



# CITY FINANCE AND GOVERNANCE COMMITTEE AGENDA & REPORTS

for the meeting

Tuesday, 20 August 2024  
at 6.15 pm

in the Colonel Light Room, Adelaide Town Hall

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Members – The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith

Councillor Dr Siebentritt (Chair)

Councillor Elliott (Deputy Chair)

Deputy Lord Mayor, Councillor Snape and Councillors Abrahamzadeh, Couros, Davis, Giles,  
Hou, Li, Martin and Noon

**1. Acknowledgement of Country**

At the opening of the City Finance and Governance Committee meeting, the Chair will state:

‘Council acknowledges that we are meeting on traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.’

**2. Apologies and Leave of Absence**

On Leave -

Councillor Martin

**3. Confirmation of Minutes - 16/7/2024, 23/7/2024 & 6/8/2024**

That the Minutes of the meeting of the City Finance and Governance Committee held 16 July 2024 and the Special meetings held on 23 July 2024 and 6 August 2024., be taken as read and be confirmed as an accurate record of proceedings.

View public [16 July 2024 Minutes](#), [23 July 2024 Minutes](#) and [6 August 2024 Minutes](#).

**4. Declaration of Conflict of Interest**

**5. Deputations**

**6. Workshops**

6.1 LTFP Update - Workshop 3 4 - 32

6.2 Workshop: Site contamination Policy and Operating Guidelines 33 - 46

**7. Reports for Recommendation to Council**

7.1 2023/24 Business Plan and Budget Quarter 4 update 47 - 127

7.2 By-law Review - Consultation Feedback and Endorsement 128 - 247

7.3 2024/25 Q1 Forward Procurement Report 248 - 251

**8. Reports for Noting**

Nil

- 9. Exclusion of the Public** 252 - 254
- In accordance with sections 90(2), (3) and (7) of the *Local Government Act 1999* (SA) the City Finance and Governance Committee will consider whether to discuss in confidence the reports contained within section 10 of this Agenda.
- 10. Confidential Reports for Recommendation to Council**
- 10.1 Delegation to Award Contract [s 90(3) ((b), (d))] 255 - 261
- 11. Closure**

## LTFP Update – Workshop 3

Strategic Alignment - Our Corporation

Public

20 August 2024

City Finance and Governance  
Committee

**Program Contact:**

Nicole van Berkel  
Acting Manager Finance and  
Procurement

**Approving Officer:**

Anthony Spartalis  
Acting Chief Operating Officer

## EXECUTIVE SUMMARY

The Long Term Financial Plan (LTFP) is one of the City of Adelaide's key strategic management plans, and requires annual update. This workshop continues along the roadmap for updating the 2024/25 LTFP as presented to the 23 July 2024 meeting of the City Finance and Governance Committee ([link here](#)), and capital implications discussed with the same Committee at its meeting of 6 August 2024. ([link here](#))

This workshop also seeks Committee discussion and endorsement of the underpinning parameters, assumptions, and capital implications discussed in Committee to date, and the proposed application of available levers to inform the 2024/25 LTFP. With these agreed assumptions Administration can build the draft LTFP for Committee review on 17 September, with a view to public consultation.

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## RECOMMENDATIONS

### THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE

1. Notes the workshop presentation as presented in Attachment A to Item 6.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 20 August 2024, as background for discussion on final assumptions to build into the 2024/25 Long Term Financial Plan.

The following recommendation will be presented to Council on 27 August 2024 for consideration

### THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL

#### THAT COUNCIL

1. Approves the following assumptions to incorporate into the draft 2024/25 LTFP to be presented to the City Finance and Governance Committee at its meeting scheduled for 17 September 2024 for recommendation to Council:
  - 1.1. Renewals and ARFR assumptions:
    - 1.1.1. Transition to 100% ARFR over 8 years
    - 1.1.2. Adjust program to fund \$69m per annum average over the 10 years
    - 1.1.3. Deliver the Asset Renewal Repair Fund over 3 years, utilising borrowings to temporarily fund the shortfall during the transition period
  - 1.2. Adelaide Bridge assumptions:
    - 1.2.1. Renew with existing load bearing
    - 1.2.2. CoA funds 75% (net \$45m) over 2 years
    - 1.2.3. Advocate for financial assistance for 50% funding contribution from State / Federal bodies
  - 1.3. Torrens Weir assumptions:
    - 1.3.1. Renew like for like

- 1.3.2. CoA funds 33% (net \$13.3m) over 2 years
  - 1.3.3. Advocate for financial assistance for 2/3rds funding contribution from State / Federal bodies
  - 1.4. Rundle UPark assumptions
    - 1.4.1. Reinstate to LTFP
    - 1.4.2. Extend useful life (assume \$15m over 2 years)
    - 1.4.3. Reinstate associated net revenue in LTFP
  - 1.5. New and upgraded assets assumptions:
    - 1.5.1. Maintain current commitments (including Mainstreets & Park Lands buildings)
    - 1.5.2. Adjust program in outer years to fit within current Prudential Borrowings Limits (after considering all other LTFP components)
    - 1.5.3. Assumed allowance subject to Business Cases
  - 1.6. Fees and charges assumptions:
    - 1.6.1. Reinstate Rundle UPark net income from 2029/30
    - 1.6.2. Fees and Charges increase in line with CPI
  - 1.7. Service delivery assumptions (including strategic projects):
    - 1.7.1. Reinstate Rundle UPark Net Income from 2029/30
    - 1.7.2. Current service delivery and projects levels are maintained at current levels and increase in line with CPI
  - 1.8. Rates revenue impact assumptions:
    - 1.8.1. CPI increase
    - 1.8.2. Growth at 1%
    - 1.8.3. Asset Renewal Repair fund over 3 years
    - 1.8.4. Asset Renewal Funding Ratio transition over 8 years
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## IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	<a href="#">Strategic Alignment – Our Corporation</a> The Long Term Financial Plan is one of the City of Adelaide’s key strategic management plans.
Policy	The Local Government Act 1999 (SA) requires annual update of Council’s Long Term Financial Plan.
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	The Local Government Act 1999 (SA) requires annual update of Council’s Long Term Financial Plan.
Opportunities	Not as a result of this report
24/25 Budget Allocation	Not as a result of this report
Proposed 25/26 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	The Long Term Financial Plan covers the ten year period 2024/25 – 2033/34.
24/25 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

## DISCUSSION

1. Previous discussions with Council through two City Finance and Governance Committee workshops (23 July 2024, 6 August 2024), and one with the Audit and Risk Committee (9 August 2024), have provided guidance on the underpinning assumptions and levers for Administration to draft a model Long Term Financial Plan (LTFP) for 2024/25 – 2033/34.
2. Those workshops have iteratively refined the proposed assumptions outlined in the presentation at Attachment A. Further discussion, agreement and endorsement of these assumptions will allow Administration to create a draft LTFP intended for public consultation during September/ October 2024.
3. Feedback from these workshops is summarised in Attachment A as “What we heard”. Insofar as the feedback recommended changes to preferred LTFP assumptions, these have been made through new “Proposed assumptions”. Discussion of these proposed assumptions will be the focus of tonight’s workshop, and a final list (endorsed through recommendations finalised as a result of this workshop) will guide development of the draft LTFP.
4. Information presented in earlier workshops is provided as background through the links in the Data and Support Information section below.

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## DATA AND SUPPORTING INFORMATION

Link 1 – [2024/25 Long Term Financial Plan Workshop 1 – Roadmap including Key Assumptions, Parameters, Levers](#)

Link 2 – [2024/25 Long Term Financial Plan Workshop 2 – Capital](#)

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## ATTACHMENTS

**Attachment A** – 2024/25 LTFP workshop 3 – presentation

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- END OF REPORT -

# Our Corporation

2024/25 Long Term  
Financial Plan (LTFP)

Lever Settings including  
Revenue Assumptions,  
Service Delivery and  
Borrowings

20 August 2024  
Acting Chief Operating Officer



# Operating Budget 2024/25 LTFP Roadmap



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Date	Forum	Role	Topic	
23 July (Special)	CFG (Workshop)	Discuss	Introduction and foundation to building a LTFP (Roadmap) What underpins the build of the proposed 2024/25 LTFP (Parameters, Assumptions and Levers)	<input checked="" type="checkbox"/>
6 August (Special)	CFG (Workshop)	Discuss	Capital - AMP impacts; Rundle UPark; Adelaide Bridge / Weir; New and upgrade	<input checked="" type="checkbox"/>
9 August (Special)	ARC (Workshop)	Discuss	Introduction and foundation to building a LTFP (Roadmap) What underpins the build of the proposed 2024/25 LTFP (Parameters, Assumptions and Levers) Capital - AMP impacts; Rundle UPark; Adelaide Bridge / Weir; New and upgrade	<input checked="" type="checkbox"/>
20 August	CFG (Workshop)	Discuss	<b>Lever settings - Revenue Assumptions, Service Delivery, Borrowings</b>	
17 September	CFG	Endorse	Finalise and endorse consultation draft	
24 September	Council	Approve	Approve consultation draft	
25 September	Begin public consultation	Consultation	21 days public consultation (Strategic Management document)	
27 September	ARC	Consultation	Feedback on consultation draft 2024/25 LTFP	
15 October	CFG	Endorse	Seek Committee feedback on draft 24/25 LTFP	
16 October	End public consultation	Consultation	21 days public consultation (Strategic Management document)	
22 October	Council	Approve	Adopt 24/25 LTFP Including consultation feedback	

# Key Discussion Points

What are Council Members' views...  
on the proposed assumptions guiding drafting of the LTFP?

# Asset Renewal Funding

- The **unindexed** 10-year forecast expenditure from revised AMPs at 100% ARFR is \$69.5m pa
- Current assumption transitions the Asset Renewal Funding Ratio (ARFR) to 100% over 4 years
- Commitment to upgrade Mainstreets requires associated renewals to be brought forward

2024 AMP Forecasts (\$'000s)	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	10 Year average
Transportation	21,577	25,475	24,239	26,322	29,978	29,748	32,948	29,298	28,298	28,323	<b>27,621</b>
Buildings	12,114	15,200	16,585	12,200	12,160	8,050	8,050	9,050	9,050	8,050	<b>11,051</b>
Water Infrastructure	4,800	5,584	5,261	9,494	3,472	3,472	13,472	13,472	13,472	13,472	<b>8,597</b>
Urban Elements	3,270	5,300	2,470	3,550	4,443	4,893	6,688	5,393	5,393	7,420	<b>4,882</b>
Lighting & Electrical	1,914	4,150	3,100	4,900	5,783	5,783	5,783	5,783	5,783	5,783	<b>4,876</b>
Park Lands & Open Space	2,095	3,599	4,335	4,793	2,710	1,507	1,787	1,330	1,078	5,241	<b>2,848</b>
<b>Total Infrastructure Renewals</b>	<b>45,770</b>	<b>59,308</b>	<b>55,990</b>	<b>61,259</b>	<b>58,546</b>	<b>53,453</b>	<b>68,728</b>	<b>64,326</b>	<b>63,074</b>	<b>68,289</b>	<b>59,874</b>
Delivery Resources	6,124	6,124	6,124	6,124	6,124	6,124	6,124	6,124	6,124	6,124	<b>6,124</b>
Plant, Fleet & Equipment Replacement	3,547	3,546	3,415	3,400	3,529	3,409	3,555	3,427	3,429	3,429	<b>3,469</b>
<b>Total Renewal of Assets (exc Mainstreets)</b>	<b>55,441</b>	<b>68,978</b>	<b>65,529</b>	<b>70,783</b>	<b>68,199</b>	<b>62,986</b>	<b>78,407</b>	<b>73,877</b>	<b>72,627</b>	<b>77,842</b>	<b>69,467</b>
Mainstreet Impact	5,123	14,472	17,345	6,419	(7,226)	(7,226)	(7,226)	(7,226)	(7,226)	(7,226)	<b>0</b>
<b>Total Renewal &amp; Replacement of Assets</b>	<b>60,564</b>	<b>83,450</b>	<b>82,874</b>	<b>77,202</b>	<b>60,973</b>	<b>55,760</b>	<b>71,181</b>	<b>66,651</b>	<b>65,401</b>	<b>70,616</b>	<b>69,467</b>

