



Minutes of the Council Meeting

Held on 20 February 2023

Alexandrina Council

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Minutes of the Alexandrina Council Ordinary Meeting held on Monday, 20 February 2023 commencing at 5:31 PM

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1. Opening of Meeting

An audio recording of this meeting was made for minute-taking purposes and lasted the length of the open meeting. The audio file will be available on the Council website.

Present

Mayor Keith Parkes (Presiding Member), Councillors Bill Coomans, Margaret Gardner, Milli Livingston, Craig Maidment, Sue Miller, Lou Nicholson and Christie Thornton.

Apologies / Leave of Absence

Nil

In Attendance

Nigel Morris (Chief Executive Officer), Matt Atkinson (Acting General Manager Growth), Andy Baker (General Manager Infrastructure), Trish Kirkland (Acting General Manager Resources), Tash Hunt (Manager Communications & Business Services), Tanya Cregan (Executive Assistant to the Mayor and Elected Members - Minute Secretary), and other staff as required.

Gallery

A large number of members of the public in the gallery and outside the Chambers, a representative from the Victor Harbor Times, a representative from the Southern Argus, a representative from the Fleurieu Sun, and a representative from South Coast Television.

Acknowledgement of Traditional Owners

The Alexandrina Council and its communities acknowledge the Ngarrindjeri people as the traditional custodians of the lands and waters of our Council District.

Local Government Prayer

Almighty God, we humbly beseech thee to grant thy blessing upon the works of this Council, guide us in our deliberations for the advancement and the true welfare of the people of this district.

Declarations of Interest

If a Council Member has an interest in a matter before the Council, they are asked to disclose the interest to Council and provide full and accurate details of the relevant interest. Members are reminded to declare their interest before each item.

Confirmation of Minutes

C23035

Moved Cr Bill Coomans seconded Cr Margaret Gardner

That the Minutes of Alexandrina Council meeting held on 16 January 2023 and Special Council meeting held on 6 February 2023 be received as true and correct records.

CARRIED UNANIMOUSLY

The Presiding Member sought and was granted leave from the majority of the meeting to hear deputations listed at Item 3.1 to Item 3.4, prior to consideration of the adjourned debate listed at Item 2.1 to Item 2.2.

The meeting moved to Agenda Item 3 – Deputations at 5.34 pm.

3.1. Deputation - Goolwa Wharf Precinct Revitalisation Project

The Mayor sought and was granted leave from the majority of the meeting for the deputation to be 10 minutes in duration.

Mr Nigel Robinson, on behalf of Mr Kevin Cross, Ms Patricia Williamson and Mr Grantley Schmidt (being the spokespersons and petitioners for the Friends of PS Oscar 'W', the Goolwa Markets and Hectors on the Wharf), made a deputation regarding the Goolwa Wharf Precinct Revitalisation Project.

The Presiding Member thanked Mr Robinson for his deputation.

3.2. Deputation - Goolwa Wharf Precinct Revitalisation Project

The Mayor sought and was granted leave from the majority of the meeting for the deputation to be 10 minutes in duration.

Mr Steve Ramsay (Wharf Barrel Shed) made a deputation regarding the Goolwa Wharf Precinct Revitalisation Project - configuration of the Wharf Shed.

The Presiding Member thanked Mr Ramsay for his deputation.

3.3. Strathalbyn Strikers Soccer Club - Lot 10 Langhorne Creek Road, Strathalbyn

Mr Nick Brook, on behalf of the Strathalbyn Strikers Soccer Club made a deputation regarding Lot 10 Langhorne Creek Road, Strathalbyn.

The Presiding Member thanked Mr Brook for his deputation.

3.4. Strathalbyn Campdraft Club - Lot 10 Langhorne Creek Road, Strathalbyn

Mr Tas McEwin on behalf of the Strathalbyn Campdraft Club made a deputation regarding Lot 10 Langhorne Creek Road, Strathalbyn.

The Presiding Member thanked Mr McEwin for his deputation.

The meeting returned to Agenda Item 2 – Adjourned Debate at 6.28 pm.

2. Adjourned Debate

2.1. Adjourned Debate - Review of Committee Structure

With the consent of the mover and seconder, the Presiding Member sought and was granted leave of the meeting to remove reference to the Section 41 Alexandrina Arts and Culture Committee being dissolved, as that will be considered at a future Council meeting when the Arts and Culture Strategy is considered.

Adjourned debate from 28 November 2022, Item 6.5 - Review of Council Committee Structure

C23036

Moved Cr Margaret Gardner seconded Cr Sue Miller

That Council dissolve the following section 41 Committee:

- a. Climate Emergency Advisory Committee (noting the establishment of the combined Climate Emergency and Environment Committee).**

CARRIED UNANIMOUSLY

2.2. Adjourned Debate - Goolwa Wharf Precinct Revitalisation Project

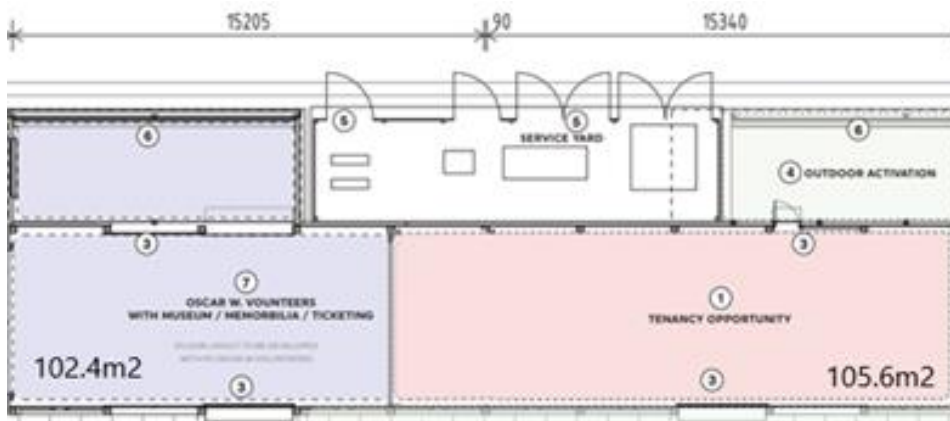
The Presiding Member declared a general conflict of interest due to being a Friend of the Oscar 'W' and customer of the Wharf Barrel Shed, advising he would remain in the Chamber to Chair the meeting, but would not participate in the debate, nor exercise his casting vote should he be required to do so.

