



Ordinary Meeting of Council

LATE REPORTS

Thursday 24 November 2022

4.00pm

Council Chambers

209 Comur Street, Yass

PRAYER:

All Stand:

Mayor: *Let us be still and remember the presence of God. As we commence our meeting let us together pray for guidance and help.*

All say together:

Almighty God, we ask your blessing upon this Council.

Direct and prosper our deliberations to the true welfare of Australia and the people of Yass Valley Amen.

FUTURE MEETINGS

December 2022

Wednesday 14th

4.00pm

Ordinary Meeting of Council

Ordinary Meeting of Council

L A T E A G E N D A

Page No.

6. **Reports to Council**

6.11	Voluntary Planning Agreement - Development Application 210063 - Residential Subdivision, 3 Burrai Place, Yass	4
6.12	First Quarter Budget Review 2022/23	6

Chris Berry

Chief Executive Officer

6.11 VOLUNTARY PLANNING AGREEMENT - DEVELOPMENT APPLICATION 210063 - RESIDENTIAL SUBDIVISION, 3 BURRAI PLACE, YASS

SUMMARY

Presenting a draft Voluntary Planning Agreement (VPA) with Council for the dedication and embellishment of open space in a subdivision at 3 Burrai Place, Yass.

RECOMMENDATION

That public notice be given of the draft Voluntary Planning Agreement for the embellishment and dedication to Council of the proposed open space in Development Consent 210063 for a residential subdivision at 3 Burrai Place, Yass for a period of 28 days and adopted if no significant submissions are received.

FINANCIAL IMPLICATIONS

Refer to the terms of the Voluntary Planning Agreement (VPA).

POLICY & LEGISLATION

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Local Government Act 1993*
- *Park and Playground Strategy 2017*

REPORT

1. Background

At its meeting on 22 September 2021 Council resolved to approve Development Application 210063 for a residential subdivision of 3 Burrai Place, Yass. One lot within the subdivision is for the creation of a park. As part of its decision Council required the preparation of a VPA for the proposed open space with a further report being presented to Council on the draft terms of the VPA. This report provides details of the draft for public notice.

Attachment A is the Locality Plan and **Attachment B** is the approved subdivision.

2. Draft VPA

Condition 8 of Development Consent requires the Applicant to enter into a VPA with Council and it be registered on the title of the land prior to the issue of a Subdivision Works Certificate. The general terms of the VPA should include:

- A Landscape and Vegetation Management Plan and details of the work to be completed as part of the open space embellishment and rehabilitation.
- Facilities to be provided within the lot which are consistent with a Category 2 Park in accordance with Council's Park and Playground Strategy 2017.
- All work is to be completed to the satisfaction of Council prior to the issue of the Subdivision Certificate.
- The maintenance responsibility period for the developer will be 12 months from the date of the issue of the Subdivision Certificate.

The draft VPA complies with the requirements above and the design of the proposed playground which has been reviewed by Council's Infrastructure and Assets Directorate is considered satisfactory. It has been reviewed by Council and our solicitor and is considered suitable for public exhibition under the *Environmental Planning and Assessment Act*. The developer will be able to recoup the land value of proposed lot 36 and the cost of constructing the playground against contributions paid within a

catchment identified as the 'benefitted land' within Schedule 7 of the draft VPA over a period of 20 years. The park will be dedicated to Council upon registration of the titles for the subdivision and after 12 months will become the responsibility of Council to maintain. It is proposed to give public notice of the draft VPA for a period of 28 days.

It should also be noted that Council also resolved at its meeting in September 2021 that upon dedication to Council of proposed lot 36 that it be classified as community land under the *Local Government Act*.

Attachment C is the draft VPA.