\* Excludes Significant Renewals

# Renewals & ARFR

Preferred Assumption for LTFP	<ol style="list-style-type: none"> <li>Maintain current position - transition to 100% over 4 years</li> <li>Adjust program to fund \$69m per annum average</li> </ol>
What we heard	<p>Council Members:</p> <ul style="list-style-type: none"> <li>Transition to 100% ARFR over a longer period</li> <li>Smooth the impact of Mainstreet Renewals over the life of the plan</li> <li>Balance Renewal funding across asset classes (different ARFR's per asset class)</li> </ul> <p>Audit &amp; Risk Committee Members</p> <ul style="list-style-type: none"> <li>Capacity to deliver the program, noting jump in AMPs</li> <li>Utilise debt in the short term to minimise rating impact for 2025/26</li> <li>Gradual transition to 100% ARFR</li> </ul>
<b>Proposed Assumption</b>	<ul style="list-style-type: none"> <li><b>Transition to 100% ARFR over 8 years</b></li> <li><b>Adjust program to fund \$69m per annum average over the 10 years</b></li> <li><b>Deliver the Asset Renewal Repair Fund over 3 years, utilising borrowings temporarily to fund the shortfall</b></li> </ul>
Implications	<ul style="list-style-type: none"> <li>Doesn't adhere to current principle that borrowings will not be utilised to fund capital renewal projects</li> <li>Balances community expectation and their capacity to pay through sustainable rate increases</li> <li>May require increased operating budget for routine maintenance inspections to identify any critical maintenance activities</li> </ul>

# Renewals & ARFR

Revised AMP Forecast (based on 100% ARFR) (\$'000s)	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	10 Year average
Transportation*	24,350	27,984	27,984	27,984	27,984	27,984	27,984	27,984	27,984	27,984	<b>27,621</b>
Buildings*	12,114	10,933	10,933	10,933	10,933	10,933	10,933	10,933	10,933	10,933	<b>11,051</b>
Water Infrastructure*	6,200	8,863	8,863	8,863	8,863	8,863	8,863	8,863	8,863	8,863	<b>8,597</b>
Urban Elements	3,720	5,011	5,011	5,011	5,011	5,011	5,011	5,011	5,011	5,011	<b>4,882</b>
Lighting & Electrical	2,414	5,150	5,150	5,150	5,150	5,150	5,150	5,150	5,150	5,150	<b>4,876</b>
Park Lands & Open Space	2,095	2,931	2,931	2,931	2,931	2,931	2,931	2,931	2,931	2,931	<b>2,848</b>
<b>Infrastructure Renewals</b>	<b>50,893</b>	<b>60,873</b>	<b>60,873</b>	<b>60,873</b>	<b>60,873</b>	<b>60,873</b>	<b>60,873</b>	<b>60,873</b>	<b>60,873</b>	<b>60,873</b>	<b>59,875</b>
Delivery Resources	6,124	6,124	6,124	6,124	6,124	6,124	6,124	6,124	6,124	6,124	<b>6,124</b>
Plant, Fleet & Equipment Replacement	3,547	3,546	3,415	3,400	3,529	3,409	3,555	3,427	3,429	3,429	<b>3,469</b>
<b>Renewal &amp; Replacement of Assets (100% ARFR)</b>	<b>60,564</b>	<b>70,543</b>	<b>70,411</b>	<b>70,397</b>	<b>70,526</b>	<b>70,406</b>	<b>70,552</b>	<b>70,424</b>	<b>70,426</b>	<b>70,426</b>	<b>69,467</b>
ARFR Target	92.5%	93.5%	94.5%	95.5%	96.5%	97.5%	98.5%	100.0%	100.0%	100.0%	
<b>Renewals Expenditure (based on adjusted ARFR)</b>	<b>56,022</b>	<b>65,957</b>	<b>66,539</b>	<b>67,229</b>	<b>68,058</b>	<b>68,645</b>	<b>69,494</b>	<b>70,424</b>	<b>70,426</b>	<b>70,426</b>	<b>67,322</b>

\* Excludes Significant Renewals

Renewal Impact on Rate Revenue	2025-26		2026-27		2027-28		2028-29		2029-30		20230-31		2031-32		Total Increase	
\$000's	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
Asset Renewal Repair Fund (exc ARFR Increase)	3,110	2.2%	3,110	2.0%	3,110	2.0%	-	0.0%	-	0.0%	-	0.0%	-	0.0%	9,330	6.3%
Asset Renewal Funding Ratio Increase	606	0.4%	705	0.5%	704	0.5%	704	0.4%	705	0.4%	704	0.4%	1,058	0.6%	5,187	3.3%
<b>Total Rates Impact</b>	<b>3,716</b>	<b>2.7%</b>	<b>3,815</b>	<b>2.5%</b>	<b>3,814</b>	<b>2.5%</b>	<b>704</b>	<b>0.4%</b>	<b>705</b>	<b>0.4%</b>	<b>704</b>	<b>0.4%</b>	<b>1,058</b>	<b>0.6%</b>	<b>14,517</b>	<b>9.5%</b>

# Adelaide Bridge

<p>Preferred Assumption for LTFP</p>	<ol style="list-style-type: none"> <li>1. Renew with existing load bearing</li> <li>2. CoA funds 50% (net \$30m) over 2 years</li> <li>3. Advocate for financial assistance for 50% funding contribution</li> </ol>
<p>What we heard</p>	<p>Council Members:</p> <ul style="list-style-type: none"> <li>• Assumption of 1/3 funding contribution each between CoA, State and Federal</li> <li>• Consider an assumption to increase the load-bearing</li> </ul> <p>Audit &amp; Risk Committee Members:</p> <ul style="list-style-type: none"> <li>• Recommend a 50% financial assistance assumption</li> </ul>
<p><b>Proposed Assumption</b></p>	<ol style="list-style-type: none"> <li><b>1. Renew with existing load bearing</b></li> <li><b>2. CoA funds 75% (net \$45m) over 2 years</b></li> <li><b>3. Advocate for financial assistance for 50% funding contribution from State / Federal bodies</b></li> </ol>
<p>Implications</p>	<ul style="list-style-type: none"> <li>• Reliant on external contributions, yet to be secured</li> <li>• Discussions with Infrastructure SA (ISA) late 2023 indicated the value falls below Infrastructure Australia (National Significance Test) and ISA (&gt; \$50m state funding &amp; strategic merit) thresholds</li> <li>• Potential for up to \$15m Federal funding through the Priority Community Infrastructure Program</li> <li>• Need continuing advocacy with State premised on tram extension to North Adelaide</li> </ul>

# Torrens Weir

<p>Preferred Assumption for LTFP</p>	<ol style="list-style-type: none"> <li>1. Renew like for like</li> <li>2. Assume 100% funding by CoA, over 2 years</li> <li>3. Advocate for financial assistance</li> </ol>
<p>What we heard</p>	<p>Council Members:</p> <ul style="list-style-type: none"> <li>• Assumption of 1/3 funding contribution each between CoA, State and Federal</li> </ul> <p>Audit &amp; Risk Committee Members:</p> <ul style="list-style-type: none"> <li>• Recommend 100% CoA funding and continued advocacy for financial assistance</li> </ul>
<p><b>Proposed Assumption</b></p>	<ol style="list-style-type: none"> <li><b>1. Renew like for like</b></li> <li><b>2. CoA funds 33% (net \$13.3m) over 2 years</b></li> <li><b>3. Advocate for financial assistance for 2/3rds funding contribution from State / Federal bodies</b></li> </ol>
<p>Implications</p>	<ul style="list-style-type: none"> <li>• Reliant on external contributions, yet to be secured</li> <li>• Initial discussions with Infrastructure SA (ISA) late 2023 indicated Disaster Recovery Fund may provide funding opportunities</li> <li>• Funding mechanisms based on currently available programs:             <ul style="list-style-type: none"> <li>- Potential for up to \$20m Federal funding through the Disaster Recovery Fund</li> <li>- Potential for 50% matched funding from State through Stormwater Management Fund</li> </ul> </li> <li>• Alternative solution may be considered new and upgrade, and increase debt</li> </ul>

# Rundle UPark

Preferred Assumption for LTFP	<ol style="list-style-type: none"> <li>1. Reinstate in LTFP</li> <li>2. Extend useful life (assume \$15m over 2 years)</li> <li>3. Reinstate associated revenue whilst considering</li> <li>4. Redevelopment opportunities</li> </ol>
What we heard	<p>Council Members:</p> <ul style="list-style-type: none"> <li>• Reinstate Rundle UPark within LTFP</li> <li>• Notes importance of site with continued support for EOI process for Joint Venture / Partner to develop site</li> </ul> <p>Audit &amp; Risk Committee Members:</p> <ul style="list-style-type: none"> <li>• Reinstate Rundle UPark within LTFP</li> <li>• Extend useful life based on structural condition audit</li> </ul>
<b>Proposed Assumption</b>	<ol style="list-style-type: none"> <li><b>1. Reinstate in LTFP</b></li> <li><b>2. Extend useful life (assume \$15m over 2 years)</b></li> <li><b>3. Reinstate associated net revenue in LTFP</b></li> </ol>
Implications	<ul style="list-style-type: none"> <li>• Structural condition audit will determine risks, timing and associated costs with extending the useful life of the building</li> </ul>



# Proposed Assumptions for Significant Renewals

- The following table provides the cash flow of the proposed assumptions in the LTFP (unindexed dollars)

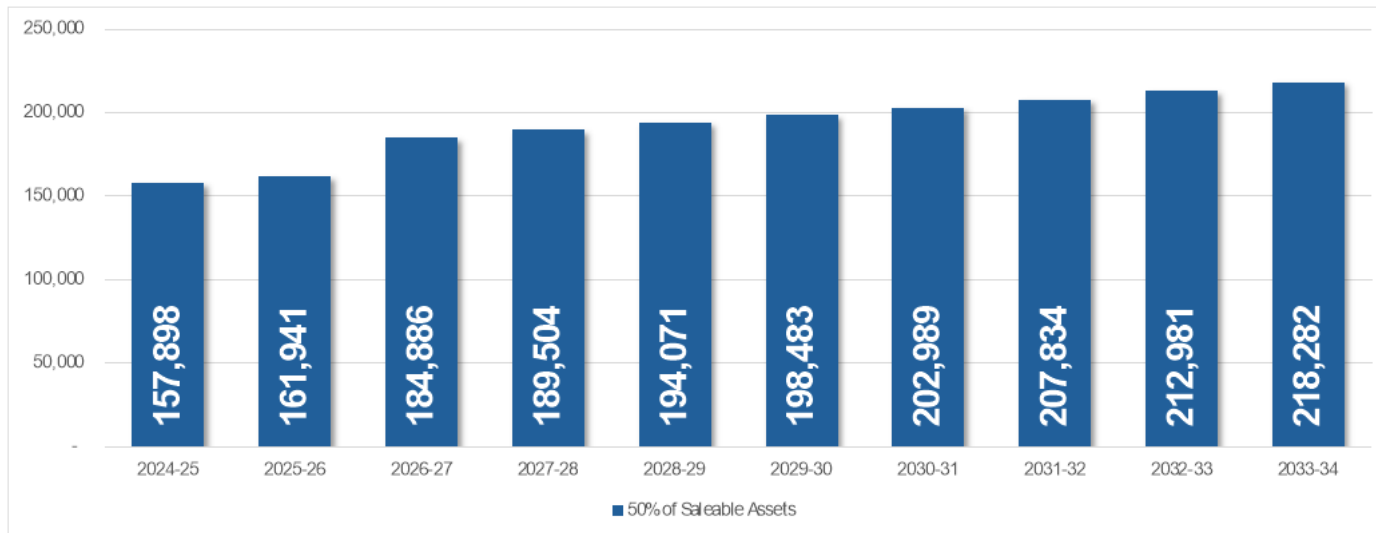
Significant Renewals (un-indexed)	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	Total 10 years
Adelaide Bridge				30,000	30,000						60,000
Federal - Priority Community Infrastructure Program				(7,500)	(7,500)						(15,000)
<b>Net Expenditure Adelaide Bridge</b>	-	-	-	<b>22,500</b>	<b>22,500</b>	-	-	-	-	-	<b>45,000</b>
Torren's Weir					20,000	20,000					40,000
Federal - Disaster Recovery Fund					(6,667)	(6,667)					(13,333)
State - Stormwater Management Fund					(6,667)	(6,667)					(13,333)
<b>Net Expenditure Torrens Weir</b>	-	-	-	-	<b>6,667</b>	<b>6,667</b>	-	-	-	-	<b>13,333</b>
<b>Rundle UPark</b>						7,500	7,500	-	-		15,000
<b>Total Expenditure on Significant Renewals</b>	-	-	-	<b>30,000</b>	<b>50,000</b>	<b>27,500</b>	<b>7,500</b>	-	-	-	<b>115,000</b>
<b>Net Expenditure on Significant Renewals</b>	-	-	-	<b>22,500</b>	<b>29,167</b>	<b>14,167</b>	<b>7,500</b>	-	-	-	<b>73,333</b>

