any bonus payments, performance payments or other payments made to them that do not form part of the salary components of their packages,
- (iii) the total amount payable by the council by way of the employer's contribution or salary sacrifice to any superannuation scheme to which any of them may be a contributor,
- (iv) the total value of any non-cash benefits for which any of them may elect under the package,
- (v) the total amount payable by the council by way of fringe benefits tax for any such non-cash benefits.

Stormwater Management Services

Local Government Act 1993 - Section 428 (4) (b)

Local Government (General) Regulation 2005 - Section 217 (1) (e)

1 July 2011 to 30 June 2012.

From 1 July 2007, Coffs Harbour City Council has levied an annual charge for stormwater management services.

Information on the revenue and expenditure associated with that charge is included in the table on Page 11 - "Flood Mitigation and Drainage Works Program to 30/06/2012."

Companion Animals Act - Compliance

Local Government Act 1993 - Section 428 (4) (b)
Local Government (General) Regulation 2005 Clause 217 (1)(f)
1 July 2011 to 30 June 2012.

Overview

Coffs Harbour City Ranger Services has been very active in Companion Animal Management during 2011/2012. The main focus has been a steady and constant approach to companion animal owners and their responsibilities when taking their pets into public places and/or not properly restraining them within their properties to prevent their animals escaping. This has seen a reduction in dog fines issued throughout the reporting period (totalling 103 infringements issued, down from 176 in 2010/2011).

Regular programs (“Dog Blitzes” and “Microchipping and Registration Follow Up”) have been run throughout the year, focussing on breaches of control requirements for all dogs in public places and non identified and unregistered Companion Animals. These programs have taken the form of very high profile patrols during business hours and out-of-hours periods. These blitzes have been promoted on occasions with appropriate media coverage.

The tables below identify certain aspects of Council's activities and have been prepared in accordance with statutory reporting requirements.

Companion Animal Seizure (As per 2011/12 seizure survey submitted to DLG)

Seized by Council Rangers	520
Seized by members of the public	462
Total animals seized	982
Companion Animals returned by Rangers (not impounded)	231
Companion Animals returned from Council's Pound Facility	208
Total Companion Animals returned to owners	439
Total Companion Animals rehomed	211
Total Number of Animals Euthanized (including carry over 2011)	360

Companion Animals Act – Compliance (Continued)

Dog Attacks

There were 75 reported dog attacks in 2011/2012, a reduction compared to previous years. (In 2010/2011 there were 80 reported dog attacks; in 2009/2010 there were 78 reported dog attacks.)

Dog attacks reported during this period varied in severity, from dogs acting aggressively without biting, through to several incidents of biting which required hospitalisation. The majority of incidents were minor.

A number of dangerous dogs were destroyed as a result of the incidents with which they were involved.

Companion Animal Management Funding - Expenditure

Companion animal complaints and tasks made up approximately 56.5% of the Ranger Services workload. The following financial outline reflects that percentage in respect to staff costs etc.

Staffing	\$ 215,967
Plant vehicles	\$ 22,429
General Dog Seizure Expenses	\$ 3,120
RSPCA Pound Facilities Contract	\$ 198,837
Office Accommodation	\$ 1,129
Equipment Purchases	\$ 1,606
Total Expenditure Companion Animal Management	\$ 443,088

Companion Animal Management Funding – Income

Companion Animals Registrations Commissions*	\$ 38,904
Impounding Fees and Charges	\$ 28,624
Fines (Gross, service fee not taken out)	\$ 20,301
Total Income	\$ 87,829

* Income for Registration Commissions down due to payments for 3^r and 4th Quarters having not been processed and paid by DLG at the time of writing. Final estimate to be approximately \$72,000.

Companion Animals Act – Compliance *(Continued)*

Companion Animal Community Education (Including De-Sexing of Cats & Dogs)

- High profile patrols with a concentration on education and enforcement
- Regular media reports and stories highlighting companion animal issues
- Coffs Harbour City Council's website (www.coffsharbour.nsw.gov.au) is a major source of information
- Tourist publications
- Information brochures and flyers sent with registration papers

Strategies for alternatives to Euthanasia for Unclaimed Animals

Coffs Harbour City Council area is fortunate to have a large-scale RSPCA facility located at Dowsett Drive, Coffs Harbour. Council has an arrangement whereby the RSPCA undertakes Council's impounding responsibilities. This agreement also covers unclaimed animals - it sees ownership passed to the RSPCA, which makes every effort to find new owners for unwanted pets.

Dog Off-Leash Areas

Coffs Harbour City currently provides eight (8) leash-free areas for dogs at:

- Park Beach South
- Thompsons Road Dog Exercise Area
- Boambee Beach
- Hearnese Lake Beach
- Darkum Beach
- Corindi/Pipe Clay Beach
- Emerald Beach North
- Woolgoolga Back Beach

General Manager - Code of Conduct Reporting

Local Government Act 1993 - Section 440;

Local Government (General) Regulation 2005 Clause 193; Model Code Clause 12.33

Coffs Harbour City Council Code of Conduct (December 2008)

Section 12.7 Reporting on Complaints

1 July 2011 to 30 June 2012.

Staff	No. of Complaints	Issue	Outcome
	9	Inappropriate conduct	5 substantiated / 4 unsubstantiated
Councillors	No. of Complaints	Issue	Outcome
	4	Confidentiality	3 breaches substantiated/ 1 awaiting determination
	1	Non-pecuniary	Unsubstantiated
	2	Withholding of information	Unsubstantiated
	1	Breach of Code of Meeting Practice	Finalised
	1	Pecuniary Interest	Unsubstantiated
	3	Failure to comply with Code of Conduct recommendations	Awaiting determination
	Total 21		

Assets Acquired, Assets Held and Condition of Public Works

Local Government Act 1993 - Section 428 (4)(a)
1 July 2011 to 30 June 2012.