The Presiding Member sought but was not granted leave of the meeting, for Members who wished to do so, to speak again in relation to the adjourned debate – Goolwa Wharf Precinct Revitalisation Project.

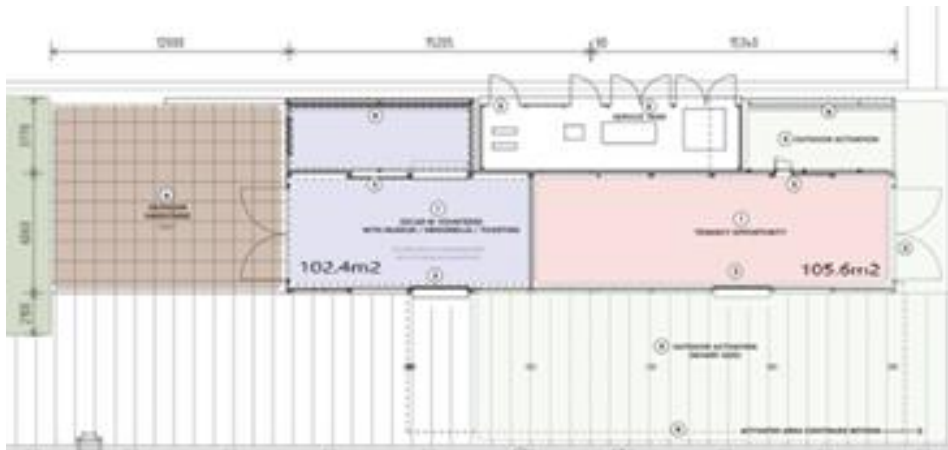
Adjourned debate from 16 January 2023, Item 8.1 Goolwa Wharf Precinct Revitalisation Project
C23037

Moved Cr Christie Thornton seconded Cr Margaret Gardner

That the internal allocation of the space within the Wharf Shed be provided as follows (Oscar W = 102.4m² and Commercial Tenant = 105.6m²):



With additional external allocation as indicated below:



CARRIED

A division was requested by Cr Bill Coomans.

The Presiding Member declared the vote set aside.

Voting in the AFFIRMATIVE	Voting in the NEGATIVE
Cr Christie Thornton	Cr Bill Coomans
Cr Sue Miller	Cr Milli Livingston

Cr Craig Maidment	Cr Lou Nicholson
Cr Margaret Gardner	

The Presiding Member declared the motion **CARRIED**

3. Presentations / Deputations

3.1. Deputation - Goolwa Wharf Precinct Revitalisation Project

Considered earlier in this meeting.

3.2. Deputation - Goolwa Wharf Precinct Revitalisation Project

Considered earlier in this meeting.

3.3. Strathalbyn Strikers Soccer Club - Lot 10 Langhorne Creek Road, Strathalbyn

Considered earlier in this meeting.

3.4. Strathalbyn Campdraft Club - Lot 10 Langhorne Creek Road, Strathalbyn

Considered earlier in this meeting.

4. Petitions

4.1. Petition - Water Tables and Footpath facilities - Old Bull Creek Road, Strathalbyn

C23038

Moved Cr Sue Miller seconded Cr Craig Maidment

That Council receive the petition and that it be forwarded to the Infrastructure Division for assessment and response to the Head Petitioner.

CARRIED UNANIMOUSLY

5. Questions with Notice

5.1. Cr Sue Miller - Council support for Gymnasiums in Strathalbyn

Question

'Further to the submission I made as a parent and ratepayer dated 2 July 2020 in response to consultation on Council's 2020/21 ABP and Budget I ask the following questions:

1. Is the current Council executive team aware of the following?

a. that the single court gymnasium at the R-6 campus of Eastern Fleurieu School, Strathalbyn was built in 1981 for approximately \$149,000, and several parties made capital contributions towards the total cost, approximately:

Minister for Education 44.29%

Strathalbyn Council 6.71%

Primary School Council 13.42%

High School Council 10.06%

Basketball Association 20.13%

Public Donations 5.39%

- b. a Joint Use Agreement (JUA) was in place between 3 parties at the time – Minister for Education, EFS School and Strathalbyn Basketball Association (the school had exclusive use during school hours until 5pm each weekday, and the Basketball Association had exclusive use on weekends and by negotiation during school holidays)
 - c. in 2011 Alexandrina Council ceased being a party to the JUA.
2. Given there is no public gymnasium in Strathalbyn, can Council administration please advise:
- a. what contributions (financial or in-kind) Council has made since 2011, when Council ceased being a party to the JUA referred to a 1b, to maintenance of the single court gymnasium building owned by Department for Education located at the Strathalbyn R-6 campus of Eastern Fleurieu School, East Terrace, Strathalbyn?
 - b. what contributions if any (financial or in-kind) Council has made in the past, or currently makes, to the gymnasium located on the grounds of Tyndale Christian School on East Terrace, Strathalbyn?
3. Notwithstanding the Lot 10 Langhorne Creek Road, Strathalbyn actions in recent times, what other advocacy has Alexandrina Council undertaken in the past to support a community indoor sports facility in Strathalbyn?’

Answer

Alexandrina Council does not currently make any contributions towards the operations of the court facilities located at the Eastern Fleurieu School and the Tyndale Christian School.

Council Administration has been liaising with the Strathalbyn and District Basketball Association (S&DBA) regarding the development of a new indoor three (3) court facility. An indoor court feasibility study was also undertaken in 2021 in order to assess need and demand for indoor court provision across the region (Attachment 1).

Council also resolved (ACM221550) to consider funding a Sport and Recreation Strategy and Facility Development Plan for Alexandrina Council as part of budget deliberations for 2023/24. This strategy has been included as a "New Initiative" for 2023/24 budget deliberations and would provide direction with regards to future facility provision across the region. The development of this strategy would also support the ongoing discussions currently being had with Basketball SA regarding the future development of Lot 10 Langhorne Creek Road.

5.2. Cr Sue Miller - Community Donation Program

Question

1. 'Could Council Members please be provided with a report on support provided under Council's Community Donation Program since the last report to Council?
2. How is the availability of this program publicised to our community?
3. How frequently is this information reported to Council?'

Answer

Attachment A provides a report of Community Donations provided to the community for the current financial year from 1 July 2022 to 14 February 2023.

The table below shows the total budget and expenditure through the Community Donation Program up to the 14 February for current financial year.