# New & Upgraded Assets

<p>Preferred Assumption for LTFP</p>	<ol style="list-style-type: none"> <li>1. Maintain current commitments (including Mainstreets &amp; Park Lands buildings)</li> <li>2. Adjust program in outer years to fit within current Prudential Borrowings Limits (after considering all other LTFP components)</li> <li>3. Assumed allowance subject to Business Cases</li> </ol>
<p>What we heard</p>	<p>Council Members:</p> <ul style="list-style-type: none"> <li>• Park Lands Building upgrades to be matched by external funding</li> </ul> <p>Audit &amp; Risk Committee Members:</p> <ul style="list-style-type: none"> <li>• Need to consider that New and Upgraded Infrastructure will continue beyond Mainstreets commitment</li> </ul>
<p><b>Proposed Assumption</b></p>	<ol style="list-style-type: none"> <li><b>1. Maintain current commitments (including Mainstreets &amp; Park Lands buildings)</b></li> <li><b>2. Adjust program in outer years to fit within current Prudential Borrowings Limits (after considering all other LTFP components)</b></li> <li><b>3. Assumed allowance for projects subject to Business Cases</b></li> </ol>
<p>Implications</p>	<ul style="list-style-type: none"> <li>• Unfunded requirements from adopted strategies</li> </ul>

# Prudential Borrowing Limits

- The Prudential Borrowing Limit adjusts on an annual basis through the calculation of 3 indicators as per the current Treasury Policy:
  - Asset Test Ratio
  - Interest Expense Ratio
  - Leverage Test Ratio
- The limit is set based on the lowest figure derived from the above calculations
- Currently, the Asset Test Ratio is the calculation setting the upper limit



# New and Upgraded Assets

Capital Expenditure: New and Upgraded Assets	2024-25 Budget	2025-26 Plan	2026-27 Plan	2027-28 Plan	2028-29 Plan	2029-30 Plan	2030-31 Plan	2031-32 Plan	2032-33 Plan	2033-34 Plan	Total 10 years
Central Market Arcade Redevelopment	15,918	8,778	-	-	-	-	-	-	-	-	24,696
Hindley Street Upgrade	4,980	9,240	-	-	-	-	-	-	-	-	14,220
Gouger Street Upgrade	1,250	4,000	9,250	-	-	-	-	-	-	-	14,500
O'Connell Street Upgrade	1,000	1,500	1,000	11,450	-	-	-	-	-	-	14,950
Melbourne Street Upgrade	100	1,400	1,000	4,000	-	-	-	-	-	-	6,500
Hutt Street Upgrade	1,250	5,000	6,200	-	-	-	-	-	-	-	12,450
Brown Hill Keswick Creek	320	320	320	320	320	320	320	320	320	320	3,200
Aquatic Centre Community Playing Field		6,157	-	-	-	-	-	-	-	-	6,157
218-232 Flinders Street		500	500	-	-	-	-	-	-	-	1,000
Public Realm Greening Program	1,700	-	-	-	-	-	-	-	-	-	1,700
Charles Street	5,925	-	-	-	-	-	-	-	-	-	5,925
Upgrade to Park Lands Buildings (1.5% Rates Revenue)	1,763	2,225	2,357	2,474	2,547	2,621	2,697	2,781	2,850	2,922	25,237
Other ^	22,604	-	-	-	-	-	-	-	-	-	22,604
Assumed forward Commitment		-	-	-	2,970	2,970	2,970	2,970	2,970	2,970	17,821
<b>Total Capital Expenditure: New and Upgraded Assets</b>	<b>56,809</b>	<b>39,119</b>	<b>20,627</b>	<b>18,244</b>	<b>5,837</b>	<b>5,911</b>	<b>5,988</b>	<b>6,071</b>	<b>6,141</b>	<b>6,212</b>	<b>170,959</b>
Confirmed External Funding	6,026	-	-	-	-	-	-	-	-	-	6,026
<b>Net Capital Contribution</b>	<b>50,783</b>	<b>39,119</b>	<b>20,627</b>	<b>18,244</b>	<b>5,837</b>	<b>5,911</b>	<b>5,988</b>	<b>6,071</b>	<b>6,141</b>	<b>6,212</b>	<b>164,933</b>

^ one-off funding for New and Upgraded Assets in 2024/25

# Fees and Charges

State of Play	<ol style="list-style-type: none"> <li>1. Financial Principle: Fees and charges reflect cost of services provided</li> <li>2. Fees and Charges escalate, on average, in line with CPI - unless specific circumstances expected to have material impact on item</li> <li>3. Known changes (eg Rundle UPark, Aquatic Centre closed 1 August, etc)</li> </ol>
<b>Proposed Assumption</b>	<ol style="list-style-type: none"> <li><b>1. Reinstate Rundle UPark net income, from 2029/30</b></li> <li><b>2. Fees and Charges increase in line with CPI</b></li> </ol>
Implications	<ul style="list-style-type: none"> <li>• Consideration of new and different revenue streams are not incorporated into the LTFP unless already identified and with substantive business case support</li> </ul>

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\$'000s	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34
	Budget	Plan	Plan	Plan	Plan	Plan	Plan	Plan	Plan	Plan
Development Act Fees	2,479	2,554	2,617	2,683	2,750	2,819	2,889	2,961	3,035	3,111
Parking Fines / Expiation Fees	12,516	12,891	13,213	13,544	13,882	14,229	14,585	14,950	15,323	15,706
Parking Fees	44,604	45,942	47,090	48,268	49,474	50,711	51,979	53,278	54,610	55,976
Property Lease & Recoveries	12,917	13,300	19,569	20,058	20,559	21,073	21,600	22,140	22,694	23,261
North Adelaide Golf Course	4,254	4,381	4,491	4,603	4,718	4,836	4,957	5,081	5,208	5,338
Adelaide Town Hall Charges	3,620	3,729	3,822	3,917	4,015	4,116	4,219	4,324	4,432	4,543
Other Fees and Charges	3,903	3,544	3,633	3,723	3,816	3,912	4,010	4,110	4,213	4,318
<b>Fees and Charges</b>	<b>84,292</b>	<b>86,341</b>	<b>94,435</b>	<b>96,796</b>	<b>99,216</b>	<b>101,696</b>	<b>104,239</b>	<b>106,844</b>	<b>109,516</b>	<b>112,254</b>

\* Other Fees and Charges include Outdoor Dining Fees, Temporary Parking Controls, Event Fees, and Nursery Fees

# Service Delivery (including Strategic Projects)

<p>State of Play</p>	<ol style="list-style-type: none"> <li>1. Financial Principle: Continue to deliver a minimum of the current suite of services and asset maintenance, indexed in line with Consumer Price Index (CPI)</li> <li>2. Financial Principle: New or enhanced services, assets or maintenance requiring an increase in operating costs are to be funded from the adjustment of priorities, rate revenue or other revenue increases, and/or through savings</li> <li>3. For the purpose of the LTFP (as opposed to annual budgets), the following expenditure items escalate, on average, in line with CPI - unless specific circumstances expected to have material impact on item:             <ul style="list-style-type: none"> <li>• Materials, Contracts &amp; Other Expenses</li> <li>• Grants, Subsidies and Contributions</li> </ul> </li> <li>4. Employee costs and FTE incorporated in line with Strategic Resource Plan, increasing in line with current (and expected) enterprise agreement outcomes and Superannuation Guarantee - in absence of an agreement in outer years, CPI indexation is applied</li> <li>5. Depreciation informed by Infrastructure and Asset Management Plans and, reflects increases in valuations (CPI) and new asset movements</li> <li>6. Finance costs reflect interest costs associated with servicing borrowings and, reflect increases in interest rates (Government Bond rate)</li> </ol>
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# Service Delivery (including Strategic Projects)

<b>Proposed Assumption</b>	<ol style="list-style-type: none"> <li><b>Reinstate Rundle UPark Net Income from 2029/30</b></li> <li><b>Current service delivery and strategic projects level maintained and increase in line with CPI</b></li> </ol>
Implications	<ul style="list-style-type: none"> <li>Delivery of newly adopted and revised strategies that cannot be accommodated within existing budgets are not funded within the LTFP</li> </ul>

\$'000s	2024-25 Budget	2025-26 Plan	2026-27 Plan	2027-28 Plan	2028-29 Plan	2029-30 Plan	2030-31 Plan	2031-32 Plan	2032-33 Plan	2033-34 Plan
Employee Costs	86,220	88,853	91,074	93,351	95,685	98,077	100,529	103,042	105,618	108,259
Materials, Contracts & Other Expenses	75,823	77,757	82,007	84,058	86,159	88,313	90,521	92,784	95,103	97,481
Sponsorships, Contributions and Donations	6,149	6,334	6,492	6,654	6,821	6,991	7,166	7,345	7,529	7,717
Depreciation, Amortisation & Impairment	56,857	64,462	66,471	68,287	69,985	71,665	73,382	75,210	77,137	79,120
Finance Costs	808	3,626	5,122	6,508	8,030	9,159	12,764	13,001	14,281	14,354
<b>Total Operating Expenditure</b>	<b>225,858</b>	<b>241,031</b>	<b>251,167</b>	<b>258,858</b>	<b>266,679</b>	<b>274,286</b>	<b>284,565</b>	<b>291,382</b>	<b>299,669</b>	<b>306,931</b>
Strategic Projects *	6,110	6,263	6,420	6,580	6,745	6,913	7,086	7,263	7,445	7,631

\* Strategic Project funding is imbedded within the Total Operating Expenditure

# Rates Revenue impact

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State of Play	<ol style="list-style-type: none"> <li>Financial Principle: Adjust rate revenue after consideration of all other budget components and use growth in rate revenue to partly fund servicing new rateable properties and to service new borrowings</li> <li>Growth assumed at 1% per annum over life of the plan</li> </ol>
<b>Proposed Assumption</b>	<ol style="list-style-type: none"> <li><b>CPI increase</b></li> <li><b>Growth at 1%</b></li> <li><b>Asset Renewal Repair fund over 3 years</b></li> <li><b>Asset Renewal Funding Ratio transition over 8 years</b></li> </ol>
Implications	<ul style="list-style-type: none"> <li>The timing of increase for 3-4 will above impact on overall general rates revenue</li> <li>Temporary use of borrowings to fund Asset Renewal Repair Fund</li> </ul>

\$ '000s	2025-26		2026-27		2027-28		2028-29		2029-30		2030-31		2031-32		2032-33		2033-34		Average		
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	
General Rates Revenue - Base*	138,504		146,375		153,850		161,510		166,252		171,113		176,095		181,556		186,095				
General Rates Increase (CPI)	4,155	3.0%	3,659	2.5%	3,846	2.5%	4,038	2.5%	4,156	2.5%	4,278	2.5%	4,402	2.5%	4,539	2.5%	4,652	2.5%	<b>4,192</b>	<b>2.6%</b>	
Asset Renewal Repair Fund (exc ARFR Increase)	3,110	2.2%	3,110	2.1%	3,110	2.0%	-	0.0%	-	0.0%	-	0.0%	-	0.0%	-	0.0%	-	0.0%	<b>1,037</b>	<b>0.7%</b>	
Asset Renewal Funding Ratio Increase	606	0.4%	705	0.5%	704	0.5%	704	0.4%	705	0.4%	704	0.4%	1,058	0.6%	-	0.0%	-	0.0%	<b>576</b>	<b>0.4%</b>	
<b>General Rates Revenue (excluding Growth)</b>	<b>146,375</b>	<b>5.7%</b>	<b>153,850</b>	<b>5.1%</b>	<b>161,510</b>	<b>5.0%</b>	<b>166,252</b>	<b>2.9%</b>	<b>171,113</b>	<b>2.9%</b>	<b>176,095</b>	<b>2.9%</b>	<b>181,556</b>	<b>3.1%</b>	<b>186,095</b>	<b>2.5%</b>	<b>190,747</b>	<b>2.5%</b>	<b>5,805</b>	<b>3.6%</b>	

