QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

‘In a number of documents subsequent to a Motion on Notice in open Council, the Administration has publicly advised it has been conducting a Strategic Review of Council Property Assets. It (at a recent City of Adelaide Audit Committee meeting) was proposed that the sale of such assets is one of the levers available to Council to manage the City’s burgeoning debt. Could the Administration assure ratepayers;

1. That in the current economic circumstances created by the COVID 19 pandemic which is putting downward pressure on property prices there will no sale of property assets at less than pre pandemic market valuations?
2. That any Council property asset sale will take place on the open market rather than through private negotiation?
3. That any proposed sale of property assets acquired as a result of the financial acumen of previous Councils will be preceded by community consultation?’

REPLY

1. The Strategic Property Review responds to the legislative, strategy and policy context set out below:
   1.1. *Local Government Act 1999* (SA) requirements to use resources fairly, effectively and efficiently;
   1.2. Acquisition and Disposal of Land and Infrastructure Assets Policy which requires a regular review of land and asset performance with appropriate actions to improve public value or disposal where public value cannot be improved;
   1.3. City of Adelaide Strategic Plan 2016-2020 action to “Explore opportunities in Council’s current property holdings and pursue strategic opportunities to lead or partner in future property developments”;
   1.4. City of Adelaide 2020-2024 Strategic Plan incorporating the action to “Implement the Strategic Property Review”;

2. The review and action plan aim to optimise the performance of the City’s property portfolio ensuring the effective use of its assets with improved alignment to Council’s strategic, community and financial objectives and has been communicated to Council with increasing detail over the past twenty-four months.

3. Sale of Council owned property will be undertaken in accordance with Council’s Acquisition and Disposal of Land and Infrastructure Assets Policy *(as per # 1 in the Administration response)*.

4. Any property which is recommended for sale would be released on a strategic basis and would consider market conditions. The decisions on the sale of assets and the process for the sale would be considered by Council prior to release to market.
5. Land classified as Community Land will require revocation from its classification as Community Land prior to sale. This will be undertaken in accordance with the requirements of the Local Government Act 1999 including the required community consultation.
QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

‘The Adelaide Park Lands Preservation Association has complained in a media release and in emails to its membership that the City of Adelaide Crows Plan for Park 2 Consultation did not include in the “strongly disagree” or “disagree” Community Engagement Summary “Figure 4 - All Responses” the submissions of a significant number of its members. Could the Administration provide the total and exact number of such excluded responses?’

REPLY

1. Administration has interpreted the question is in relation to Appendix 3, Figure 4 from Attachment A of Item 12.2 of the Council agenda.

2. Figure 4 represents the quantitative analysis conducted on Question #1 of Council’s endorsed community consultation. The question asked of respondents was, “in your opinion, does the Draft Proposal provided by Adelaide Football Club align with the Guiding Principles?”. The answers available were Strongly Disagree, Disagree, Neutral, Agree and Strongly Agree.

3. As listed in section 3.8 of Attachment A, 475 Adelaide Parkland Preservation Association (APPA) flyers were received. An exact graphical copy of the flyers is included in Appendix 2. The same question is present; however, the same responses are not available and ‘Strongly Disagree’ is preselected.

4. This removes the ability to analyse the two data sets as one, as survey respondents were not given equal opportunity to select the same responses; however, all data is included across the report contents and as such no responses have been excluded.

5. No responses received through the Council endorsed community consultation channels were excluded from the report.
Councillor Martin will ask the following Question on Notice:

‘The City of Adelaide Crows Plan for Park 2 Community Engagement Summary at 3.8 in the preamble to the exclusion of submissions from members or supporters of the Adelaide Park Lands Preservation Society states that pamphlets distributed by APPA were “pre-filled” and “...biased to the three questions being asked ...”. Could the Administration advise;

1. Is there a policy that “pre-filled” responses to community engagements are not acceptable and where is that to be found in the Council’s Community Engagement policy documents?

2. Is there a policy that “biased” responses are not acceptable and where is that to be found in the Council’s Community Engagement policy documents?

3. If there is no clear policy on “pre-filled” or “biased” responses was the decision to apply the criteria approved by a member of the Executive or the CEO or flagged prior to publication of the Engagement Summary to the Office of the Lord Mayor?

4. What is the definition of “biased” used by the Council Administration and how is bias discerned when assessing submissions influenced by, say, the Property Council or the Adelaide Football Club versus the Adelaide Park Lands Preservation Association?’

**REPLY**

1. The City of Adelaide’s (CoA) Community Engagement Strategy principles are based on the International Association for Public Participation’s core values, the principles within the strategy are used to determine ethical and good practice throughout the engagement process from planning through to reporting.

2. The Policy states that when engaging the community in a decision-making process (of which legislated public consultation is a part) Council will provide relevant, timely and balanced information so people can contribute in a meaningful way.

3. There is no definition of bias defined in the Policy or Strategy. We use these principles as a guide to determine ethical and good practice throughout the engagement process from planning through to reporting.