Ward	Budget Allocation	Expenditure to 14 February 2023
North	\$12,650	\$6,998
South	\$12,650	\$8,000

Ward	Budget Allocation	Expenditure to 14 February 2023
West	\$12,650	\$5,573.28
TOTAL	\$38,000	\$20,571.28

The last time a report was submitted to Council was for a donation request in August 2022 – in this report information was given of the current expenditure of the program.

Reports to the Council are tabled when applications are above the threshold, all money has been expended or not full support by Ward Councillors are given.

A report on the Community Donations program on a whole has not been reported to Council. Although we do publish all the Community Donations at the end of each financial year on our website under [Alexandrina Community Donations Program | Alexandrina Council](#) where you can view reports of all the Community Donations from 2015 to June 2022.

The program is publicised on Council's website - [Alexandrina Community Donations Program | Alexandrina Council](#)

It is also publicised by Elected Member and Council Staff when speaking to community groups about funding options.

A copy of the Community Donations for 2022/23 to date is provided in Attachment 1.

5.3. Cr Sue Miller - Actual Performance against Key Performance Indicators

Question

'In order for Council Members and the community to have as a quick reference guide, can the administration please provide:

1. the **actuals** for Financial Years Ending 30 June 2018, 2019, 2020, 2021 and 2022 for the following Key Performance Indicators as per the Annual Report:
 - a. Operating surplus Ratio
 - b. Net Financial Liabilities Ratio
 - c. Asset Renewal Funding Ratio

I request the format be a simple table as set out below:

FYE 30 June Indicator - ACTUAL	2018	2019	2020	2021	2022
Operating Surplus Ratio					
Net Financial Liabilities Ratio					
Asset Renewal Funding Ratio					

2. *Can the information in the above table also be reflected in a graphic consistent with the graphics in the Long Term Financial Plan, but rather than be forward looking, be for the actuals for the years identified above so as to give context to Council's current position.*
3. *Please include the target range table that is on page 6 of the Long Term Financial Plan.*

4. For the same time period, as would be referenced in the Uniform Presentation of Finances section of Council's financial statements in the Annual Report, the following **actual** \$ amounts for:
- Operating Surplus / (Deficit)
 - Net Lending / (Borrowings) for Financial Year
 - Net Outlays on Existing Assets
 - Net Outlays on New and Upgraded Assets

FYE 30 June	2018	2019	2020	2021	2022
Operating Surplus / (Deficit)					
Net Lending / (Borrowings)					
Net Outlays on Existing Assets					
Net Outlays on New and Upgraded Assets					

Answer

The quick reference guide, in the format requested, is contained at Attachment 1. Please note that the Uniform Presentation of Finances excludes new capital expenditure on the acquisition of additional assets and that Financial Statements do not account separately for CWMS. The attached report has not been done graphically as it has been formatted in a way that the trend can be instantly determined.

5.4. Cr Sue Miller - Developer Contributions towards Infrastructure External to Development Sites

Question

1. 'Given:

- The cumulative pressure being put on existing council infrastructure by infill development, green and brown fields development,
- that council does not have the resourcing capacity to finance the infrastructure demands of a growing community,
- a need to insulate our existing ratepayers from excessive rate increases, and
- applying the principle of beneficiary pays,

has Alexandrina Council ever considered the merits of introducing a developer contribution per new residential allotment as a fair, viable and targeted means of raising revenue to ensure appropriate provision for local infrastructure and assets EXTERNAL to sub-divisions?

2. If not, why not?

3. Applying the principle that those developing and benefitting should contribute to infrastructure needs external to their development site, because population growth puts pressure on existing assets and services:

- a. *is there a mechanism by which Council could apply a once-off charge (I like to think of it as a 'membership fee to join our community) on future residential or commercial allotments to contribute towards upgraded or new infrastructure (e.g. upgrading existing road and footpath networks, or community infrastructure and services)?*
- b. *what would Council need to consider to establish land management agreements over existing and future sub-divisions to secure private sector investment in infrastructure external to the actual development - that is, over and above a developer's normal internal works?'*

Answer

1. Council has no legal ability under the *Planning, Development and Infrastructure Act 2016* (PDI Act) to require a developer to provide a financial contribution for the purposes of raising revenue to support infrastructure (including social and community infrastructure) elsewhere within the Council district. However, the Council does have the ability to require a developer to financially contribute to external infrastructure directly associated with their development proposal, such as the upgrading of connecting roads, footpaths, stormwater systems, etc.

Developers proposing over 20 new allotments are required to provide a minimum of 12.5% of useable open recreational space within their development site, and where they do not provide for the full 12.5%, Council is able to seek a financial contribution into Council's Open Space Fund to be used in the development of other reserves and open space within the district.

It is known that under Section 154 of the *Local Government Act 1999*, Councils have avenues to declare a separate rate for the purposes of supporting activities that is, or is intended to be, of benefit to the owners/occupiers of the relevant land, or to the visitors to that part of the area. For example, this type of separate rate scheme was implemented in the District Council of Mount Barker following the introduction of the current growth areas and following substantial master planning/structure planning exercises which identified the need for new civil, social and community infrastructure, acknowledging that the Council would not be able to self-fund the required infrastructure itself without third party investment from property developers.

To date, the growth that has occurred within the Alexandrina region has not been on the scale that Mount Barker continues to experience, with all land development occurring within the existing township boundaries.

2. At present, developers seeking to undertake new land divisions are required to fulfil infrastructure requirements as set out in Council's Infrastructure Guidelines for new developments. This includes the provisions of roads, footpaths, street trees, recreation reserves, stormwater and sewer infrastructure. Developers are also required to plan for other infrastructure upgrades directly associated with their development site where necessary to support their development.

Separate rate schemes have been successful in other jurisdictions where dealing with broad acre growth areas that have been envisioned and master planned to identify required social and community infrastructure needs to support that particular development. However, these schemes are complex in nature, and are not necessarily suitable when dealing with development on smaller sites and at a much smaller scale as compared to other jurisdictions.

3. a) As discussed previously, there is no legal ability under the PDI Act to apply a 'once-off charge' for new developments.

- 3 b) Land Management Agreements (LMA's) deal directly with the management of any particular land and would not be an appropriate mechanism to commit developers to financial contributions for external infrastructure. LMA's are useful as a forward planning tool in growth areas to set out how a development site should be staged and coordinated. Council utilises Infrastructure Agreements, which are agreements entered into with developers to ensure all infrastructure works occurring on their land and external to their site (but directly related to the development) are completed to satisfactory standards, and Council is provided with relevant financial guarantees in the event the developer does not complete the development to a suitable standard.

