



SPECIAL COUNCIL MEETING

MINUTES

Tuesday 27 June 2023

Commencing at 5:00pm

Wycheproof Supper Room

367 Broadway, Wycheproof

**Wayne O'Toole
Chief Executive Officer
Buloke Shire Council**

Minutes of the Meeting held on Tuesday, 27 June 2023 commencing at 5:00pm in the Wycheproof Supper Room, 367 Broadway, Wycheproof**PRESENT****CHAIRPERSON:**

Cr Alan Getley

Mallee Ward

COUNCILLORS:

Cr Bernadette Hogan

Mallee Ward

Cr David Pollard

Lower Avoca Ward

Cr Graeme Milne

Mount Jeffcott Ward

Cr Bronwyn Simpson

Mount Jeffcott Ward

Cr Daryl Warren

Mount Jeffcott Ward

OFFICERS:

Wayne O'Toole

Chief Executive Officer

Hannah Yu

Director Infrastructure and Delivery

Travis Fitzgibbon

Director Community Development

Michelle Stedman

Director Corporate and Organisational Performance

Nathan Cutting

Manager Financial Strategy

AGENDA**1. COUNCIL WELCOME****WELCOME**

The Mayor Cr Alan Getley welcomed all in attendance.

STATEMENT OF ACKNOWLEDGEMENT

We acknowledge the traditional owners of the land on which we are meeting. We pay our respects to their Elders and to the Elders from other communities who maybe here today.

2. RECEIPT OF APOLOGIES

Cr Carolyn Stewart - Lower Avoca Ward

3. DECLARATION of PECUNIARY AND CONFLICTS OF INTEREST

There were no declarations of interest.

4. ITEMS OF BUSINESS**4.1 POLICY REPORTS**

4.1.1	DRAFT SALEYARDS PRECINCT LOCAL LAW No. 15	4
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5. MEETING CLOSED

NEXT MEETING

THE NEXT COUNCIL MEETING WILL BE HELD IN WYCHEPROOF SUPPER ROOM, 367 BROADWAY, WYCHEPROOF ON WEDNESDAY, 12 JULY 2023 AT 7:00PM.

Wayne O'Toole
Chief Executive Officer

4. ITEMS OF BUSINESS

4.1 POLICY REPORTS

4.1.1 DRAFT SALEYARDS PRECINCT LOCAL LAW NO. 15

Author's Title: Director Infrastructure and Delivery

Department: Infrastructure and Delivery

File No: LA|08|15

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

This report is to obtain the Council's endorsement of the proposed Saleyards Precinct Local Law No. 15 for the purposes of undertaking community consultation under the *Local Government Act 2020*.

SUMMARY

The proposed Saleyards Precinct Local Law No. 15 replaces the existing Saleyards Precinct Local Law No. 14 made in 2013.

The proposed Saleyards Precinct Local Law applies to operations at the saleyards which are consistent with current requirements applied under other legislation. Applying appropriate controls with appropriate enforcement tools via a local law is a reasonable way to achieve Council objectives.

MOTION:

That the Council:

1. Proposes to make the Saleyards Precinct Local Law No. 15 2023; and
2. Gives notice of its intention to make the Saleyards Precinct Local Law No. 15 to the community in accordance with the Council's Community Engagement Policy.

Moved: CR DAVID POLLARD

Seconded: CR GRAEME MILNE

**CARRIED.
(R103/23)**

Attachments: 1 Draft Saleyards Precinct Local Law No. 15 2023

DISCUSSION

The Saleyards Precinct Local Law No. 14 has been in operation in Buloke Shire since August 2013.

The Saleyards Precinct Local Law applies to the Wycheproof Saleyards and is mostly concerned with the processes of saleyards, such as re-sale procedure, allocations, reception and delivery of livestock, sale days and selling practices.

Minor changes to the proposed Saleyards Precinct Local Law have been made in its current draft form relating to changes in applicable legislation.