\* General Rates Revenue net of rebates. Excludes Natural Resource Levy and Rundle Mall Separate Rate

\$ '000s	2025-26		2026-27		2027-28		2028-29		2029-30		2030-31		2031-32		2032-33		2033-34		Average	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
Growth	1,385	1.0%	1,464	1.0%	1,538	1.0%	1,615	1.0%	1,663	1.0%	1,711	1.0%	1,761	1.0%	1,816	1.0%	1,861	1.0%	<b>1,646</b>	<b>1.0%</b>
Central Market Arcade	-	0.0%	1,275	0.9%	1,307	0.8%	1,340	0.8%	1,373	0.8%	1,407	0.8%	1,443	0.8%	1,479	0.8%	1,516	0.8%	<b>1,238</b>	<b>0.7%</b>
88 O'Connell Street	541	0.4%	555	0.4%	568	0.4%	583	0.4%	597	0.4%	612	0.4%	627	0.4%	643	0.4%	659	0.4%	<b>598</b>	<b>0.4%</b>
<b>Total Rates Revenue Growth</b>	<b>1,926</b>	<b>1.4%</b>	<b>3,293</b>	<b>2.2%</b>	<b>3,414</b>	<b>2.2%</b>	<b>3,537</b>	<b>2.2%</b>	<b>3,633</b>	<b>2.2%</b>	<b>3,731</b>	<b>2.2%</b>	<b>3,831</b>	<b>2.2%</b>	<b>3,937</b>	<b>2.2%</b>	<b>4,036</b>	<b>2.2%</b>	<b>3,482</b>	<b>2.1%</b>



# Cr Davis questions – Increase debt estimate

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Increase debt estimate	
Question	Response
1. What assumptions were made which resulted in the projected borrowings of \$0 as per the 2021/2022 LTFP increasing to 208Mil in projected borrowings as per the 2023/24 LTFP?	<ul style="list-style-type: none"> <li>• Inclusion of New and upgrades in future years (\$15m/year for 6 years = \$90m)</li> <li>• Mainstreets upgrade (\$15m/year for 4 years = \$60m)</li> <li>• Increase to 23/24 capital program above previous projections (\$36.1m)</li> <li>• Aquatic Centre (\$20m contribution to demolition and Park Lands reinstatement)</li> <li>• Rundle UPark net income (\$3.3m/year for 3 years = \$9.9m)</li> <li>• Interest on borrowings associated with above (\$39.8m)</li> </ul>
2. What assumptions were made which resulted in a total projected borrowings of 208Mil as projected in the 2023/24 Long Term Financial Plan increasing to 315Mil as per the report presented to the Finance and Governance Committee on 21 May 2024 at page 69?	<ul style="list-style-type: none"> <li>• Asset Management Plan increase with no matching revenue increase (\$150.4m) – excluding Lighting &amp; Electrical and Park Lands &amp; Open Space which were not yet approved for consultation</li> <li>• Flinders St (\$9.8m)</li> <li>• Charles St (\$0.3m)</li> <li>• Note: <u>projected</u> borrowing increase dependent on Council decisions to mitigate, discussed in LTFP section of report</li> </ul>
3. Was the replacement of the Bridge, Weir and Rundle UPark included in the 2021/2022 LTFP?	<ul style="list-style-type: none"> <li>• Weir and Bridge included</li> <li>• Rundle UPark removed as per Council Decision</li> </ul>
4. What assumption was made in relation to the Rundle UPark in the 2021/2022 year?	<ul style="list-style-type: none"> <li>• No renewal component BUT net income retained as per Council Decision</li> </ul>

# Cr Davis questions – Bridge, Weir, and Rundle UPark

Bridge, Weir and Rundle UPark	
Question	Response
1. When was the estimated construction cost for the bridge, weir and Rundle UPark last updated?	<ul style="list-style-type: none"> <li>• For the preparation of the 23/24 Asset Management Plans</li> </ul>
2. What has been the increase in construction costs since the estimates were last updated to present?	<ul style="list-style-type: none"> <li>• \$35m (2021 desktop AMP update) to \$40m for Weir (23-24 AMP update)</li> <li>• \$50m (2021 desktop AMP update) to \$60m for Bridge (23-24 AMP update)</li> <li>• \$50m (2021 desktop AMP update) to \$60m for Rundle UPark (23-24 AMP update)</li> </ul>
3. Can the administration confirm that the costs of a like for like replacement for the bridge, weir and Rundle UPark are estimated to be 60 Million, 40 million and 60 million, respectively, as presented to the Committee on 6 August 2024?	<ul style="list-style-type: none"> <li>• Yes, these are the amounts assumed – these will be firmed up as investigations conclude</li> </ul>
4. Under the adopted LTFP, in what years will the bridge, weir and Rundle UPark be replaced?	<ul style="list-style-type: none"> <li>• The 23-24 to 32-33 LTFP assumes:                             <ul style="list-style-type: none"> <li>- 2030-31 for the Bridge</li> <li>- 2028-29 for the Weir</li> <li>- Rundle UPark was removed from the LTFP per Council Decision</li> </ul> </li> </ul>
5. What is the estimated cost for a like for like replacement for the bridge, weir and Rundle UPark in the planned year of construction?	<ul style="list-style-type: none"> <li>• Bridge (\$65.6m CPI escalated as per adopted LTFP)</li> <li>• Weir (\$44.7m CPI escalated as per adopted LTFP)</li> <li>• Rundle UPark was removed from adopted LTFP as per Council Decision (\$71.6m CPI escalated as per adopted LTFP)</li> </ul>

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# Cr Davis questions – Asset renewal

Asset Renewal	
Question	Response
1. In delivering the Main Street Upgrades, will the renewal spend as assumed under the AMPs for those Main Street Upgrades, be brought forward?	<ul style="list-style-type: none"> <li>• Yes</li> </ul>
2. What is the total value of the brought forward amount of the Renewal spend under the main street AMPs?	<ul style="list-style-type: none"> <li>• \$43.4m in today's dollars</li> </ul>
3. The Council's renewal target is 92.5% increasing to 100% on its renewal spend. The brought-forward renewal spending on Main Streets will necessitate a reduction in the renewal spending of other asset classes. Please provide a breakdown of the renewal spend per asset class.	<ul style="list-style-type: none"> <li>• Transportation: \$15.6m (today's dollars)</li> <li>• Urban Elements: \$3.0m(today's dollars)</li> <li>• Lighting &amp; Electrical: \$3.8m (today's dollars)</li> <li>• Water Infrastructure: \$20.8m (today's dollars)</li> <li>• Park Lands &amp; Open Space: \$0.2m (today's dollars)</li> <li>• Buildings: \$Nil (today's dollars)</li> </ul>

# Cr Davis questions – Prudential borrowing limit

Prudential Borrowing Limit	
Question	Response
1. What is the council's current prudential borrowing limit?	• \$152.9m
2. As per the report presented to the committee on 21 May 2024 on page 69, when will the council reach its prudential borrowing limit?	<ul style="list-style-type: none"> <li>• 2028-29</li> <li>• Note: <u>projected</u> borrowing increase dependent on Council decisions to mitigate, discussed in LTFP section of report</li> </ul>

# Cr Davis questions – Rate increases

Rate Increases	
Question	Response
1. As per the report presented to the Finance and Governance Committee on 21 May 2024 at page 69	
<ul style="list-style-type: none"> <li>• What is the total rate increase required to meet a continuing budget of a 15Mil spend on New Capital?</li> </ul>	<ul style="list-style-type: none"> <li>• The assumption of aligning the future new capital spend within the prudential limits allows for approximately \$3m per annum</li> <li>• This reduced figure would on average, over the last 6 years of the LTFP, equate to a 1.6% rate increase</li> <li>• Note: this only applies if Council decided not to adhere to the adopted principle of funding new capital from debt, and instead decided to use rates to fund this</li> </ul>
<ul style="list-style-type: none"> <li>• What is the total rate increase required to pay for the bridge, weir and Rundle UPark within 10 years?</li> </ul>	<ul style="list-style-type: none"> <li>• Assuming a rates of approximately \$140m rounded up, a total cost of \$160m to fund the 3 assets is on average per year 8.8% compounded (that is, rates revenue base increases annually by 8.8%)</li> </ul>
<ul style="list-style-type: none"> <li>• What is the total rate increase required to meet a minimum renewal target of 100% across all asset classes?</li> </ul>	<ul style="list-style-type: none"> <li>• 10.5% (excluding Significant Renewals which were assumed to be funded via debt) per the presentation provided 6 August</li> </ul>
<ul style="list-style-type: none"> <li>• What total rate increase in the 2024/25 financial year is required to achieve \$0 in borrowings in the 2033 financial year?</li> </ul>	<ul style="list-style-type: none"> <li>• The question can be answered when the LTFP with Council-agreed assumptions has been developed</li> </ul>
<p>*Note that the RundleUPark replacement was not included in the 315Mil estimated debt in the 2033 year per the report presented to the finance committee on 21 May 2024 on page 69.</p>	<ul style="list-style-type: none"> <li>• Statement noted – no response required</li> </ul>

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# Next Steps

- Administration to draft a LTFP model based on Council endorsed assumptions
- Draft LTFP presented to CFG Committee (17 September 2024)
- Draft LTFP presented to Council (24 September 2024) for public consultation

# Operating Budget 2024/25 LTFP Roadmap



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Date	Forum	Role	Topic	
23 July (Special)	CFG (Workshop)	Discuss	Introduction and foundation to building a LTFP (Roadmap) What underpins the build of the proposed 2024/25 LTFP (Parameters, Assumptions and Levers)	<input checked="" type="checkbox"/>
6 August (Special)	CFG (Workshop)	Discuss	Capital - AMP impacts; Rundle UPark; Adelaide Bridge / Weir; New and upgrade	<input checked="" type="checkbox"/>
9 August (Special)	ARC (Workshop)	Discuss	Introduction and foundation to building a LTFP (Roadmap) What underpins the build of the proposed 2024/25 LTFP (Parameters, Assumptions and Levers) Capital - AMP impacts; Rundle UPark; Adelaide Bridge / Weir; New and upgrade	<input checked="" type="checkbox"/>
20 August	CFG (Workshop)	Discuss	<b>Lever settings - Revenue Assumptions, Service Delivery, Borrowings Market Expansion Assumptions (Operating Impacts)</b>	
17 September	CFG	Endorse	Finalise and endorse consultation draft	
24 September	Council	Approve	Approve consultation draft	
25 September	Begin public consultation	Consultation	21 days public consultation (Strategic Management document)	
27 September	ARC	Consultation	Feedback on consultation draft 2024/25 LTFP	
15 October	CFG	Endorse	Seek Committee feedback on draft 24/25 LTFP	
16 October	End public consultation	Consultation	21 days public consultation (Strategic Management document)	
22 October	Council	Approve	Adopt 24/25 LTFP Including consultation feedback	

# Key Discussion Points

What are Council Members' views...  
on the proposed assumptions guiding drafting of the LTFP?



## Workshop: Site Contamination Policy and Operating Guidelines

Strategic Alignment - Our Environment

Public

**Tuesday, 20 August 2024**  
**City Finance and Governance Committee**

**Presenter:** Sarah Gilmour,  
Associate Director, Park Lands,  
Policy and Sustainability

### PURPOSE OF WORKSHOP

The City of Adelaide (CoA), like many urban areas, requires a comprehensive site contamination policy and operating guidelines to address environmental concerns and health risks associated with the contamination of land.