5.5. Cr Sue Miller - Process to Sell Council Owned Land Zoned for Recreation

Question

1. *What is the area known as Lot 10, Langhorne Creek zoned as under the Planning, Development and Infrastructure Act (PDI Act)*
2. *With this land currently owned by Council what is the Community Land Management Status (Community Land or Operational Land)*
3. *Under the current Community Land Management Status what would be the process and timeline to sell this parcel of land?*
4. *Can this land be subdivided, and a proportion sold? If so, what is the process and timeline for this to occur?*

Answer

1. Lot 10 Langhorne Creek Road is zoned as 'Recreation Zone' under the PDI Act.
2. Lot 10 Langhorne Creek Road is Council owned land, exempted from the Community Land Classification on 28/10/2002. It is not Community Land.
3. As the land is not Community Land, the extensive revocation of the community land status process, (including Ministerial approval) is not required. As operational land, Council could proceed to disposal following a resolution of Council, however the significant community interest and extensive community engagement held to date on this land parcel should be recognised when considering disposal, with community consultation highly recommended (but not required). Should community consultation proceed, time frames include one (1) month lead into Council Meeting, minimum 21 days community engagement and a Report back to Council at the next available Council meeting following close and review of the community engagement outcomes. A minimum time frame of 4-5 months is likely.
4. Whilst Lot 10 Langhorne Creek Road is located within the Recreation Zone, it is also contained within the Environment and Food Production Area (EFPA) Overlay, as identified within the Planning and Design Code. Within the EFPA Overlay, land is not able to be divided for residential purposes. However, land may be divided to support the provision of recreational activities and facilities. This is supported by Recreation Zone Desired Outcome 4.1, which states that "Land division supports the provision of recreational facilities."

The process for undertaking a land division can take between three (3) and six (6) months. In this instance, the process would include having a Plan of Division surveyed that is consistent with a concept plan that supports the associated recreational use, lodging a Development Application in the PlanSA Portal, undertaking referrals to Council's Infrastructure team, setting relevant conditions and completing the associated requirements post Development Approval (in order to obtain Land Division Clearance and to create the Title). The process for selling the relevant portion of Council land could be undertaken concurrently to the Development Application, however it is not possible to complete the process until the Title is created.

6. Questions without Notice

A number of Questions without Notice were asked and answered, or taken on notice.

7. Notice of Motions

7.1. Cr Christie Thornton - Shade Sail Program

C23039

Moved Cr Christie Thornton seconded Cr Milli Livingston

That the costs for a shade sail to be installed at the Strathalbyn Visitors Information Centre be determined and considered in the draft 2023/24 Annual Business Plan and Budget process.

7.2. Cr Sue Miller - General Rates generated from Land Parcel on Milnes Road, Strathalbyn

Moved Cr Sue Miller seconded Cr Christie Thornton

That:

1. For the 2023/24 financial year that an amount equal to the total amount of general rates that is raised from all properties now located on the previous site of the Strathalbyn Harness Racing Club on Milnes Road be reserved specifically for Sport and Recreation or Community Development initiatives in the Alexandrina North Ward, including (but not limited to) that of the Lot 10 Langhorne Creek Road project; and
2. Community feedback on the above proposal be sought during the consultation on the draft 2023/24 Annual Business Plan and Budget, and Rating Policy Review.

LOST

7.3. Cr Bill Coomans - Proposal for Allocation of Goolwa Wharf Shed Space

Cr Bill Coomans advised that he wished to withdraw this Notice of Motion as the matter was considered earlier in this meeting.

7.4. Cr Sue Miller - Developer Contributions towards Asset Acquisition and Renewal External to Development Sites

C23040

Moved Cr Sue Miller seconded Cr Craig Maidment

That Council:

1. Request the administration prepare a report that considers the merits of introducing a once-off developer contribution per new residential allotment as a fair, viable and targeted means of raising revenue to ensure appropriate provision for local infrastructure and assets external to sub-divisions; and
2. Seeks feedback on this initiative during consultation on the draft 2023/24 Annual Business Plan and Budget, and Rating Policy.

CARRIED UNANIMOUSLY

7.5. Cr Sue Miller - Code of Practice - Procedures at Meetings - Questions without Notice

C23041

Moved Cr Sue Miller seconded Cr Lou Nicholson

That when the 'Code of Practice – Procedures at Meetings' is next reviewed, Council considers changing how Questions without Notice are recorded in the minutes, being that the minutes reflect, very briefly, who asked the question, what the topic was, and if a response was provided at the meeting or taken on notice for the next meeting.

CARRIED UNANIMOUSLY

7.6. Cr Sue Miller - Council Engagement with Friends of PS Oscar 'W'

Moved Cr Sue Miller seconded Cr Christie Thornton

That:

Council, further to the resolution C23018 of 16 January 2023 council meeting, request the Mayor within 7 days write to the President of Friends of the PS Oscar W requesting their Committee:

- 1. nominate one person (ie office bearer and name) to be their public spokesperson and nominated representative to liaise with Mayor Parkes and the Chief Executive Officer on matters beyond day-to-day volunteer coordination activities, and advising that all future engagement with Council will be with that one nominated representative**
- 2. all future engagement with Council be via written correspondence (or in the case of verbal dialogue or face-to-face meetings be summarized in meeting notes) so that Council and the administration can be clear on the purpose of engagement and agreed process and outcomes to minimise any misunderstanding**
- 3. remind their members of their obligations under Council's Code of Conduct for Volunteers (available on Council's website); and**
- 4. write to Council confirming all current volunteers have signed the Code of Conduct Acknowledgement form on page 6 of the document referred to at 3) above.**

LOST

C23042

Moved Cr Lou Nicholson seconded Cr Bill Coomans

That Council, further to the resolution C23018 of 16 January 2023 council meeting, request the Mayor within 7 days write to the President of Friends of the PS Oscar 'W' requesting a roundtable discussion on governance matters and path forward.

CARRIED UNANIMOUSLY

7.7. Cr Sue Miller - Holding 20 March 2023 Council Meeting in Strathalbyn, and North Ward Tour

Moved Cr Sue Miller seconded Cr Christie Thornton

That Council hold the 20 March 2023 Council Meeting in Strathalbyn.