The operation of the Wycheproof Saleyards is considered important to Wycheproof, providing a centralised location in the municipality for stock sales. Activities undertaken at the saleyards and the raft of legislation applying to saleyards means the ownership and operation of the saleyards is a high-risk activity for the Council on many levels. The proposed Saleyards Precinct Local Law is a way in which the Council can apply various controls to a range of users of the saleyards precinct to ensure legislation which applies to management and welfare of livestock can be reinforced by the Council as the owner and operator of the saleyards.

This report proposes the Council commence community engagement in relation to the proposed Saleyards Precinct Local Law No. 15 2023 in accordance with the *Local Government Act 2020* and the Buloke Shire Council Community Engagement Policy.

RELEVANT LAW

References to specific legislation relevant to the proposed Saleyards Precinct Local Law are set out in the draft document. Section 73 of the *Local Government Act 2020* set out the procedure which the Council must follow before the Council makes a local law.

RELATED COUNCIL DECISIONS

The Council made the Saleyards Precinct Local Law No. 14 in August 2013.

OPTIONS

The Council may determine to vary certain aspects of the proposed Saleyards Precinct Local Law No. 15, including penalty units for prosecution penalty amounts and infringement notices.

SUSTAINABILITY IMPLICATIONS

The Council, as the owner and operator of the Saleyards Precinct in Wycheproof, provides economic benefit to the municipality.

COMMUNITY ENGAGEMENT

The Council will provide public notice of its intention to make the Saleyards Precinct Local Law No. 15 2023, including through providing a draft of the proposed Local Law to the Saleyards Committee.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

Not applicable.

FINANCIAL VIABILITY

The proposed Saleyards Precinct Local Law No. 15 sets out penalty units and infringement notice amounts proposed to act as deterrents for breaches to the Local Law.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

The community engagement process proposed aligns with the Council's Community Engagement Policy.

TRANSPARENCY OF COUNCIL DECISIONS

Section 73 of the *Local Government Act 2020* sets out the requirements for public notice of the proposed local law, including the requirement to ensure a copy of the proposed local law is available for inspection.

CONFLICTS OF INTEREST

I, Hannah Yu, have no conflicts of interest to declare in relation to this Report or the proposed Saleyards Precinct Local Law No. 15.

4.2 ORGANISATIONAL REPORTS

4.2.1 BULOKE SHIRE COUNCIL ANNUAL BUDGET 2023/24

Author's Title: Manager Financial Strategy

Department: Corporate and Organisational Performance **File No:** FM/05/02

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

The purpose of this report is to present Council with the Buloke Shire Council Annual Budget 2023/24 for consideration and adoption in accordance with the *Local Government Act 2020*, the *Local Government Act 1989*, and the *Local Government (Planning and Reporting) Regulations 2014*.

SUMMARY

Council is presented with the Buloke Shire Council Annual Budget 2023/24 for consideration.

Many months of preparation have resulted in a Budget that reflects Council's priorities as outlined in Buloke Shire Council's Long Term Community Vision and Council Plan 2021-2025.

In order to maintain provision of important services and capital works to the Buloke community, the Annual Budget proposes an increase to general rates and the municipal charge of 3.50 per cent, in line with the State Government's rate cap.

Over the course of community consultation on Buloke's Draft Annual Budget, amendments to the Draft document have been identified and public submissions to the Draft Budget have been considered.

In its preparation, presentation, and consideration of the Buloke Shire Council Annual Budget 2023/24, Council has complied with all the relevant requirements of the *Local Government Act 2020*, the *Local Government Act 1989*, and the *Local Government (Planning and Reporting) Regulations 2014*.

MOTION:

That Council, having complied with its obligations under the *Local Government Act 2020*:

Recommendations adopting the budget:

1. Adopts the Buloke Shire Council Annual Budget 2023/24;
2. Includes within the Annual Budget 2023/24 adjustments identified from the Draft Annual Budget to the Income Statement, Balance Sheet, Statement of Human Resources, and User Fees and Charges, as outlined in this Report;
3. Acknowledges the contributions made to the budget planning process by members of the community and thanks them for input;
4. Allocates up to \$15,000 from its 2023/24 Design Support program to support a funding agreement as detailed in this Report with the Birchip Early Centre Parents Advisory Group Committee. This funding will provide for the development of a feasibility study on improvements and service expansion of the Birchip Early Learning Centre;
5. Authorises the Director Corporate and Organisational Performance on behalf of Council to provide a formal response to community members that have provided a submission to the Draft Annual Budget

in line with the contents of this Report;