A well-defined policy and guidelines not only helps in identifying and addressing contamination issues but provides a clear framework for regulatory compliance, risk assessment, and effective management of contaminated sites in the CoA local government area.

The purpose of the workshop is to discuss a review of the City of Adelaide's Site Contamination Policy and Operating Guidelines. The workshop will:

- Provide an overview of the current Site Contamination Policy and Operating Guidelines.
- Explain the legislative and regulatory context within the Policy and Operating Guidelines.
- Gather feedback from Council Members on the proposed revisions to the Policy and Operating Guidelines.
- Outline the next steps in the review process, including the finalisation and approval of the revised Policy and Operating Guidelines.

The Policy and Operating Guidelines apply to contamination present on or below the surface of land, including waters, in the CoA local government area, where the CoA is the landowner or custodian, lessee or licensee of land or a statutory authority under the *Planning, Development and Infrastructure Act 2016 (SA)*.

The Policy and Operating Guidelines were scheduled for review in December 2018. A review commenced in late 2017 but was postponed as the Environment Protection Authority (EPA) commenced a statewide review of the draft Site Contamination Framework for the review of the SA Planning System. The EPA completed the legislative review process in 2022, which introduced a standardised legislative framework under the *Planning, Development and Infrastructure Act 2016 (SA)* to assess and manage risks posed by known or potential site contamination to enable the safe development and use of land.

The CoA's review of its Policy and Operating Guidelines was recommenced in late 2023. The Policy and Operating Guidelines have broad implications across the CoA's functions, and the review has been informed by internal consultation. The Policy and Operating Guidelines have been externally peer-reviewed by the EPA.

Following the workshop, any feedback received from Council Members will be addressed in the draft Policy, which will be presented to the City Finance and Governance Committee and Council in September for decision.

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### KEY QUESTION

1. What are Council Members' views on whether the Site Contamination Policy clearly articulates Council's approach to managing site contamination?

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- END OF REPORT -

# Our Environment

## Workshop: Site Contamination Policy & Operating Guidelines

Purpose:

To discuss a review of the City of Adelaide's Site Contamination Policy and Operating Guidelines

20 August 2024

Park Lands, Policy & Sustainability

Sarah Gilmour, Associate Director Park Lands, Policy and Sustainability

Matt Field, Manager Park Lands and Sustainability



### The review of the Site Contamination Policy and Operating Guidelines:

- Delivers up-to-date Policy documents
- Assists in ensuring organisational compliance with legislative and regulatory obligations
- Confirms Council's management framework for site contamination
- Clarifies the roles and responsibilities of the City of Adelaide (CoA), the South Australian Environment Protection Authority (the EPA), site contamination practitioners and other statutory bodies in the identification, investigation and remediation of site contamination in the City of Adelaide
- Clarifies the roles and responsibilities for management of site contamination by Administration

## Question

What are Council Members' views on whether the Site Contamination Policy clearly articulates Council's approach to managing site contamination?

The Policy provides a framework to mitigate, remediate or manage site contamination (as defined Section 5B of the *Environment Protection Act 1993* (the EP Act) (SA)) that poses a risk to human health and the health of natural environmental systems on property that is:

- Owned by CoA - where CoA owns, occupies and manages land, including land where CoA is the landlord
- Controlled by CoA – including dedicated Crown land and other land for which the CoA is custodian, occupier, user, lessee or license
- Private land – where the development of land (by application) or statutory land-use planning (by process) triggers a change of use that may invoke consideration of site contamination.

# Site Contamination Policy & Operating Guidelines

## Site Contamination Management Context



### Risk:

- Site contamination poses public health and environmental risks
- Historical waste management practices have left chemical contamination in soil and groundwater

### Guidance:

- The Site Contamination Policy guides the Council in minimising risk
- Operating Guidelines establish a framework of internal controls that support the Policy's implementation and mitigate risks

### Relevant Legislation:

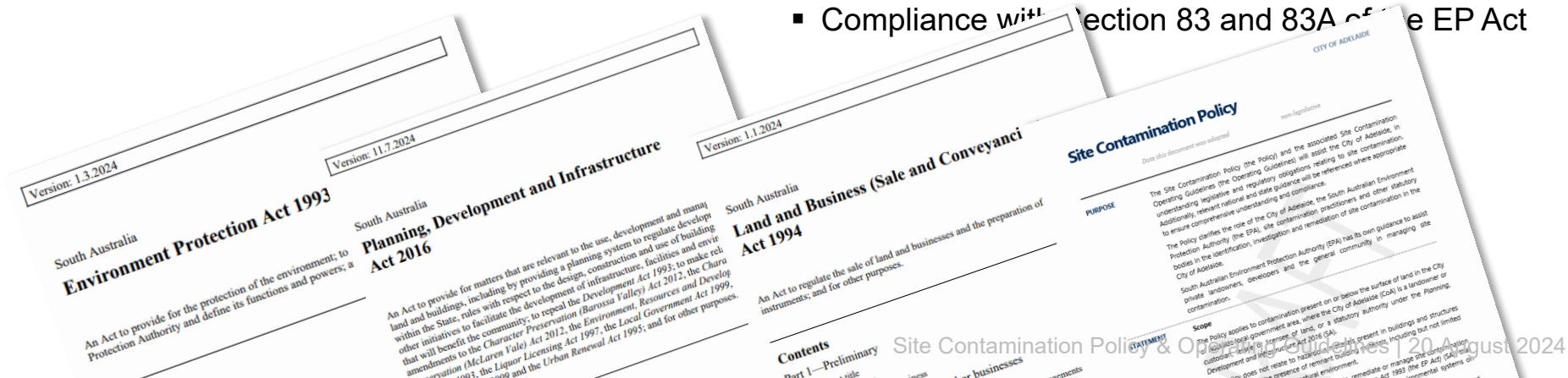
- *Environmental Protection Act 1993 (SA) (EP Act)*
- *Planning, Development and Infrastructure Act 2016 (SA)*
- *Land and Business (Sales and Conveyancing) Act 1994 (SA)*

### Responsibilities:

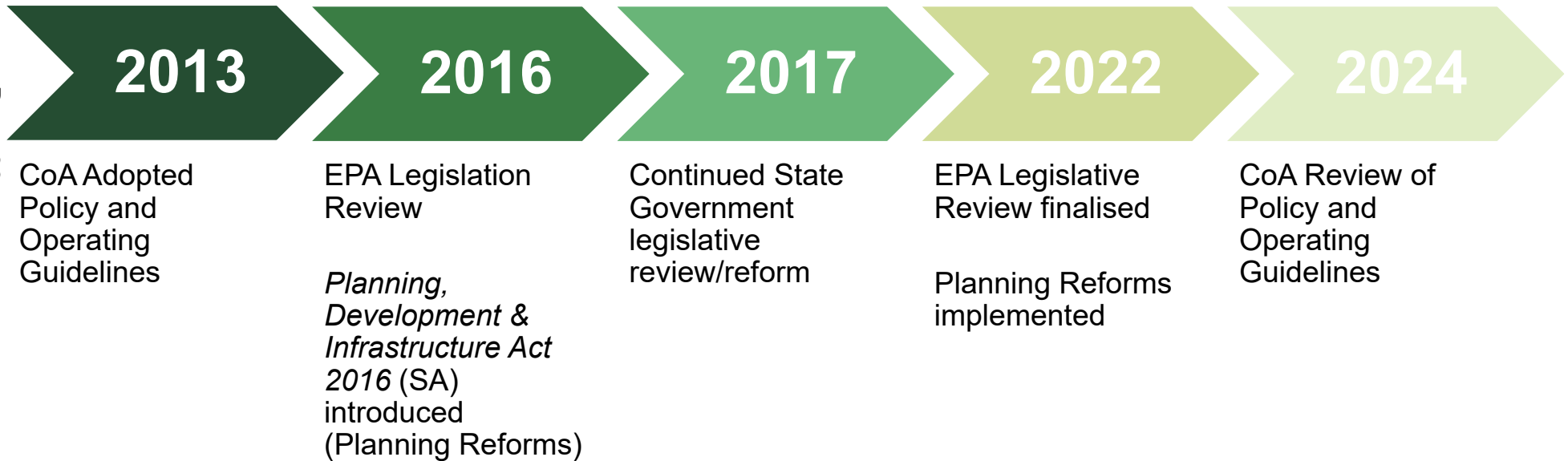
- General environmental duty under Section 25 of the EP Act.
- Compliance with Section 83 and 83A of the EP Act

Page 38

slide 5

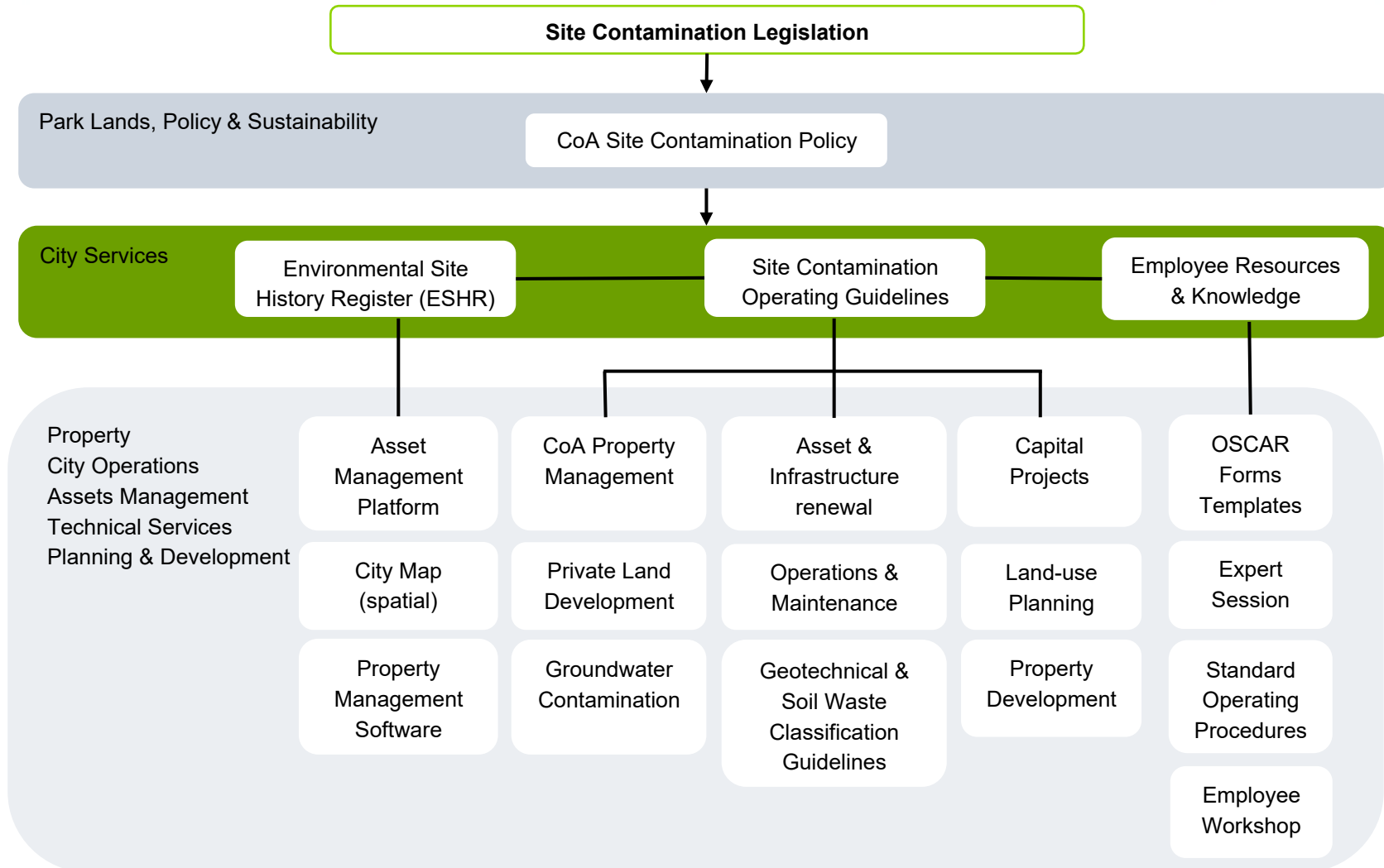


# Site Contamination Policy & Operating Guidelines Review Process & Consultation



# Site Contamination Policy & Operating Guidelines

## Site Contamination Management Framework





# Site Contamination Policy & Operating Guidelines

## Responsibilities across CoA

- Update Council Policy and Operating Guidelines
- Advise on contamination processes and procurement