FORMAL MOTION

Moved Cr Bill Coomans

That the question be adjourned pending the report to Council prior to the 2023/24 Annual Business Plan and Budget considerations providing detail required to facilitate Council meetings remote of 11 Cadell Street, Goolwa to allow meetings across the three wards.

**LAPSED
for want of a seconder**

The motion was put and **LOST**

C23043

Moved Cr Sue Miller seconded Cr Craig Maidment

That as soon as possible a tour of Langhorne Creek, Woodchester, Ashbourne and Strathalbyn occur.

CARRIED

7.8. Cr Sue Miller - Review of Confidentiality Orders - Lot 10 Langhorne Creek Road, Strathalbyn

C23044

Moved Cr Miller seconded Cr Craig Maidment

1. That Council request the Chief Executive Officer undertake before the 20 March 2023 council meeting, a review of all confidentiality orders associated with Lot 10 Langhorne Creek Road, Strathalbyn project with a view to release as much information as possible, noting some redactions of content may be appropriate; and
2. That Council be advised what the trigger for release is for any information that continues to be retained in confidence.

CARRIED UNANIMOUSLY

8. Administration Reports

8.1. Vacancy in the Office of Member of Council

C23045

Moved Cr Lou Nicholson seconded Cr Milli Livingston

Council Members are hereby NOTIFIED in accordance with section 54(6) of the *Local Government Act 1999* that the office of Alexandrina West Ward, formerly occupied by Michael Scott and Alexandrina South Ward, formerly occupied by Peter Oliver, became vacant by operation of section 54(1) (h) of the *Local Government Act 1999* on 22 January 2023.

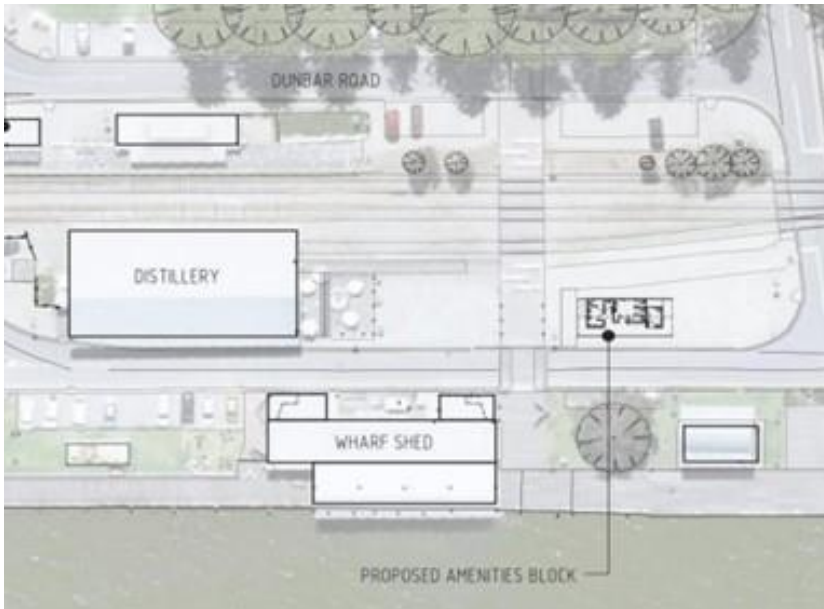
CARRIED UNANIMOUSLY

8.2. Location of the Main Toilets at Goolwa Wharf

C23046

Moved Cr Margaret Gardner seconded Cr Sue Miller

That Council endorse the location of the Goolwa Wharf main toilets indicated as 'Proposed Amenities Block' illustrated below:



CARRIED

C23047

Moved Cr Christie Thornton seconded Cr Bill Coomans

That the external look and feel of the toilet be workshopped with Council Members and presented to Council for endorsement.

CARRIED

8.3. Strathalbyn Harness Racing Club proposal to purchase a portion of Lot 10 Langhorne Creek Road, Strathalbyn

Moved Cr Sue Miller seconded Cr Christie Thornton

That Council notes the minutes of the Lot 10 Langhorne Creek Road Project Steering Group held 7 February and does not support the further investigation into the sale of the whole or portion of Lot 10 Langhorne Creek Road, Strathalbyn to the Strathalbyn Harness Racing Club (SHRC), and within 7 days writes to the SHRC advising of Councils decision. Further, Council acknowledges advice from the SHRC that they be removed from the Lot 10 Project Steering Group.

C23048

FORMAL MOTION

Moved Cr Lou Nicholson seconded Cr Craig Maidment

That the question be adjourned to the March 2023 Council meeting, pending further information at a Council Information Session.

CARRIED

8.4. Lot 10 Langhorne Creek Road Project Steering Group - Highlights Report

Moved Cr Sue Miller seconded Cr Margaret Gardner

- 1. That Council note the Lot 10 Langhorne Creek Road Project Steering Group Minutes of the meeting held 7 February 2023; and**
- 2. That Council progress with the preparation of a Business Case for future recreational land uses at Lot 10 Langhorne Creek Road, Strathalbyn; and**

3. That Council progress with the preparation of an Infrastructure Investigation Report for Lot 10 Langhorne Creek Road, Strathalbyn; and
4. That Council note the removal of the Strathalbyn Harness Racing Club from the Lot 10 Langhorne Creek Road Project Steering Group.

C23049

FORMAL MOTION

Moved Cr Bill Coomans seconded Cr Craig Maidment

That the question be adjourned to the March 2023 Council meeting, pending further information at a Council Information Session.

CARRIED

8.5. Establishment of a Climate Emergency and Environment Committee

The Presiding member called for nominations for two Council Member representatives to be on the Climate Emergency and Environment Committee.

Cr Bill Coomans self-nominated.

Cr Milli Livingston self-nominated.