STRATEGIC DIRECTION

CSP Theme	Our Environment
CSP Strategy Objective	EN3: We have a robust planning framework that considers our rural character and natural landscapes
Strategies	EN3.1 - Develop sustainably, integrates environmental, social and economic factors which are in the best interests of the community and the region
Delivery Program Action	Complete the comprehensive development control plan

ATTACHMENTS:

- A. Locality Plan
- B. Approved Subdivision
- C. Draft Voluntary Planning Agreement

6.12 FIRST QUARTER BUDGET REVIEW 2022/23

SUMMARY

This report represents the first 2022/23 Quarterly Budget Review Statements (QBRs) for the period 1 July to 30 September 2022. Council's projected year end net operating result before capital is expected to increase from a budgeted deficit of \$912K to a budgeted deficit of \$2.5M for 2022/23 financial year.

RECOMMENDATION

That Council:

1. *Adopt the Quarterly Budget Review Statement and approve adjustments, as detailed in the report.*
2. *Note that in accordance with the Local Government (General) Regulation (NSW) Clause 203 (2)(a), Council's financial position as at 30 September 2022 is satisfactory, having regard to revised projected estimates of income and expenditure, and the original budgeted income and expenditure.*

FINANCIAL IMPLICATIONS

The details of Council's projected year end net operating result before capital changes for the 2022/23 financial year are contained within the following report.

POLICY & LEGISLATION

- *Local Government Act 1993*
- *Local Government General Regulation 2005*
- *Office of Local Government 2010 QBRs Guidelines*

REPORT

This Quarterly Budget Review Statement (QBRs) presents a summary of Council's financial position at the end of the first quarter for the financial year ended 30 June 2023.

Council has forecast an increased deficit from \$912K to \$2.5M for the 2022/23FY budget. Due to staff turnover and shortages during the third quarter review last financial year and end of financial year reporting periods staff have not been available to complete a full search for possible savings. This has meant that during the first quarter budget review, the addition of capital and operational projects, as well as operational expenses has created a new forecast deficit of \$2.5M.

It is important for Council to be aware that the additional projects and expenses are only budgeting issues, and Council is currently in a sound financial position.

The QBRs details appear as **Attachment A** and have been produced in accordance with the guidelines and standards issued by the Office of Local Government.

Council is provided with a breakdown of the budget by functional/service unit and key performance indicators (financial ratios).

Summary

- **Operational Revenue:** Council's original budgeted operational revenue was \$44.86M. As part of the first quarter budget review and a number of budget adjustments, Council is now expecting operational revenue of \$48.25M. This is mainly due to additional capital grant funding secured.

- **Operational Expenditure:** Council's original operational expenditure budget of \$38.10M has increased slightly to \$39.1M, predominantly due a combination of restating previously unrecorded projects and carry forward of works not completed in the previous financial year.
- **Capital Budget:** Council's capital budget has also increased from \$24.0M to \$32.1M due to additional grant funds secured, along with capital works being carried forward into this financial year of approximately \$8M.

Operational Budget Result

As stated above, Council's projected year end net operating result before capital is expected to increase from a budgeted deficit of \$912K to a budgeted deficit of \$2.5M for 2022/23FY.

This increase is partially caused by items moved from 2021/22FY budget review and not reinstated in the 2022/23FY budget approved by Council. The reinstatement of the operation projects and expenses has increased the forecast deficit.

This review is the first of the year and includes the impact of both carry forward and revoked expenditure. There will be additional efforts to find off-setting savings during the second quarter review.

Capital Budget Result

As a result of this budget review, Council's anticipated expenditure on capital items is expected to increase by \$8M for 2022/23FY. This is primarily due to new capital works programs such as natural disaster and reinstated grant funded projects.

STRATEGIC DIRECTION

Key Pillar	Our Civic Leadership
CSP Strategy	CL2: Council is a financially sustainable organisation that can meet community needs
Delivery Program Action	CL2.1 - Manage resources in a responsible manner that supports the ongoing viability of Council
Operational Plan Activity	Abide by Accounting Standards and OLG accounts regulations

ATTACHMENTS: A. First Quarter Budget Review Statement