**Associate Director,  
Park Lands, Policy &  
Sustainability**



- Manage ESHR and develop spatial data layer
- Support procedural contamination matters
- Liaise with EPA and consultants

**Associate Director,  
Infrastructure**



- Include contamination in risk assessment
- Manage and update ESHR including spatial data layer
- Engage contamination experts and report incidents

**Managers  
Infrastructure Delivery,  
Technical Services,  
and Infrastructure**



- Engage consultants/auditors
- Manager and report contamination issues

**Project Managers  
(contracted by CoA)**



- Ensure onsite operations follow contamination guidelines
- Report any discovered contamination incidents

**Associate Director,  
City Operations**



- Access ESHR for development assessment
- Ensure adherence to planning conditions for contamination

**Associate Director,  
Regulatory Services**



- Manage property asset monitoring requirements
- Submit monitoring reports to ESHR

**Associate Director,  
Strategic Property and  
Commercial**



- Advise community and respond to media on contamination issues

**Manager, Customer &  
Marketing**



# Triggers and Responses to contamination

## Triggers

- Historical contamination activities
  - Past industrial activities and spills
  - Outdated waste disposal methods
- Changes in land use or development applications.
  - New construction projects
  - Rezoning of land areas

## Responses

- Preventative measures under Section 25 of the EP Act and proactive monitoring and site assessment
- Management and remediation practices containment strategies, monitoring and maintenance
- Use of qualified professionals for assessment and remediation



Slaughterhouse and associated holding yards  
Bonython Park / Tulya Wardli (Park 27)

# Triggers and Responses to contamination

## Chief Executive Officer

Responsible for Council's site management practices are in accordance with the policy

## Infrastructure and Public Works Committee

Considering matters related to site contamination on CoA owned land

## Leadership Team

Implementing policy, managing land, protecting health and safety, prudent and diligent land-use planning

## Administration

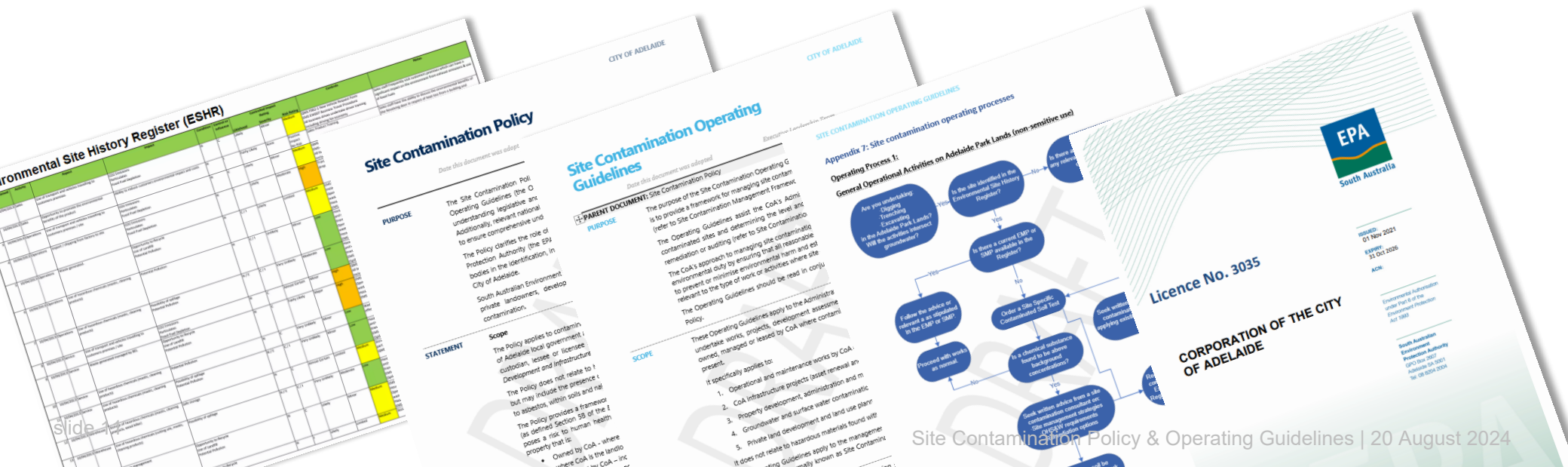
Responsible for ESHR and mitigate, remediate or manage site contamination

# Site Contamination Policy & Operating Guidelines

## Triggers and Responses to contamination

### What we have in place

- ESHR
- Updated Policy and Operating Guidelines to reflect new legislation
- Procedures and processes for staff and contractor risk assessment, approvals, and communications for site contamination
- Management Plans for site contamination



## Next Steps

### Council decision

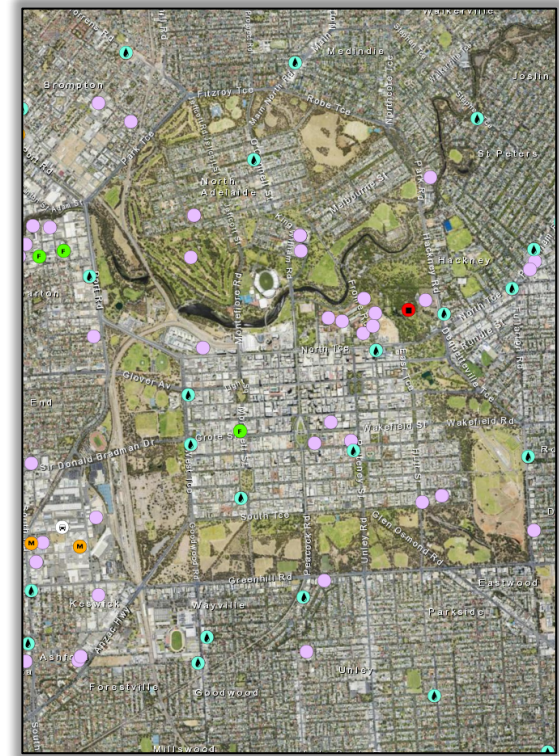
- Report to City Finance and Governance Committee in September
- Council decision on the Site Contamination Policy in September

### Implementation

- Embed the framework into operations
- Update the ESHR

### Development

- Create a spatial layer within the Council's systems for the ESHR for better data management
- Schedule review of Policy and Operating Guidelines for 2029



LocationSA Map Viewer: EPA Licensed Activities

## Question

What are Council Members' views on whether the Site Contamination Policy clearly articulates Council's approach to managing site contamination?

## 2023/24 Business Plan and Budget Quarter 4 Update

Strategic Alignment - Our Corporation

Public

Tuesday, 20 August 2024

City Finance and Governance  
Committee

**Program Contact:**

Michelle Arbon, Acting Manager  
Strategy & Insights

**Approving Officer:**

Anthony Spartalis, Acting Chief  
Operating Officer

## EXECUTIVE SUMMARY

This report presents the preliminary financial performance and delivery status of Council's commitments against the 2023/24 Business Plan and Budget (BP&B) for the fourth quarter (April to June 2024) for the City Finance and Governance Committee's consideration. Included within this report is an overview of Portfolio and Project achievements as well as updates and performance for Council subsidiaries. This is a preliminary report with all financial figures still to be audited by BDO which commenced Monday 12 August 2024.

As such the results are subject to change following finalisation of the financial statements, to be presented to the Audit and Risk Committee at its meeting to be held on 27 September 2024, and the City Finance and Governance Committee at its meeting to be held on 15 October 2024.

The preliminary year end operating position for 2023/24 is an operating surplus of \$8.984 million, which is \$2.169 million favourable to the Q3 budget of \$6.815 million. The favourable variance of \$2.169 million consisted of increased revenue of \$4.128 million, offset by increased expenditure of (\$1.959 million). The original adopted budget at the start of the financial year was to end 2023/24 with an anticipated surplus of \$1.920 million, to which the preliminary results are \$7.064 million favourable.

The year end Capital Expenditure as at 30 June 2024 is \$90.766 million, which is \$8.790 million lower than the Q3 budget of \$99.556 million. This is largely due to the timing of Central Market Arcade Redevelopment, Rymill Park Lake, and On-Street Parking Meter Replacement. Several major projects amounting to \$1.213 million have been re-timed to future years. The original adopted Capital budget was \$100.734 million.

Quarterly reports are provided to support Council in monitoring the integrity of Council's financial statements and reporting, as well as reviewing and overseeing its progress on the Business Plan and Budget. This process supports Council's commitment to transparency and accountability.

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## RECOMMENDATION

The following recommendation will be presented to Council on 27 August 2024 for consideration

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL  
THAT COUNCIL

1. Notes the progress against Council's Priorities in the 2023/24 Annual Business Plan and Budget.
2. Notes the 2023/24 Preliminary Financial Position as presented in Attachment A to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 20 August 2024, which includes:
  - 2.1. Total operating income of \$238.598 million (\$234.470 million estimated in Q3)
  - 2.2. Total operating expenditure (including depreciation) of \$229.614 million (\$227.655 million estimated in Q3)
  - 2.3. An operating surplus of \$8.984 million (\$6.815 million estimated in Q3)
3. Notes results presented are subject to external audit, and therefore are estimates at this stage.

4. Notes the Capital Works Quarter 4 update as presented in Attachment A to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 20 August 2024, which includes:
    - 4.1. Major Projects expenditure of \$27.338 million (\$28.551 million estimated in Q3)
    - 4.2. New and Upgrades expenditure of \$9.343 million (\$16.862 million estimated in Q3)
    - 4.3. Renewals expenditure of \$54.085 million (\$54.143 million estimated in Q3)
    - 4.4. Capital Program expenditure of \$90.766 million (\$99.556 million estimated in Q3)
    - 4.5. Grant funding to support capital expenditure on new/upgraded assets of \$5.524 million (\$7.152 million estimated in Q3)
  5. Receives the Council Subsidiary Quarter 4 updates as provided as Attachments B, C, and D to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 20 August 2024.
  6. Notes that at the end of this Quarter, 83% of Projects were capitalised within 10 weeks, exceeding the 70% target proposed by the Audit and Risk Committee at its meeting on 5 February 2021.
  7. Notes the annual financial statements will be audited by the external auditors and presented to the Audit and Risk Committee meeting to be held on 27 September 2024.
  8. Authorises the Chief Executive Officer and Lord Mayor to sign the audited financial statements following the Audit and Risk Committee meeting of 27 September 2024.
  9. Notes the audited financial statements will be presented to the City Finance and Governance Committee at its meeting scheduled for 15 October 2024 and the Council at its meeting scheduled for 22 October 2024.
-



## IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	<b>Strategic Alignment – Our Corporation</b> Quarterly reporting supports Council's <i>financial sustainability</i> objective within the Strategic Plan 2024-2028.
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Quarterly reporting is an important part of monitoring the organisation's performance and effectiveness against Council's planned activities, which is required under Section 122 (1) of the <i>Local Government Act 1999 (SA)</i> .
Opportunities	Quarterly reporting enables Council to make informed and timely decisions to maintain or change its services, assets, and budgets to meet community expectations and needs, maintaining or improving Council's financial position, and enabling Council to be responsive to risks and opportunities.
24/25 Budget Allocation	Not as a result of this report
Proposed 25/26 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
24/25 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

