

Council Voter Roll

ITEM 15.1 08/06/2021

Council

Council Member
Councillor Mackie

2021/00832
Public

Contact Officer:
Amanda McIlroy, Chief
Operating Officer, Corporate
Services

QUESTION ON NOTICE

Councillor Mackie will ask the following Question on Notice:

“Can Council be advised the detail of a reported error in the details provided to prospective electors for updating the Council Voter Roll ahead of the forthcoming Supplementary Election for Area Councillor?”

Can Council be advised approximately how many prospective enrolments have been rendered invalid as a result of not having been received before the deadline?

REPLY

1. The City of Adelaide began marketing the first phase of the supplementary election, “Enrol”, on the 16 April 2021, following advice of the election from ECSA on 1 April. Our marketing activities have included:
 - 1.1. Social media (Facebook, LinkedIn, Twitter)
 - 1.2. Digital screens across the City
 - 1.3. Advertising in online newsletters
 - 1.4. Flyer distribution
 - 1.5. Advertising within rates notices
 - 1.6. Targeted mail out letter
2. The targeted mailout letter was sent on the 21 April 2021 by Australia Post to 21,791 building occupiers. Unfortunately, the email address referred to in the body of the letter was missing an “.au” from the end, however the correct email address was included in the header of the letter. The letter included the correct address for the City of Adelaide Elections website and a hyperlink to an online form to contact the Rates Team directly.
3. There were approximately 20 enrolments received post deadline (which is considered usual based on previous elections). 18 of these were received through the online form.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4.5 hours.
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- END OF REPORT -

Central Market Arcade Air Rights

ITEM 15.2 08/06/2021

Council

Council Member
Councillor Martin

2015/00903
Public

Contact Officer:
Tom McCready, Acting Director
City Shaping

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Paragraph 6.2.1 of Prudential Report on Council's investment in the redevelopment of the Central Market Arcade states that the forecast cost to undertake Council's so called Returnable Works is \$54, 736, 269.00 "less the amount of \$27, 000, 000 payable by the Developer to Council for the Air Rights Land ...". Could the Administration advise:

1. Where is the \$27 million payable by the Developer to Council in the Long Term Financial Plan (LTFP) and in what year?
2. If not, why does it not appear in the LTFP?
3. Is the Developer required to pay to the Council GST on the \$27 million Air Rights Land Fee?
4. Why the Prudential Report shows the difference between the \$54, 736, 269 and the payable Air Rights Land Fee is subject to GST, but not for the entire \$54, 736, 269 and is this correct?
5. Has the Council management of the transaction met all State and Federal accounting standards and legal obligations?'

REPLY

1. The transaction has been accounted for on a net basis in the LTFP to reflect the impact on Council asset base and borrowings. The detail below will describe how this transaction has impacted the balance sheet only.
2. The Project Delivery Agreement (PDA) between ICD Property and the City of Adelaide states that the \$27m for Air Rights is not a cash payment but a deduction against the returnable works cost. The only cash payment required is for the returnable works contribution (being the net payment by the City of Adelaide of \$27.74m) not the returnable works cost.
3. All values in the PDA exclude GST. The contract is explicit in the \$27m being GST-free under a margin scheme. Any GST payable on the returnable works contribution will be claimable from the ATO and present a net nil impact on Council and as such have been excluded from the financial implications.
4. The following table shows how the PDA details the transaction to be carried out and how this has been reflected in the LTFP:

Value \$	Payment required & by who	Reflected in LTFP Balance Sheet
\$54,736,269 (exclusive of GST)	Returnable works cost – value of the construction works that will be handed back to CoA. PDA states	No Impact on LTFP for this one item. No payment required, therefore no recognition of asset

	that this amount is adjusted by the Air Rights payment and is a cost forecast for design and construction.	based on the fact this is a cost forecast.
\$27,000,000 (GST Free – margin scheme)	Value of Air Rights Land fee to be deducted from the value of Returnable Works Cost – no physical payment required by either party	No Impact on LTFP for this one item. No payment required, therefore no recognition of asset based on the fact this is a cost forecast.
\$27,736,269 (excluding GST)	This is the physical payment required from CoA. Calculated as the returnable works cost less the value of the Air Rights Land Fee	This is recorded over two years (2021-22 and 2022-23) in the LTFP as payment from borrowings and creation of a partial asset.
\$72,000,000 (No GST applies given valuation only)	This is the value of the asset once constructed. While the returnable works cost forecast is \$54.74m, CoA holds an external valuation on the completed returnable works development of \$72m.	Due to fair value accounting standards, the value of the asset is recognised after completion (2023-24) at its estimated value of \$72m as an asset on the balance sheet. The adjustment different from the returnable works forecast is allocated to a Changes in Revaluation Surplus on the income statement

5. The prudential review confirms that this transaction and financial treatment is in accordance with financial management regulations.
6. The contract for the Central Market Arcade redevelopment is currently being reviewed by the City of Adelaide's external auditors in accordance with Section 129 of the *Local Government Act 1999*.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4.5 hours.
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Service Provision

ITEM 15.3 08/06/2021

Council

Council Member
Councillor Martin

2021/00359

Public

Contact Officer:

Klinton Devenish, Director,
Services, Infrastructure &
Operations

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Could Administration advise on the following, based on a comparison to the first week in February 2020 and the first week in February 2021 (following any changes to service provision as a consequence of staff and budget constraints):

1. The nature and detail of any reductions in street cleaning operations?
2. The nature and detail of any reductions in the cleaning of council-owned buildings?
3. The nature and detail of any reductions in rubbish removal from public bins?
4. The nature and detail of any reductions to the maintenance of and/or repairs to the Park Lands?
5. The nature and detail of any reductions to the maintenance of and/or repairs to the North Adelaide Golf Course?
6. The nature and detail of increases in processing times associated with planning or permit applications?
7. The average time between complaints about the state of repair of footpaths and maintenance work?
8. The response time to request to remove all graffiti?