Recommendations declaring rates and charges:

6. Declares an amount of \$14.79M which Council intends to raise by General Rates and Annual Service Charges for the period 1 July 2023 – 30 June 2024 calculated as follows:
 - (a) General Rates (including estimated supplementary rates) \$12.54M;
 - (b) Municipal Charges \$783,000; and
 - (c) Annual Service Charges \$1.48M;
 - (d) With the above including:
 - i. The rate in the dollar for each type of rate to be levied for the period as follows:

Type of Rate	Cents in \$ on CIV
Rateable residential properties	0.517026
Rateable commercial and industrial properties	0.597062
Rateable farming properties	0.272224
 - ii. A Municipal Charge of \$175.95 for each rateable assessment in respect of which a Municipal Charge may be levied; and
 - iii. An Annual Service Charge of \$422 for kerbside garbage and recycling collection for the period 1 July 2023 to 30 June 2024;
7. Levies the general rates and service charges referred to in this resolution by the service notice on each person liable to pay such rate or charge in accordance with section 158 of the *Local Government Act 1989*.
8. In accordance with section 167 of the *Local Government Act 1989*, the rates and charges declared by the Council for the 2023/24 financial year must be paid as follows:
 - (a) By four instalments made on or before the following dates:
 - Instalment 1 – 30 September 2023;
 - Instalment 2 – 30 November 2023;
 - Instalment 3 – 28 February 2024; and
 - Instalment 4 – 31 May 2024;

Or;
 - (b) By a lump sum payment made on or before 15 February 2024.
9. Authorises the Chief Executive Officer to levy and recover the general rates and annual service charges in accordance with the *Local Government Act 1989*; and
10. Determines that the proposed fees and charges for the 2023/24 financial year be adopted.

MOVED: CR BERNADETTE HOGAN

SECONDED: CR GRAEME MILNE

AMENDED MOTION TABLED:

That Council, having complied with its obligations under the *Local Government Act 2020*:

Recommendations adopting the budget:

1. Adopts the Buloke Shire Council Annual Budget 2023/24;
2. Includes within the Annual Budget 2023/24 adjustments identified from the Draft Annual Budget to

the Income Statement, Balance Sheet, Statement of Human Resources, and User Fees and Charges, as outlined in this Report;

3. Acknowledges the contributions made to the budget planning process by members of the community and thanks them for input;
4. Allocates up to \$15,000 from its 2023/24 Design Support program to support a funding agreement as detailed in this Report with the Birchip Early Centre Parents Advisory Group Committee. This funding will provide for the development of a feasibility study on improvements and service expansion of the Birchip Early Learning Centre;
5. Authorises the Director Corporate and Organisational Performance on behalf of Council to provide a formal response to community members that have provided a submission to the Draft Annual Budget in line with the contents of this Report;
6. Shift the allocation for Donald Tennis Court Synthetic Resurfacing to 'Capital projects which are funding dependant'; and the \$53,500 assigned for that project in the budget be reallocated to roads to support achieving all weather access for rural residents as per the Road Management Plan.

Recommendations declaring rates and charges:

7. Declares an amount of \$14.79M which Council intends to raise by General Rates and Annual Service Charges for the period 1 July 2023 – 30 June 2024 calculated as follows:
 - (a) General Rates (including estimated supplementary rates) \$12.54M;
 - (b) Municipal Charges \$783,000; and
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- Instalment 3 – 28 February 2024; and
- Instalment 4 – 31 May 2024;

Or;

(b) By a lump sum payment made on or before 15 February 2024.

10. Authorises the Chief Executive Officer to levy and recover the general rates and annual service charges in accordance with the *Local Government Act 1989*; and
11. Determines that the proposed fees and charges for the 2023/24 financial year be adopted.

MOVED: CR DAVID POLLARD

SECONDED: CR BRONWYN SIMPSON

AMENDED MOTION LOST.