4. The APPA brochure was prepopulated and:

   4.1. did not provide all information that was available on the YourSay site to enable people to provide a fully informed response to the questions being asked in the consultation and;

   4.2. did not give the complete range of response options and to the contrary, it pre-selected and pre-populated a limited range of response options. If community members had no context regarding the project, they would have been limited in their ability to make an informed submission to the questions being asked as this was not a poll.
5. The Property Council and the Adelaide Football Club directed their membership bases to participate via ‘Your Say Adelaide’, where they could access all of the relevant information to inform their submission.
QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

‘Did the City of Adelaide Crows Plan for Park 2 Community Engagement exclude from the summary “Figure 4 - All Responses” illustration any responses greater than 100 either through the Your Say website or other means of communication from any group or grouping of submissions including the supporters of the Adelaide Football Club and the Property Council?’

REPLY

1. Figure 4 represents the quantitative analysis conducted on Question #1 of the Council endorsed community consultation. The question asked of respondents was, “In your opinion, does the Draft Proposal provided by Adelaide Football Club align with the Guiding Principles?” The answers available were Strongly Disagree, Disagree, Neutral, Agree, Strongly Agree.

2. All responses received via the Council endorsed community consultation channels are included in the figures. Variations of the question and available answers were produced on a flyer by Adelaide Park Lands Preservation Association (shown in Appendix 2) and subsequently received by Council.

3. These are included within the report, but as the answers available to respondents were not the same, were prepopulated and multiple submissions received via different channels, they were not presented as a single data set. The information was included separately for Council’s consideration within the body of the report.
QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

‘The City of Adelaide Crows Plan for Park 2 Community Engagement Summary included at 3.8 an estimate (based on social media) that somewhere in the range of 16,000 and 25,000 pamphlets were distributed by the Adelaide Park Land Preservation Association encouraging submissions putting APPA’s point of view.

Could the Administration advise if it can estimate (using social media or other sources) the number of emails or other communications the Adelaide Football Club and the Property Council sent out encouraging submissions putting their point of view?’

REPLY

1. Table 4 within the report shows all known non-Council promotion of the community consultation with quantities shown in the “reach” column for items listed. Those that Administration has been unable to ascertain the reach of have been quoted as unknown.

2. Administration notes that there were two forms of communication by third parties, the first directing people to the Council endorsed consultation channels, the second provided prepopulated answers and requested they be submitted on content produced by the third party.
QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

‘A report provided by a consultant and published by the City of Adelaide (which has since been redacted) in the Adelaide Aquatic Centre Needs Analysis Community Engagement Summary gave the first and last names and email addresses of most of more than 70 individuals who, at 13 in a questionnaire, responded to an invitation to be kept informed of any future plans for the Adelaide Aquatic Centre by providing their details.

Could the Administration advise;

1. The nature and number of apologies issued to the individuals for breaching their privacy?
2. How many senior staff approved the publication of this private information and what, if any, action has been taken to ensure such a breach does not occur again?’

REPLY

1. The information contained within Attachment A was names and email addresses of 71 members of the public. An address was also included for 1 respondent.
2. The report was modified prior to the sitting of the Committee on 7 April 2020. All members of the public were emailed personally (71 in total) notifying them and apologising for the mistake in publishing the data.
3. Processes in place should have resulted in the personal information being redacted before the agenda was published. Further training has been conducted with the authors of the reports to ensure they are aware reports are carefully reviewed to ensure private information is not inadvertently included in the future.
QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

‘Using the QF 2 financial reports as a base line, could the Administration advise in the light of the disastrous economic outlook as a result of the COVID 19 pandemic;

1. If it has estimated the amount by which the approximate operating deficit of $20 million revealed earlier this year will be exceeded and what is that amount?

2. The impact of any deterioration in the operating deficit on Council’s debt and whether its earlier advice that the City of Adelaide will breach the Council’s prudential borrowing limit in the second half of the 2020/21 financial year will be revised to the first or second quarter of the year?’

REPLY

1. The impacts of this unforeseen financial situation are unfolding in real-time. As our communities comply with the advice and restrictions progressively announced by the Federal and State Governments for social distancing, self-isolation and quarantine, the pressure on our income and cash-flow is immediate, significant and anticipated to be long-term.

2. Council is presently experiencing a significant reduction in income from on street parking and expiations, Business Operations including UParks, Aquatic Centre, Golf Links, the property portfolio, Town Hall, Park Lands events, and other fees and charges. Preliminary scenario modelling indicates that the reduction in net income will be between $10-20 million for Quarter 4 2019-20.

3. Action is being taken to reduce and defer non-essential expenditure, including operational expenditure, projects and capital works. Innovative measures such as the introduction of UPark Plus Card have been introduced to minimise the loss in net income.

4. We have provided regular updates to Council on the impact of the COVID-19 pandemic. Council members will continue to be briefed; including a Discussion on COVID-19 Future Critical Decisions on Wednesday 15 April 2020 to discuss and workshop in detail all aspects of Council’s financial position, including Council’s operating position, funding position, anticipated borrowings for the year ending 30 June 2020, and prudential borrowing limits.

5. The QF3 Finance Report will be presented to Committee on 5 May 2020 and will enable Council to make informed decisions about its response to the COVID-19 pandemic including any future borrowings and investment in recovery stimulus packages.