C23050

Moved Cr Bill Coomans seconded Cr Margaret Gardner

- 1. That the Climate Emergency and Environment Committee be established pursuant to Section 41 of the *Local Government Act 1999* until the conclusion of the 2026 Local Government Periodic Elections.**
- 2. That Cr Bill Coomans and Cr Milli Livingston be appointed as Council Member representatives to the Climate Emergency and Environment Committee until the conclusion of the 2026 Local Government Periodic Elections.**
- 3. That the ordinary meetings of the Climate Emergency and Environment Committee be held on the first Monday of every second month, at 5.30pm in the Large Meeting Room, 11 Cadell Street, Goolwa.**
- 4. That the Chief Executive Officer be delegated authority to vary the meeting date, time and place of the Climate Emergency and Environment Committee in consultation with the Chairperson.**
- 5. That the Climate Emergency and Environment Committee Terms of Reference appearing as Attachment 1 to this report be approved.**
- 6. That the Climate Emergency and Environment Committee Order of Business for Ordinary Meetings appearing as Attachment 2 to this report be approved.**
- 7. That Administration be delegated authority to make amendments of a formatting and/or minor technical nature to the Climate Emergency and Environment Committee's Terms of Reference.**
- 8. That Administration proceed to seek separate Expression of Interests for the remaining Committee Members and the Chairperson of the Climate Emergency and Environment Committee.**
- 9. That Administration will undertake a review of the Climate Emergency and Environment Committee after a period of 2 years from the first meeting.**

CARRIED

8.6. Appointment of Community Members for Cemeteries Advisory Committee

C23051

Moved Cr Craig Maidment seconded Cr Margaret Gardner

That Council receive the report and appoint the following persons as Community Members of Council's Cemeteries Advisory Committee for a period not exceeding the term of the current Council in accordance with Section 41 of the Local Government Act 1999:

- Adrian Kemp**
- Denise Quinn**
- Andrew Frost**
- Dirk Nieuwenhoven**
- Amanda Anthonyysz**
- Sandy Spencer**

- Peter Smith
- Catherine Hirschausen

CARRIED

8.7. Appointment of Members and Chairperson - Heritage Advisory Committee

C23052

Moved Cr Craig Maidment seconded Cr Sue Miller

That Council endorse the following membership for the Heritage Advisory Committee in accordance with Section 41 of the *Local Government Act 1999* and the Heritage Advisory Committee Terms of Reference:

- **Chairperson:**
 - Simon Weidenhofer
- **Community Members:**
 - Grace Dennis-Toone
 - Jon Hopkins
 - Allan McInnes
 - Trevor McLean
 - Katherine Russell
 - Ann Scutchings
 - Belinda Sullivan
 - Meredith Taylor

CARRIED UNANIMOUSLY

8.8. Carbon Neutral Plan - LED Public Lighting Rollout

C23053

Moved Cr Margaret Gardner seconded Cr Bill Coomans

1. That Council in response to the Alexandrina Council Carbon Neutral Plan initiatives on Sustainable and Public Lighting:

1.1 Receive the investigation report on Sustainable and Public Lighting.

1.2 Resolve the implementation approach as - monitor the lighting conversion to LED lighting to be performed by SA Power Networks at their cost through a light failure change over process.

CARRIED UNANIMOUSLY

8.9. Asset Revaluation (Condition) Status and Forward Plan

C23054

Moved Cr Margaret Gardner seconded Cr Sue Miller

That Council:

1. Endorse the draft Asset Revaluation Management Plan as attached; and
2. Adopt the Asset Management Policy as attached.
3. That the draft 2023/24 Annual Business Plan and Budget include an allocation of at least \$150,000 to fund the scheduled condition audits and revaluations ensuring Council's financial assessment of its Asset portfolio is reported appropriately as identified by the external auditors.

CARRIED UNANIMOUSLY

8.10. Minutes of Section 41 Committee - Audit Committee - 10 February 2023

C23055

Moved Cr Margaret Gardner seconded Cr Christie Thornton

That Council note the Audit Committee minutes of the meeting held 10 February 2023.

CARRIED UNANIMOUSLY

8.11. Legislative Reform - Audit Committee - November 2023

C23056

Moved Cr Sue Miller seconded Cr Lou Nicholson

That Council:

1. receive and note a copy of this report
2. endorse the amended Audit Committee Work Program 2022/23, including the projects and activities contained at Table 1
3. call for expressions of interest for a new independent member to meet the skills and experience required for appointment to the Audit and Risk Committee.

CARRIED UNANIMOUSLY

8.12. Audit Committee - Terms of Reference and Committee Name Change

C23057

Moved Cr Lou Nicholson seconded Cr Sue Miller

That Council:

1. change the name of the Audit Committee to the Audit and Risk Committee
2. amend the Audit Committee Terms of Reference to the Audit and Risk Committee, and amend clause 1.1 (refer Attachment 1) as follows:
 - a. Members of the Committee shall be appointed by the Council. The Committee shall consist of up to five (5) members including **at least** two (2) independent members and ~~at least~~ (2) Council Members, in accordance with the *Local Government (Financial Management) Regulations 1999*.

CARRIED UNANIMOUSLY

8.13. Second Quarter Budget Review 2022/23

C23058

Moved Cr Craig Maidment seconded Cr Lou Nicholson

That Council:

1. Adopt the Second Quarter Budget Review 2022/23 as at 31 December 2022, incorporating the 2022/23 Financial Results, identifying an operating deficit of \$1,057,000 and an estimated cash position at the end of reporting period of \$544,000.
2. Note the projected operating deficit of \$1,057,000 incorporates Council resolution committing to proceed with Option D (enhanced) of the Goolwa Wharf Revitalisation Project (C23010) and that this represents the final scope of the project.
3. Amend the 2022/23 Annual Business Plan and Budget and Long Term Financial Plan to reflect the variances as authorised by Council.

CARRIED UNANIMOUSLY

C23059

Moved Cr Margaret Gardner seconded Cr Christie Thornton

1. That the Strathalbyn pool operating season is not extended and remain as a seasonal facility, operating six (6) months of the year from mid-October to mid-April.
2. That the Strathalbyn pool does not open after 9am when the outside temperature is forecast to be less than 25 degrees as there is minimal and something no attendance at these temperatures but is required to be fully staffed.
3. That during the pool season that regardless of the outside temperature that the pool remains open for the scheduled lap swimming sessions.
4. That a Sport and Recreation Strategy and Facility Development Plan be considered as part of budget deliberations for 2023/24 to further investigate year-round swimming facility in Strathalbyn.
5. That the head petitioner from the 19 April 2021 tabled petition, requesting an extension to the Strathalbyn Pool Season be informed of the decision.

CARRIED

C23060

Moved Cr Bill Coomans seconded Cr Milli Livingston

That Council endorse the immediate recruitment of the Climate Change Officer to lead, deliver and champion the implementation of Council's Carbon Neutral Plan, Climate Change Policy, and the Climate Emergency Action Plan across Council and the community.