ORIGINAL MOTION PUT:

That Council, having complied with its obligations under the *Local Government Act 2020*:

Recommendations adopting the budget:

1. Adopts the Buloke Shire Council Annual Budget 2023/24;
2. Includes within the Annual Budget 2023/24 adjustments identified from the Draft Annual Budget to the Income Statement, Balance Sheet, Statement of Human Resources, and User Fees and Charges, as outlined in this Report;
3. Acknowledges the contributions made to the budget planning process by members of the community and thanks them for input;
4. Allocates up to \$15,000 from its 2023/24 Design Support program to support a funding agreement as detailed in this Report with the Birchip Early Centre Parents Advisory Group Committee. This funding will provide for the development of a feasibility study on improvements and service expansion of the Birchip Early Learning Centre;
5. Authorises the Director Corporate and Organisational Performance on behalf of Council to provide a formal response to community members that have provided a submission to the Draft Annual Budget in line with the contents of this Report;

Recommendations declaring rates and charges:

6. Declares an amount of \$14.79M which Council intends to raise by General Rates and Annual Service Charges for the period 1 July 2023 – 30 June 2024 calculated as follows:
 - (a) General Rates (including estimated supplementary rates) \$12.54M;
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 - i. The rate in the dollar for each type of rate to be levied for the period as follows:

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 - Instalment 3 – 28 February 2024; and
 - Instalment 4 – 31 May 2024;
- Or;
- (b) By a lump sum payment made on or before 15 February 2024.
9. Authorises the Chief Executive Officer to levy and recover the general rates and annual service charges in accordance with the *Local Government Act 1989*; and
10. Determines that the proposed fees and charges for the 2023/24 financial year be adopted.

MOVED: CR BERNADETTE HOGAN

SECONDED: CR GRAEME MILNE

ORIGINAL MOTION CARRIED.

(R104/23)

Attachments: 1 Buloke Shire Council Annual Budget 2023/24

DISCUSSION

Council is required to prepare and adopt a Budget for each financial year, and the subsequent three financial years by 30 June of the preceding year.

At the Council Meeting held on 10 May 2023, the Draft Annual Budget 2023/24 was endorsed for the purposes of commencing community engagement. This community engagement process has now been completed, and submissions were formally received by Council at its Meeting held on 14 June 2023.

Each year between the time the Draft Annual Budget is advertised and when the document is adopted by the Council, events occur which can cause some variation in the Annual Budget. The draft budget has been updated to account for any material changes to the date of this report and details of these changes have been included in the table below.

When Council considers its September quarterly financial report in October 2023, the end of the 2022/23 financial year will have been completed. At this time Council will incorporate any further variations to the 2023/24 budget that result from:

- Carryover of any uncompleted projects from the 2022/23 financial year; and
- Variations due to timing changes in the delivery of grant funds.

Once these amendments have been adopted by Council in October each year, the updated budget becomes the Council's Current Budget and is the document used for financial report comparison for the remainder of the year.

As a result of further analysis and review post-publication of the Draft Annual Budget 2023/24, the following adjustments have been made:

Item	Commentary
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Income Statement - Employee costs	<ul style="list-style-type: none"> A discrepancy relating to capitalised labour has been corrected, resulting in an increase to operating employee costs of \$257,000. Pay rates used for 2023/24 have been updated to reflect predicted closing pay rates as at 30 June 2023, resulting in an increase to operating employee costs of \$188,000.
Balance Sheet – Cash and cash equivalents	As a result of the above, the cash balance has been revised downward by \$445K.
Statement of Human Resources	<ul style="list-style-type: none"> An increase of \$445,000 to operating employee costs as outlined above. A table display issue has been corrected so that operating employee costs are shown in accordance with the Income Statement. When combined with capitalised labour this now ensures a more accurate representation of total staff expenditure for the organisation.
Appendix A - User fees and charges	It is proposed to not increase the 2023/24 fees and charges relating to Home and Community Care services. The individual fees relating to these services will remain unchanged from the 2022/23 fees.
Appendix A - User fees and charges	The deposit for cat traps has been reduced from \$100 to \$50. The fee for the first two weeks has remained unchanged at \$10 per week. The fee for the third week and subsequent has been reduced from \$50 to \$25 per week.