Asset Class	Asset Category	Asset Condition (#)	Estimated cost to bring up to a satisfactory condition (\$'000)	Required Annual Maintenance (\$'000)	Current Annual Maintenance (\$'000)
Buildings	Council Offices	3	800.00	200.00	110.00
	Works Depot	2	-	35.00	20.00
	Public Halls	3	400.00	50.00	27.00
	Neighbourhood / Community	3	1,000.00	340.00	240.00
	Residences	3	50.00	8.00	6.00
	Commercial	3	1,000.00	290.00	147.00
	Museum	4	450.00	5.00	5.00
	Library	2	-	20.00	11.00
	Childcare Centres	3	400.00	66.00	17.00
	Art Gallery	2	-	8.00	8.00
	Theatres	2	-	64.00	19.00
	Amenities / Toilets	4	4,000.00	165.00	110.00
	Bush Fire Sheds	3	225.00	60.00	20.00
	Club Houses	3	600.00	50.00	20.00
	Storage Sheds	4	300.00	15.00	10.00
	Waste Facility	3	200.00	44.00	18.00
	Airport	3	1,000.00	200.00	155.00
	sub total		10,425.00	1,620.00	943.00
Other Structures	Structures not included in buildings	3	937.00	100.00	55.00
			937.00	100.00	55.00

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Assets Acquired, Assets Held and Condition of Public Works (Continued)

(Continued from previous page)

Asset Class	Asset Category	Asset Condition (#)	Estimated cost to bring up to a satisfactory condition (\$'000)	Required Annual Maintenance (\$'000)	Current Annual Maintenance (\$'000)
Public Roads	Sealed Roads	2	-	3,950.00	3,272.00
	Unsealed Roads	4	9,097.00	770.00	698.00
	Bridges - Concrete	1	-	20.00	14.00
	Bridges - Timber	2	-	110.00	80.00
	Footbridges and Boardwalks	2	-	32.00	32.00
	Footpaths and Cycleways	2	-	340.00	320.00
	Kerb and Gutter	3	3,244.00	55.00	26.00
	Road Furniture	3	937.00	95.00	43.00
	Medians & Roundabouts	2	-	125.00	-
	sub total		13,278.00	5,497.00	4,485.00

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Assets Acquired, Assets Held and Condition of Public Works (Continued)

(Continued from previous page)

Asset Class	Asset Category	Asset Condition (#)	Estimated cost to bring up to a satisfactory condition (\$'000)	Required Annual Maintenance (\$'000)	Current Annual Maintenance (\$'000)
Water	Water Mains	2	-	1,435.00	1,376.00
	Water Pumping Stations	2	-	429.00	321.00
	Water Reservoirs	2	-	285.00	321.00
	Water Treatment Works	1	-	1,419.00	1,566.00
	Dams	2	-	350.00	294.00
	Ancillary	2	-	20.00	20.00
	sub total		-	3,938.00	3,898.00
Sewerage	Sewerage Pumping Stations	2	-	2,296.00	2,321.00
	Sewerage Treatment Works	2	-	3,805.00	4,039.00
	Sewer Mains	3	1,145.00	855.00	786.00
	Effluent Pumping Stations	2	-	52.00	50.00
	Effluent Reservoirs	3	30.00	21.00	20.00
	Effluent Mains	1	-	25.00	12.00
	Ancillary	2	-	10.00	56.00
	sub total		1,175.00	7,064.00	7,284.00

(Continued next page)

Assets Acquired, Assets Held and Condition of Public Works (Continued)

(Continued from previous page)

Asset Class	Asset Category	Asset Condition (#)	Estimated cost to bring up to a satisfactory condition (\$'000)	Required Annual Maintenance (\$'000)	Current Annual Maintenance (\$'000)
Drainage Works	Retarding Basins	1	-	25.00	5.00
	Stormwater Pipes	2	86.00	235.00	230.00
	Stormwater Pits	2	239.00	35.00	31.00
	Gross Pollutant Traps	2	44.00	55.00	1.00
	Box Culverts	2	39.00	18.00	18.00
	Channels	3	866.00	12.00	2.00
	Head Walls	2	4.00	13.00	3.00
	sub total		1,278.00	393.00	290.00
	TOTAL - ALL ASSETS		27,093.00	18,612.00	16,955.00

Notes:

1. Satisfactory refers to estimated cost to bring the asset to a satisfactory condition as deemed by Council. It does not include any planned enhancements to the existing asset.
2. Required Annual Maintenance is what should be spent to maintain assets in a satisfactory standard.
3. Current Annual Maintenance is what has been spent in the current year to maintain assets.

Asset Condition "Key" - as per NSW Local Government Asset Accounting Manual		
1.	Near Perfect	Ranges from New or Good
2.	Superficial Deterioration	Ranges from Generally Good to Fair
3.	Deterioration Evident	Ranges from Fair to Marginal
4.	Requires Major Reconstruction	Ranges from Poor to Critical
5.	Asset Unserviceable	Critical, Beyond Repair

Audited Financial Statements

Local Government Act 1993 - Section 428 (4)(a)
Code of Accounting
1 July 2011 to 30 June 2012.

See Separate document – Annual Report Section 3 – Annual Financial Statements