# DISCUSSION

## PROGRESS TOWARDS THE 2023/24 BUSINESS PLAN PRIORITIES

1. The past year has seen good progress towards the 2023/24 Annual Business Plan and Budget Priorities (more detail is provided in the Delivering the Business Plan section of **Attachment A**. Note that some activities supporting Priorities are ongoing in nature and extend beyond the 2023/24 financial year.
  - 1.1. Capital City Leadership: Ensure our finances are sustainable for current and future generations and work with our partners on shared opportunities to the benefit of the City.
    - 1.1.1. Delivered on the 2 priorities:
      - Leveraging Government and private partnerships, and
      - Financially sustainable decision-making.
    - 1.1.2. 100% of strategic projects linked to this priority completed.
  - 1.2. Economy: The City is the State hub for economic activity through increased investment for residential, visitor, business and employment growth to provide economic benefit to the City.
    - 1.2.1. Delivered on the 2 priorities:
      - Develop a City Plan: On track for delivery in 2024/25, and
      - Pursuing opportunities and partnerships that support and increase City workforce.
    - 1.2.2. 100% of projects linked to this priority completed or on track (1 strategic project is on track for planned completion in calendar year 2024 and 3 strategic projects completed).
  - 1.3. Community: Government partnerships to deliver opportunities for affordable housing and to create accessible and safe streets.
    - 1.3.1. Delivered on the 2 priorities:
      - Advocate for affordable housing and housing support, and
      - Deliver improvements to City-wide transport and people movements.
    - 1.3.2. 100% of continuing strategic projects linked to this priority are complete or on track (4 strategic projects on track for completion in 2024/25 and 1 strategic project completed).
  - 1.4. Environment: Protect and enhance the Park Lands and plan to manage the challenges of climate change for the benefit of our community and all South Australians.
    - 1.4.1. Delivered on the 2 priorities:
      - Leadership in delivering Climate Change actions, and
      - Protect and enhance the Park Lands through increased tree plantings.
    - 1.4.2. 100% of strategic projects linked to this priority are complete or on track (3 strategic projects are on track for completion in 2024/25 and 4 strategic projects completed).
  - 1.5. Culture and Activation: Enhancing the City's cultural and creative fabric, activating main streets and neighbourhoods and conserving and celebrating our shared history.
    - 1.5.1. Delivered on the 2 priorities:
      - Promote and celebrate Adelaide's heritage, and
      - Working with key partners to provide 'year-round' events and activations.
    - 1.5.2. 100% of strategic projects linked to this priority are complete or on track (1 strategic project is on track for completion in 2024/25 and 3 Strategic projects completed).
  - 1.6. Infrastructure: Improve city streets and public infrastructure by investing in core services and maintenance of the public realm.
    - 1.6.1. Delivered on the 2 priorities:
      - Maintain, develop and enhance main streets, streetscapes and parks, and
      - Deliver on Council's Capital Works schedule

- 1.6.2. 66% of continuing strategic projects linked to this priority are on track or completed (5 strategic projects are on track for completion in 2024/25, 5 strategic projects completed, 5 projects to be re-timed to a future financial year and 2 projects reallocated to other funding sources).

## FINANCIAL SUMMARY

2. The preliminary operating position for the 2023/24 financial year is an operating surplus of \$8.984 million, which is \$2.169 million favourable to the Q3 budget of \$6.815 million.
  - 1.1 Total operating income of \$238.598 million (\$234.470 million estimated in Q3)
  - 1.2 Total operating expenditure of \$229.614 million (\$227.655 million estimated in Q3).
3. This variance is driven by:
  - 3.1. Income is \$4.128 million favourable to budget due to commercial parking \$0.696 million, fines and interest associated with rates revenue \$0.406 million, North Adelaide Golf Course \$0.535 million, horticulture private works \$0.506 million, bus shelter advertising \$0.409 million, regulatory services \$0.393 million (includes expiations, temporary parking controls, development/encroachment fees) and other smaller variances.
  - 3.2. Expenditure is (\$1.959) million unfavourable to budget and includes the following key movements:
    - 3.2.1. An increase to the provision for Works-In-Progress (WIP) write-off provision of \$1.593 million. The increase is in line with the overall increase in the WIP balance as at 30 June 2024, which has increased by \$32.350 million (from \$43.815 million in 2022/23 to \$76.165 million in 2023/24) due to the status, timing of the completion and capitalisation of works. Key projects include Central Market Arcade \$9.410 million, Rymill Park Lake \$7.483 million, Currie-Grenfell St (West to East Tce) \$4.178 million, City Safe CCTV Network Upgrade (City Deal) \$3.717 million, Adelaide Town Hall façade \$3.208 million.
    - 3.2.2. An increase to the doubtful debt provision of \$0.882 million. Any debtor balance older than 180 days is provided for as a doubtful debt. The increase is due to the recognition of permits and temporary parking controls issued and not yet paid \$0.529 million, Aquatic Centre \$0.062 million and other overdue balances.
    - 3.2.3. An increase to depreciation expense of \$0.526 million due to the recognition of depreciation on Library Books \$0.347 million previously treated as an inventory item, and other plant and equipment assets, of which \$0.229 million relates to UPark hardware replacement.
    - 3.2.4. An increase to grants and contributions of \$0.459 million largely due to the correct allocation of the nature of expenditure, as well as the re-timing of payments to event suppliers.
    - 3.2.5. Employee costs for ongoing service delivery is \$0.866 million favourable, offset by external temporary labour hire of (\$0.643 million).
    - 3.2.6. Savings in expenditure within computer software maintenance \$1.127 million due the renewal of enterprise licences in the period to which they relate (prepayments), professional services \$0.666 million, and waste services of \$0.471 million have partially offset the unfavourable movements above.
4. The preliminary year end Capital Expenditure as at 30 June 2024 is \$90.766 million, which is \$8.790 million lower than the Q3 budget of \$99.556 million. The original adopted budget at the start of the year was \$100.734 million.
5. As of 30 June 2024, Council had a net cash surplus of \$1.635 million (that is, no borrowings).
6. The preliminary results are estimates only at this stage. There are a number of items to be completed which may still impact the final numbers presented for the external audit.
  - 6.1. Items impacting the operating result include, but are not limited to:
    - 6.1.1. Provisions and accruals for any items not invoiced prior to 30 June 2024
    - 6.1.2. Impairment of major assets
    - 6.1.3. Grant income recognition
    - 6.1.4. Asset Revaluations
    - 6.1.5. Capitalisation of assets reaching practical completion prior to 30 June 2024 and the impact on depreciation.

7. Final audited financial statements will be presented to the Audit and Risk Committee meeting to be held on 27 September 2024.

## **CAPITAL PROGRAM**

8. The Capital Program summary is available in **Attachment A** page 12.
9. The Capital Program is delivered across:
  - 9.1. Major Projects: Significant works of a capital nature that are over the prudential limit, multi-year or have significant grant funding.
    - 9.1.1. At the end of Quarter 4, 64% of all Major Projects are on time and on budget or completed.
  - 9.2. New and Upgrade Projects: Works of a capital nature that are either introducing new assets or significantly upgrading existing assets, usually by extending the asset or increasing the level of service the asset provides.
    - 9.2.1. At the end of Quarter 4, 76% of all New and Upgrade Projects were on time and on budget, or completed.
  - 9.3. Renewals: Works of a capital nature that are replacing an existing asset like for like or like for modern equivalent.
    - 9.3.1. Progress has been made across all asset classes this quarter. 99.9% of the quarter 4 Renewal budget and program was delivered.

## **PROJECT DELIVERY SUMMARY**

### Strategic Projects

10. Council made a commitment of \$9.663 million (\$5.867 million net of grant funding) to deliver 48 Strategic Projects during 2023/24. Contained within the preliminary operating surplus is expenditure of \$9.111 million (\$5.762 million net of grant funding) for Strategic Projects. At the end of the financial year:
  - 10.1. 36 projects had both timeframe to deliver and budget on track, or had been completed.
  - 10.2. Six projects had both timeframe to deliver and budget at risk and are being managed for completion in early 2024/25. These will be presented for Council for consideration of funding within Quarter 1 of 2024/25.
  - 10.3. Four projects are being deferred to future financial years.
  - 10.4. Two projects were cancelled.
11. For information on these changes refer to the Portfolio updates from page 16 in **Attachment A**.

### Capital Works Program

12. Including the adjustments outlined in this report, Council made a commitment of \$99.556 million to deliver 371 projects as part of its Capital Works Program. At the end of this quarter:
  - 12.1. 16 New and Significant Upgrade Projects and 39 Renewal Projects were completed in the quarter, bringing the total number of completed projects to 170.
  - 12.2. 52 projects had both timeframe to deliver and budget on track.
  - 12.3. Seven projects had timeframe to deliver at risk and are being managed but may exceed estimated time.
  - 12.4. Six projects had budget at risk and are being managed but may exceed estimated adopted budget.
  - 12.5. Two projects have a timeframe to deliver off track.
  - 12.6. Three projects have been deferred.
  - 12.7. Nine projects have been cancelled.
13. For information on these changes, refer to the Capital Works summary from page 14 in **Attachment A**.
14. A true-up of the Capital Works Program with budget implications for 2024/25 will be presented to Council in Quarter 1 of 2024/25 for funding consideration.

## COUNCIL SUBSIDIARIES SUMMARY

15. The Adelaide Central Market Authority, Adelaide Economic Development Agency and Kadaltilla / Adelaide Park Lands Authority have provided updates as per **Attachments B, C and D**, respectively.
16. The Brown Hill Keswick Creek Stormwater Board (Regional subsidiary), which Council is a member of, will be provided once audited financial statements are received.

### Adelaide Central Market Authority (ACMA) – Financial Summary

17. The preliminary year end position for AMCA for 2023/24 is an operating surplus of \$0.081 million, which is \$0.069 million favourable when compared to the approved budget of \$0.012 million operating surplus.
  - 17.1. Total operating income of \$5.476 million.
  - 17.2. Total operating expenditure of \$5.395 million.

### Adelaide Economic Development Agency – Financial Summary

18. The preliminary year end position for AEDA for 2023/24 is an operating deficit of (\$0.002 million), which is \$0.216 million favourable when compared to the approved budget of (\$0.218 million) operating deficit.
  - 18.1. Total operating income of \$13.467 million (including \$8.880 million CoA contribution to fund AEDA activities).
  - 18.2. Total operating expenditure of \$13.469 million.

### Kadaltilla / Adelaide Park Lands Authority – Financial Summary

19. The preliminary year end position for Kadaltilla for 2023/24 is a break even position, which is in line with the approved budget. Kadaltilla is a wholly owned subsidiary of the City of Adelaide, and funding is provided to match expenditure.
  - 19.1. Total operating income of \$0.224 million.
  - 19.2. Total operating expenditure of \$0.224 million.

## ASSESSMENT OF KPIS

### KPI 1: 70% of Projects capitalised within 10 Weeks

20. 83% of completed projects were capitalised within 10 weeks of practical completion at the end of this quarter.

### KPI 2: < 10% Variance between Preliminary Year End and Annual Financial Statement

21. This KPI can only be determined once the 2023/24 Financial Statements are audited and will be measured against the estimated operating surplus of \$8.984 million.

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## ATTACHMENTS

**Attachment A** – City of Adelaide 2023/24 Business Plan and Budget: Quarter 4 Report

**Attachment B** – Adelaide Central Market Authority Quarter 4 update

**Attachment C** – Adelaide Economic Development Agency Quarter 4 update

**Attachment D** – Kadaltilla / Adelaide Park Lands Authority Quarter 4 update

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- END OF REPORT -

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# 2023/24 Business Plan & Budget

Investing in streets, parks and the community

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## April to June 2024 Quarter Four Progress Report



CITY OF  
ADELAIDE

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# Kurna Acknowledgement

City of Adelaide tampendi, ngadlu Kurna yertangga banbabanbalyarnendi (inbarendi). Kurna meyunna yaitya mattanya Womma Tarndanyako. Parnako yailtya, parnuko tappa purruna, parnuko yerta ngadlu tampendi. Yellaka Kurna meyunna itto yailtya, tappa purruna, yerta kuma burro martendi, burro warriappendi, burro tangka martulyaiendi. Kumarta yaitya miyurna iyangka yalaka ngadlu tampinhi.

City of Adelaide acknowledges the traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kurna people living today. And we also extend that respect to other Aboriginal Language Groups and other First Nations.










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## Legend




Throughout this document, these icons represent:

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### Status:

-    that the project timeline, delivery and budget are on track (based on latest adopted schedule and budget)
-    that the project has risks that are being managed and may exceed estimated time and adopted budget
-    that the project is no longer on track or within adopted budget / delivered outside of schedule and budget

### Budget:

-  that there is no change from the most recent adopted budget to the proposed budget
-  that there is a decrease from the most recent adopted budget to the proposed budget
-  that there is an increase from the most recent adopted budget to the proposed budget

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# CEO message

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## **Delivering the 2023/24 Business Plan and Budget**

It is my pleasure to provide the fourth quarter report against the 2023/24 Business Plan and Budget to the Council and our Community.