RELEVANT LAW

The Annual Budget has been prepared in accordance with relevant statutory requirements, including the *Local Government Act 2020* (the Act) and *Local Government (Planning and Reporting) Regulations 2014* (the Regulations).

RELATED COUNCIL DECISIONS

Council has completed its community engagement for the Draft Budget through a community forum summit on 16 May 2023 and through the advertisement of the Draft Budget for a three-week period.

SUSTAINABILITY IMPLICATIONS

There are no direct sustainability implications associated with this report, however the Annual Budget does include planned resource allocations toward sustainability, social and environmental services and projects.

COMMUNITY ENGAGEMENT

The Draft Annual Budget 2023/24 was presented at the Council Meeting held on 10 May 2023 and Council subsequently commenced community engagement in accordance with its Community Engagement policy.

Submissions on the draft budget closed 12 noon 1 June 2023 and Council received five budget submissions. A brief description of the subject matter of each submission is listed below:

Submission date, person	Description of request	Proposed outcome of request
21/10/2022 Mr Martin Duke – <i>Friends of Mt Wycheproof</i>	Spot spraying of weeds on the Mount Wycheproof by contractor. Budget implications: \$10,000 per annum, ongoing	As the submission is in line with the principle of “Improving the Natural Environment”, it is proposed that this submission is encouraged to make an application of Buloke Shire Council’s Community Sustainability Grants Program.

Submission date, person	Description of request	Proposed outcome of request
20/02/2023 Mr David Bell	Electric vehicle charging stations in Birchip. Budget implications: Costings TBC	This submission requires further planning and investigation by Council in line with its ongoing work on progressing the Buloke Climate Change Mitigation and Adaptation Strategy and Plan. Although this submission is unable to be supported at this time, Council will advocate for and continue its endeavours to attract external funding opportunities toward implementation of EV charging stations in various locations across the Shire.
01/06/2023 Mr Martin Duke	Provision of feedback and general questions regarding details displayed in the Draft Annual Budget 2023/24. Budget implications: Nil	It is proposed that answers to the requests in this submission be provided directly to the submitter.
01/06/2023 Mr Ricky Allan – Wycheproof-Narraport Football Club	Acknowledgement and thank you to Council for the inclusion of budget relating to the development of the Wycheproof Recreation Reserve Master Plan. Budget implications: Nil – project included in Draft Budget subject to external funding.	Feedback provided by the submitter proposed to be acknowledged in conjunction with recognition of the project being subject to the award of external funding.
09/06/2023 Ms De-Anne Ferrier – Birchip Early Learning Centre PAG	Feasibility study and concept designs relating to an additional building at the Birchip Early Learning Centre. Budget implications: \$15,000	<p>This submission is proposed for support by Council in the 2023/24 Annual Budget through an allocation of up to \$15,000 funding from Council's 2023/24 Design Support program for the purpose of developing a feasibility study with external study development assistance.</p> <p>The \$15,000 allocation would be subject to a Funding Agreement to be developed between the submitter and Council. The agreement will detail the particulars of the funding including, but not limited too:</p> <ul style="list-style-type: none"> - requirements for stakeholder engagement – with Council being a stakeholder to be consulted during the study; - expected outcomes; - agreed milestone timeframes; - any co-contribution to the project through in-kind and/or cash support from the submitters and/or Council; - acquittal requirements including a report to Council on the outcome of the proposed study. <p>It is also noted that outcomes of the proposed feasibility study will need to be considered in line with the upcoming Buloke Children, Youth and Families Strategy.</p>

INNOVATION AND CONTINUOUS IMPROVEMENT

The Annual Budget 2023/24 identifies how Council proposes to resource strategic objectives related to continued service improvement for efficient and flexible services.

COLLABORATION

Not applicable.

FINANCIAL VIABILITY

The Annual Budget is for the year 1 July 2023 to 30 June 2024 and contains financial statements including a budgeted Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash flows, Statement of Capital Works and Statement of Human Resources.