REPLY

1. The City of Adelaide's service provision to operate, maintain, repair and renew the city's public spaces is constantly being reviewed and monitored to ensure the provisions meet the expectations of the community and can be completed cost effectively and efficiently. This process has driven some change between Feb 2020 and Feb 2021 as outlined below.
2. During this period cleaning schedules have been reviewed across the City. This includes adjusting the number of times we attend some locations for footpath scrubbing and or street sweeping. Certain locations that were cleaned seven days a week in February 2020 have now been adjusted/reduced to be cleaned five or six times a week, and still kept to a high standard. These locations include sections of O'Connell Street, Grote Street, Gouger Street, Grenfell Street and Currie Street.
3. Day to day cleaning operations on Council owned buildings were not affected. Some small adjustments were applied to services such as periodic window cleaning. To ensure a safe and clean work environment during COVID restrictions, additional cleaning regimes were applied to buildings and workspaces.
4. There has been no change or reduction in the level of service regarding rubbish removal from public bins.

5. Operations within the Park Lands were reviewed and streamlined across the service and overall, there has been some increase in response times and site visits in some areas eg Parks 20 through to Park 25. Some functions have been reviewed and re-assigned to other teams and there has been a reduction in Capital works by the Park Lands teams over the period.
6. There has been no reduction of maintenance and/or repairs to the North Adelaide Golf Course. Due to increased popularity of Golf between February 2020 and February 2021, maintenance and repairs increased to ensure service levels remained consistent.
7. The processing times for planning and permits has been relatively consistent. From a processing time perspective:
 - 7.1. 83% of all permit applications were processed within service level in February 2020, which increased to 93% processed within service level in February 2021 (noting each permit category may have a different service level timeframe).
 - 7.2. The average assessment time for Development Applications completed in the first week of February 2020 was 38 days, which reduced to a 29-day average turnaround time in the first week of February 2021.
8. The average time between when a complaint is raised about the state of repair of a footpath, and subsequent repairs are undertaken varies dependant on the severity of the issue. Our actions are determined by risk and this is categorised into High, Medium and Low. High risk footpath issues are addressed and made safe within one working day with a resolution of the issue determined and treatment carried out accordingly. Medium risk defects are addressed within seven working days.
9. In February 2020 the turnaround time for Graffiti removal was approximately 14 days which increased to 40-45 days in late 2020. Our current turnaround time to attend general graffiti removal is approximately 25 to 30 days. Graffiti that contains offensive images or language are considered high priority; these continue to be generally attended to in 24 hours. To note, between 50% and 60% of reported graffiti incidents in the City are on private property not council assets.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 5.5 hours.
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Pride Walk Work

ITEM 15.4 08/06/2021

Council

Council Member
Councillor Martin

2018/04053
Public

Contact Officer:
Klinton Devenish, Director,
Services, Infrastructure &
Operations

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

Could the Administration advise of the status of the upgrade to the Pride Walk on Light Square to include the State Government's removal of the "Gay Panic Defence" and the passage of legislation to clear the records of people convicted of historic homosexual offences and when the work will be completed?

REPLY

1. Status of the upgrade to the Pride Walk on Light Square:
 - 1.1. Wording for the additional milestone is currently under review by representatives of the LGBTIQ community. Once approval received the installation will commence.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4 hours.
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Speaking Publicly

ITEM 15.5 08/06/2021

Council

Council Member
Councillor Hyde

2018/04053
Public

Contact Officer:
Clare Mockler, Acting Chief
Executive Officer

QUESTION ON NOTICE

Councillor Hyde will ask the following Question on Notice:

'Could the Administration please confirm whether Councillor Martin was, as he stated publicly in The Advertiser on 24 May 2021, "threatened with either fines or some other punishment for speaking publicly" about the 88 O'Connell Street development?'

REPLY

1. The *Local Government Act 1999* (Section 62) outlines the general duties and code of conduct requirements for members of Council. In summary, a member of Council:
 - 1.1 Must at all times act with reasonable care and diligence in the performance and discharge of official functions and duties.
 - 1.2 Must not make improper use of their position as a member of Council to gain, directly or indirectly, an advantage for themselves, for another person, or to cause detriment to the Council.
 - 1.3 Must not make improper use of information acquired by virtue of their position as a member of Council to gain, directly or indirectly, an advantage for themselves, for another person, or to cause detriment to the Council.
 - 1.4 Must not disclose information or a document where there is an order of Council requiring the information or document to be treated confidentially.
2. With the support of Council, the City of Adelaide is investing in the development of Eighty Eight O'Connell. This \$250 million project will fully realise the potential of this catalyst site to revitalise North Adelaide, and facilitate the recovery and reinvigoration of the City of Adelaide economy.
3. By a resolution of Council, the Land Facilitation Agreement for the Eighty Eight O'Connell development is subject to strict confidentiality obligations.
4. All members of Council are made aware of their roles and responsibilities as public officers, and the relevant legislation that they must comply with, through a comprehensive induction process. Additional learning and development workshops and training are routinely provided to help members of Council more fully understand these requirements and obligations. Advice is also provided on request where clarification is sought from individual members of Council.

5. At no time has Councillor Martin been threatened with either fines or some other punishment for speaking publicly about the 88 O'Connell Street development by the Acting Chief Executive Officer of the City of Adelaide.
6. All employees of the City of Adelaide are respectful in their interactions with members of Council, consistent with the City of Adelaide code of conduct for employees and the organisation's values.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4 hours.
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