CARRIED

C23061

Moved Cr Margaret Gardner seconded Cr Craig Maidment

1. That Council note that option D for the Goolwa Wharf Precinct Revitalisation Project was funded at the 16 January 2023 meeting for \$14,550,000.
2. That Council note that option B for the Goolwa Wharf Precinct Revitalisation Project was estimated at \$18,883,760, an additional over \$4,250,000 than option D.
3. Given the additional expenditure and borrowings required to move from option D to option B, that Council no longer pursue the option B project unless it is fully funded external to Council.

CARRIED UNANIMOUSLY

8.14. Economic Assumptions Annual Budget 2023/24 and Updated Long Term Financial Plan

C23062

Moved Cr Craig Maidment seconded Cr Sue Miller

That Council:

- 1. endorse the recommendation of the Audit Committee that the economic assumptions will form the basis for the Draft Annual Business Plan and Budget 2023/24 and Long Term Financial Plan 2022-2031, and**
- 2. note the Chief Executive Officer's Key Performance Indicator 7, to 'present an option for the 203/24 Annual Business Plan and Budget with rates increase of CPI or less and a surplus budget'.**

CARRIED UNANIMOUSLY

8.15. SA Wooden Boat Festival 2023- Highlights Report

C23063

Moved Cr Milli Livingston seconded Cr Lou Nicholson

That Council note the South Australian Wooden Boat Festival Committee minutes of the meetings held:

- 14 November 2022**
- 28 November 2022**
- 12 December 2022**
- 9 January 2023**
- 23 January 2023**

CARRIED UNANIMOUSLY

8.16. Alexandrina Pop-Up Business Activation Program – Chart Room

C23064

Moved Cr Margaret Gardner seconded Cr Milli Livingston

- 1. That Council note the trial Alexandrina Pop-Up Business Activation Program outcomes in relation to the Chart Room.**
- 2. That Council retain the Alexandrina Pop-Up Business Activation Policy for future locations but remove the Chart Room as a Pop-Up Business location.**
- 3. That a report be brought back to the March or April 2023 Council meeting, with tenancy options for the Chart Room as part of the greater Goolwa Wharf tenancy strategy.**

CARRIED UNANIMOUSLY

8.17. Goolwa Regatta Yacht Club - New Lease Public Consultation Outcomes

The Presiding Member declared a general conflict of interest due to being a past member and Commodore of the Goolwa Regatta Yacht Club, advising he would remain in the Chamber to Chair the meeting, but would not participate in the debate, nor exercise his casting vote should he be required to do so.

Cr Milli Livingston declared a general conflict of interest due to being a member of the Goolwa Regatta Yacht Club, advising she would remain in the Chamber to participate in discussion and vote on this matter.

C23065

Moved Cr Margaret Gardner seconded Cr Craig Maidment

That Council:

- 1. Receives and notes the public consultation outcomes.**
- 2. Grants consent to a community ground lease with the Goolwa Regatta Yacht Club for continued occupancy of their current lease footprint located on a portion of Lot 6 Crown Record (CR) Volume 6164 Folio 815 Barrage Road, Goolwa, inclusive of the following terms:**
 - **20 year (5+5+5+5) year ground lease**
 - **Commencement date of 4 July 2022**
 - **Commencement annual rental fee in accordance with Council's Annual Fees and Charges for Minor Commercial/Community leases (\$500 per annum).**
- 3. All services, insurances and improvements to the site (inclusive of the marina infrastructure) remain the ownership and responsibility of and at the cost of the Lessee, during the Lease term.**
- 4. Authorise the Mayor and Chief Executive Officer to sign and seal the lease agreement.**

CARRIED UNANIMOUSLY

Conflict of Interest declaration: Cr Livingston voted in the affirmative.

8.18. Clayton Bay Nursery and Environment Group New Lease Proposal

C23066

Moved Cr Margaret Gardner seconded Cr Craig Maidment

That Council:

- 1. Grants consent to the ten (10) year lease with the Clayton Bay Nursery and Environment Group Inc. for continued occupancy of a portion of Lot 27, 6A Alexandrina Drive Clayton Bay, Certificate of Title Volume 3679 Folio 139, for nursery and environmental purposes from 1 March 2023 to 28 February 2033 on the following terms and conditions:**
 - **10-year (5+5) community ground lease**
 - **Commencement date of 1 March 2023.**
 - **All services, insurances and improvements to the site remain the ownership and responsibility of and at the cost of the Lessee, during the Lease term.**
- 2. Set the commencement annual rental fee at \$500 per annum in accordance with Council's Annual Fees and Charges for Minor Commercial/Community leases**
- 3. Authorise the Mayor and Chief Executive Officer to sign and seal the lease agreement.**

CARRIED UNANIMOUSLY

8.19. Mobile Food Vendor Procedure - Proposed Amendments

C23067

Moved Cr Margaret Gardner seconded Cr Sue Miller

That Council:

- 1. Adopt the revised Mobile Food Vendor Procedure, contained at Attachment 2 to Item 8.19 of this meeting agenda, noting the following major change:

Removal of the ability for a Mobile Food Van to apply to Council to trade on Community land or road, unless it is for a Council supported Community Event, on private land or, in accordance with Council’s Pop Up Activation Policy.**
- 2. Authorise Administration to be able to make changes of a minor technical or formatting nature to the Mobile Food Vendor Procedure.**
- 3. Further explore Mobile Food Trading solutions over the next two (2) years and review the Procedure in February 2025 to reconsider the Councils, local businesses and the community's appetite to permit Mobile Food Vending within the District.**

CARRIED

8.20. Review Schedule - Public Policies and Procedures

C23068

Moved Cr Margaret Gardner seconded Cr Sue Miller

That Council adopt the proposed schedule of Council's public policies and procedures, per Attachment 1 to Item 8.20 of this meeting agenda.