These statements have been prepared for the year ending 30 June 2024 in accordance with the Act and Regulations. They are consistent with the annual financial statements prepared in accordance with the Australian Accounting Standards.

The Annual Budget also includes information about the rates and charges to be levied, the capital works program to be undertaken, the human resources required, and other information.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Consideration has been given to other regional, state and national plans and policies as required throughout the preparation of this budget.

COUNCIL PLANS AND POLICIES

The Annual Budget provides resourcing to enable continued implementation of Council's current plans and strategies.

TRANSPARENCY OF COUNCIL DECISIONS

Council's engagement approach has provided for the receipt and consideration of submissions following the advertisement of the Draft Budget. Council Officers will respond to each person or group in relation to the matters raised in their submission.

CONFLICTS OF INTEREST

No officer involved in the preparation of this report had a conflict of interest.

QUESTION FROM CR MILNE – With regard to the grant process, noted in the grants that are automatically given, there was a suggestion that Wimmera Mallee Tourism had been dropped off the list and that there was no funding available in this year's budget for that. Given that we will still likely be going in 12 months before a Visitor Economy Partnership is rubber stamped, I was wondering where that ends up; and whether there's been any consideration given to what might be a new ask for the Visitor Economy Partnership for a higher amount of money which is yet to be determined, but muted at \$15,000?

DIRECTOR CORPORATE AND ORGANISATIONAL PERFORMANCE RESPONDED – Given that we are at the point of considering the budget, we may need to take the question on notice, however budgets are a forecast for the current year and there is opportunity for us to revisit and review that as the year goes by and more information becomes known. Appreciating the comments regarding the Wimmera Mallee Tourism Board we would take on notice that we would look to find space through that constant analysis and revision (of the Budget) that we undertake each month, particularly through our Quarterly reporting process.

FURTHER QUESTION FROM CR MILNE – Is the funding for Wimmera Mallee Tourism still in there (the Budget) or has it been removed, given bills for membership are about to be sent out?

DIRECTOR CORPORATE AND ORGANISATIONAL PERFORMANCE RESPONDED – The line item of funding that was within the budget for the Wimmera Mallee Tourism Board was taken out with the advice that the Board was to fold, however it is understood that that information is changing and that (funding) is something we can consider moving forward as to where we obtain that funding from to support what is an important advocacy group for tourism withing our Shire. That decision will remain with Councillors moving forward as we work through adjustments to the rolling budget through the quarterly process.

CHIEF EXECUTIVE OFFICER RESPONDED – I would say that there is an ongoing in-principle understanding that Council will support Wimmera Mallee Tourism ongoing until such time as any changes may be made in the future. As for the second part of Cr Milne’s question as to has there been any additional funding for any changes – no there hasn’t as we simply don’t know what the structure of that will look like. But if and when that arises through the upcoming financial year we will review that and bring it back to Councillors as such.

QUESTION FROM CR MILNE – What might’ve been the variation in the amount of road funding received in this years budget compared to last year’s budget?

DIRECTOR CORPORATE AND ORGANISATIONAL PERFORMANCE RESPONDED – These comparisons have been looked at recently. In 2020/21 financial year, budgeted expenditure was \$4.99M with grant income of \$1.92M; In 2021/22 - budgeted expenditure was \$7.44M with grant income of \$4.8M; In 2022/23, the current financial year - budgeted expenditure was \$6.97M with grant income of \$2.46M; and the proposed budget 2023/24 with \$5.6M {*POST MEETING NOTE: this figure later corrected to \$5.487M*} expenditure with \$2.72M grant income. I refer to Director Infrastructure and Delivery as to whether those figures include carry forward amounts.

DIRECTOR INFRASTRUCTURE AND DELIVERY RESPONDED – I would need to take that (amounts of carry forward) on notice if required, however we are expecting to be successful through the DRFA process for immediate reconstruction and also REPA (Reconstruction of Essential Public Assets) funding associated with the flood event and packages are currently being prepared for that.

5. MEETING CLOSED

Meeting closed at 5.28pm.