CARRIED UNANIMOUSLY

8.21. Chief Executive Officer Report

C23069

Moved Cr Lou Nicholson seconded Cr Bill Coomans

- 1. That the Chief Executive Officer's Report for February 2023 be received.**
- 2. That the Capital Budget adjustments as below, totalling \$238,300 be approved and adjusted at the third quarter budget review.**

Budget Adjustments - February 2023

CP Number	Project	Current Budget	Adjustment	New Budget
795	Milang Playground Shade Sail	\$ 37,500	\$ 35,000	\$ 72,500
796	Strathalbyn Playground Shade Sail	\$ 37,500	\$ 7,500	\$ 45,000
903	Sunter St Bridge, Strathalbyn refurbishment	\$ 251,840	\$ 105,000	\$ 356,840
781	Tarella St, Milang Stormwater upgrade	\$ 480,600	\$ 424,400	\$ 905,000
906	Strathalbyn Cemetery Stone wall refurbishment	\$ 40,000	\$ 10,000	\$ 50,000
188	Port Elliot institute building works	\$ 221,500	-\$ 46,500	\$ 175,000
189	Port Elliot Guide Hall	\$ 218,800	-\$ 158,800	\$ 60,000
190	Milang Institute	\$ 197,400	-\$ 175,000	\$ 22,400
191	Middleton Hall	\$ 116,000	-\$ 44,000	\$ 72,000
797	Horseshoe Bay Jetty	\$ 310,000	-\$ 145,000	\$ 165,000
797	Bristow Smith Toilet	\$ 350,000	\$ 50,000	\$ 400,000
777	Strathalbyn Town Hall	\$ 1,565,000	\$ 530,000	\$ 2,095,000
739	Middleton Ped Crossings	\$ 283,200	-\$ 265,000	\$ 18,200
823	Milnes Rd	\$ 30,000	-\$ 30,000	\$ -
738	Hays St Pedestrian Crossing	\$ 59,300	-\$ 59,300	\$ -
Total adjustment			\$ 238,300	

CARRIED UNANIMOUSLY

C23070

Moved Cr Margaret Gardner seconded Cr Lou Nicholson

That Council allocate \$3000 from the Community Donation fund to assist the Clayton Bay Community Association to run a musical event as part of the Small Halls Festival of Australia, 29 March 2023.

CARRIED

C23071

Moved Cr Bill Coomans seconded Cr Margaret Gardner

That due to budget constraints that Alexandrina Council does not submit an expression of interest to host a 2024 Santos Tour Down Under (TDU) event.

CARRIED UNANIMOUSLY

C23072

Moved Cr Craig Maidment seconded Cr Christie Thornton

That Council endorse the proposed Organisation Structure, per Attachment 4 to Item 8.21 of this meeting agenda, noting a reduction in General Managers from four to three and renamed to Corporate, Community and Infrastructure.

CARRIED UNANIMOUSLY

9. Council Member Reports

9.1. Presiding Member's Report - Mayor Keith Parkes

C23073

Moved Cr Milli Livingston seconded Cr Margaret Gardner

That the Presiding Member's Report for January 2023 be received.

CARRIED UNANIMOUSLY

9.2. Council Member Activity Report - Cr Margaret Gardner

C23074

Moved Cr Sue Miller seconded Cr Craig Maidment

That the Council Member Activity Report from Cr Margaret Gardner be received.

Verbal Update

Cr Margaret Gardner verbally apologised for her previous verbal statement made at the 16 January 2023 Council meeting where she had stated that the Captain of the PS Oscar 'W', Mr Dennis Bortchardt, had decided not to continue, following the recent accident. Cr Gardner advised that was her genuine understanding at the time, however she is very pleased to confirm that Mr Bortchardt remains as Captain of the PS Oscar 'W'.

CARRIED UNANIMOUSLY

10. Confidential Items

Nil

11. Closure

The Presiding Member declared the meeting closed at 8.51 pm

MINUTES CONFIRMED.....DATE.....

Mayor Keith Parkes

Attachment 1 - Alexandrina Council Financial Indicators as at 30 June 2022

Alexandrina Council Financial Statements extract Financial Indicators as at 30 June

Target Long Term 7-10 years	Target Medium Term 4-6 years	Target Short Term 1-3 years	Description	Indicator 2022	Indicator 2021	Indicator 2020	Indicator 2019	Indicator 2018	Indicator 2017
			1. Operating Surplus Ratio						
			Operating Surplus	3,628	306	445	1,224	619	(100)
			Total Operating Income	55,502	51,716	48,738	48,203	45,738	43,882
3 to 5	0 to 2	(2) to 1	<i>This ratio expresses the operating surplus as a percentage of</i>	6.5%	0.6%	0.9%	2.5%	1.4%	-0.2%
			2. Net Financial Liabilities Ratio						
			Net Financial Liabilities	22,637	27,116	31,117	35,867	37,819	36,081
			Total Operating Income	55,502	51,716	48,738	48,203	45,738	43,882
			<i>Net Financial Liabilities are defined as total liabilities less financial assets (excluding equity accounted investments in Council businesses). These are expressed as a percentage of total operating revenue.</i>	41%	52%	64%	74%	83%	82%
<=80	<=100	<=100							
			3. Asset Renewal Funding Ratio						
			Net Asset Renewals	6,729	4,792	3,099	4,777	4,737	4,145
			Infrastructure & Asset Management Plan require	7,069	7,088	6,701	6,591	6,485	5,363
			<i>expenditure on the renewal and replacement of existing assets, and excludes new capital expenditure on the acquisition of additional assets.</i>	95%	68%	46%	72%	73%	77%
90 to 110	90 to 110	90 to 110							
			Adjustments to Ratios						
			<i>In recent years the Federal Government has made advance payments prior to 30th June from future year allocations of financial assistance grants, as explained in Note 1. These Adjusted Ratios correct for the resulting distortion in key ratios for each year and provide a more accurate basis for comparison.</i>						
			<i>If other Individually Significant Items are used to adjust the Adjusted Ratios below, details should also be disclosed here. NB: These adjustments should also be disclosed in Note 2(g)(ii) and/or Note 3(b)(vi).</i>						
3 to 5	0 to 2	(2) to 1	Adjusted Operating Surplus Ratio	5.5%	0.3%	1.3%	1.1%	1.1%	(1.7%)
90 to 110	90 to 110	90 to 110	Adjusted Net Financial Liabilities Ratio	44%	53%	66%	78%	84%	85%
			Operating Surplus / (Deficit)	3,628	306	445	1,224	619	(100)
			Net Outlays on Existing Assets	7,251	7,290	8,993	6,490	5,929	6,145
			Net Outlays on New and Upgraded Assets	8,954	8,370	3,493	6,164	8,278	6,353
			Net Lending / (Borrowings)	1,925	774	5,945	1,550	1,730	308

**Note: Uniform Presentation of Finances excludes new capital expenditure on the acquisition of additional assets*