The report highlights our delivery of the vision of our Strategic Plan over the fourth quarter of 2023/24 through the delivery of our programs, projects and services implementing the Council's endorsed priorities and strategies.

The delivery of the 2023/24 Capital Program has seen good progress with works advancing on Town Hall Façade Conservation, Rymill Park Lake, Market to Riverbank and Market Square. Capital expenditure to the end of June 2024 totalled \$90.766m.

There has been strong delivery on the 2023/24 Strategic Projects including the Adaptive Re-use City Housing Initiative, City Plan, and the delivery of Kaurna Voices, an interactive map launched during National Reconciliation Week. Strategic Project expenditure to the end of June 2024 totalled \$9.113m.

Our ongoing financial planning and management over the 23/24 Financial Year has seen delivery of an estimated operating result favourable to the budget, with an operating surplus of \$8.984m. These preliminary figures will be finalised over the coming weeks through the work of our external auditors, and will be available in our Annual Report.

I hope you will find this Business Plan and Budget Quarterly Update a comprehensive, yet easy to read summary of activities, projects and expenditure over the last quarter.

**Michael Sedgman**  
Chief Executive Officer

# Delivering the Business Plan

## Capital City Leadership

Ensure our finances are sustainable for current and future generations and work with our partners on shared opportunities to the benefit of the City.

Priority	Highlight
<p>Leverage Government and private partnerships through advocacy, and co-investment to support our priorities, plans and projects.</p> <p><b>Status:</b> Completed</p>	<p>To assist in the delivery of capital &amp; strategic projects:</p> <ul style="list-style-type: none"> <li>• 39 grant applications were submitted for a total value of \$20.3m.</li> <li>• 12 grant applications (\$5.2m) were successful</li> <li>• 21 grant applications (total value \$12.9m) are still to be awarded.</li> </ul> <p>Successful grants included Blackspots, Capital Cities Committee, Green Adelaide and Roads to Recovery schemes.</p> <p>Adaptive Reuse City Housing Initiative (ARCHI) Steering Group established including key government and industry stakeholders providing oversight and advocacy for the initiative.</p> <p>AEDA works closely with State Government and its Strategic Partners including Business Events Adelaide, StudyAdelaide, Renew Adelaide and Festival City Adelaide, to deliver on its key priorities including reducing shopfront vacancies, increasing jobs in the city, supporting business events and their significant contribution to the local economy, promoting Adelaide as an education destination and increasing the economic impact of events on the city.</p>
<p>Financially sustainable decision-making and strategic partnerships which enable future investment, jobs and growth in the City.</p> <p><b>Status:</b> Completed</p>	<ul style="list-style-type: none"> <li>• Updated Long Term Financial Plan adopted in September 2023</li> <li>• Strategic Plan 2024 – 2028 adopted in December 2023</li> <li>• Updated Asset Management Plans adopted June 2024</li> <li>• Draft Economic Development Strategy 2023-2028 was approved and released for six weeks public consultation April 2024</li> </ul> <p>Through its Strategic Partnership Program AEDA partnered with University of Adelaide’s ThinLab, MTPConnect and SouthSTART to deliver targeted programs that support small-medium growth ready businesses, increasing jobs and investment. The programs supported over 35 city businesses. Funding continued for Renew Adelaide who supported the establishment of 30 businesses in vacant premises the City.</p>

Strategic Projects	
Priority	Status
On-Street Parking Compliance Technology	Completed
External Property Valuations	Completed
Transactional Banking	Completed
Archives Digitisation	Completed
Cyber Security Enhancement	Completed
Deliver next generation Adelaide Free Wi-fi network as part of the Adelaide City Deal	Completed
Grant Management Software to facilitate identification of funding	Completed

# Economy

The City is the State hub for economic activity through increased investment for residential, visitor, business and employment growth to provide economic benefit to the City.

Priority	Highlight
<p>Develop a City Plan that provides guidance on City growth.</p> <p><b>Status:</b> On Track</p>	<p>Draft City Plan approved at Council 11 June 2024 for consultation.</p>
<p>Pursue opportunities and partnerships that support and increase City workforce.</p> <p><b>Status:</b> Completed</p>	<p>AEDA's Business and Investment team work directly to attract businesses to the city and support businesses that start up in the city through a range of initiatives, including the Welcome to Adelaide program that supported over sixteen firms, creating over 1050 jobs. The team also worked with over 75 businesses on inbound investment.</p> <p>The Economic Development Strategy specifically outlines the city's priorities to enable the city's economy to grow to support a growing population.</p> <p>The draft Economic Development Strategy 2023-2028 was approved for a six weeks consultation by Council April 2024.</p>

Strategic Projects	
Priority	Status
Delivering the City Plan	On Track
Destination Adelaide Promotion	Completed
Promoting the City during Adelaide 500	Completed
Welcome Adelaide	Completed

# Community

Government partnerships to deliver opportunities for affordable housing and to create accessible and safe streets.

Priority	Highlight
<p>Advocate for affordable housing and housing support for vulnerable people</p> <p><b>Status:</b> Completed</p>	<ul style="list-style-type: none"> <li>• Development and endorsement of the Housing Strategy - February 2024.</li> <li>• Development and endorsement of the Homelessness Strategy - February 2024.</li> <li>• Development and endorsement of the Disability Access &amp; Inclusion Plan – May 2024.</li> <li>• Council has entered into a contract with Renewal SA for the redevelopment of the former Bus Station Site. The development will provide 392 apartments offering 35% affordable housing with a civic space and mixed-use development.</li> <li>• Purchase of 218-232 Flinders Street (September 2023), to investigate mixed-use outcomes including housing.</li> </ul>
<p>Deliver improvements to City-wide transport and people movements.</p> <p><b>Status:</b> Completed</p>	<ul style="list-style-type: none"> <li>• Pitt Street revitalisation and upgrade works to finalise the M2R connection.</li> <li>• Commencement of the Rundle Street to North Terrace section of Frome Road (extend the current Frome bikeway all the way to the riverbank).</li> <li>• Significant new foot path installations across the city (Asphalt - 12,658 m2, Concrete / Flagstone pavers - 800 m2 &amp; Slate - 116 m2).</li> <li>• Inclusion of e-bikes in the Sustainability Incentive Scheme.</li> </ul>

## Strategic Projects

Priority	Status
Aquatic Centre Investigations	On Track
Adaptive Reuse Housing Initiative	On Track
Social Planning Homelessness and Adelaide Zero Project Resourcing	Completed
88 O'Connell Project Delivery	On Track
Transport Strategy	On Track

# Environment

Protect and enhance the Park Lands and plan to manage the challenges of climate change for the benefit of our community and all South Australians.

Priority	Highlight
<p>Leadership in delivering Climate Change actions.</p> <p><b>Status:</b> Completed</p>	<ul style="list-style-type: none"> <li>• Development and endorsement of the Integrated Climate Strategy – June 2024.</li> <li>• During 2023/24 the Sustainability Incentives Scheme was expanded to include new incentives for electric and cargo bikes. The Scheme had supported around 50 business and resident projects so far in FY23/24, and since 2015 the Scheme has invested over \$1.6m to support over 775 projects.</li> </ul> <p>Multiple Community Support Events</p> <ul style="list-style-type: none"> <li>• A series of “Bike Tune Ups” were held around the city throughout the year to provide free bike servicing to support our cycling community.</li> <li>• Provided a sustainable homes activity in the “kids zone” at WOMAD.</li> <li>• Partnered with Green Industries SA to host “Give a Sheet” textile recycling day, which collected and diverted seven 660L bins of unwanted textiles from landfill.</li> <li>• Commenced drop-in sessions at the City Library to provide advice to our community on the sustainability rebates and resources that Council has available.</li> </ul>
<p>Protect and enhance the Park Lands through increased tree plantings and managed use.</p> <p><b>Status:</b> Completed</p>	<ul style="list-style-type: none"> <li>• Development and delivery of the Adelaide Park Lands Management Strategy.</li> <li>• Planting 940 trees in the Park Lands</li> </ul>

Strategic Projects	
Priority	Status
Cultural Mapping of the Adelaide Park Lands	Completed
City Wide Waste and Recycling	Completed
Master Plan of Light Square	On Track
Park Lands Biodiversity Survey	Completed
Park Lands Greening	Completed
Climate Change Risk Adaptation Actions Year 2	On Track
Resilient Flood Planning	On Track

## Culture and Activation

Enhancing the City's cultural and creative fabric, activating main streets and neighbourhoods and conserving and celebrating our shared history.

Priority	Highlight
<p>Promote and celebrate Adelaide's heritage.</p> <p><b>Status:</b> On Track</p>	<ul style="list-style-type: none"> <li>• Continue to progress with the Tentative Submission of the World Heritage Bid through partnership with State Government.</li> <li>• Development and endorsement of the National Heritage Management Plan - March 2024</li> <li>• Major partner of this year's History Festival in May 2024, which offers approximately 520 events across South Australia</li> <li>• Reconciliation activities - Lord Mayor's NAIDOC Award, NAIDOC in the Mall, launch of Place of Reflection, launch of Aunty Shirley Peisley portrait, Uluru Statement displayed in Town Hall, Kaurna voices, National Reconciliation Week promotion and celebration, draft Stretch Reconciliation Action Plan.</li> </ul>
<p>Work with key partners to provide 'year round' events and activations that attract people to visit the City and that celebrate our diverse community.</p> <p><b>Status:</b> Completed</p>	<ul style="list-style-type: none"> <li>• Through the Events and Festival Sponsorship Program and Commercial Events Program AEDA sponsored 45 events. Additionally, 7 businesses received funding to deliver NYE events and activations and over 330 activations took place on Rundle Mall, further activating the city year-round.</li> </ul> <p>Activation Events included (not limited to):</p> <ul style="list-style-type: none"> <li>• East End Unleashed</li> <li>• Winter Weekends</li> <li>• Good Music Month, Music in the Square, Jazz in the Square, Ruck n Roll city-wide, live music festival for Gather Round</li> <li>• Meander Market on Melbourne Street</li> <li>• Hutt Street Pitt Stop Party</li> <li>• Fringe Vibes on Hutt Street</li> <li>• Garden Oasis in Hindmarsh Square</li> <li>• Christmas Festival, and</li> <li>• the Tree Lighting Community event etc</li> </ul>

Strategic Projects	
Priority	Status
City Activation	Completed
Local Heritage Assessments – 20th Century Buildings	Completed
Conservation Management Plans for Heritage Assets	On Track
Strategic Events Fund	Completed

# Infrastructure

Improve city streets and public infrastructure by investing in core services and maintenance of the public realm.

Priority	Highlight
Maintain, develop and enhance main streets, streetscapes and parks.  <b>Status:</b> Completed	<ul style="list-style-type: none"> <li>• Master Plan of light square and Victoria Park</li> <li>• Rymill Park Redevelopment</li> <li>• Main Street Revitalisation Projects (Hindley Street, Gouger Street, Melbourne Street), James Place &amp; Charles Street Upgrade projects) and more refer capital projects listing.</li> <li>• Park Lands Maintenance Program</li> </ul>
Deliver on Council's Capital Works schedule  <b>Status:</b> Completed	389 capital (Major, New & Upgrade, Renewal) projects <ul style="list-style-type: none"> <li>• 64% of Major projects are on time and budget, or completed</li> <li>• 76% of New and Upgrade projects are on time and budget, or completed</li> <li>• 99.9% of Renewal budget and program was delivered.</li> </ul> Expenditure of \$90.766 million, original adopted budget \$100.734 million.

## Strategic Projects

Priority	Status
Park 21 West – New Community Sports Building	Completed
Private Laneways Fee for Service Trial	Completed
Adelaide Central Market – Telecommunication Infra. & Comms System – Part 1	Completed
Adelaide Park Lands Strategic Water Resources Study	On hold - 24/25 delivery
Asset Condition Audit	On Track
City Speed Limit Review	On Track
Frome Road Masterplan	Re-time future year
Lighting and Electrical Data Collection	Re-time future year
Moonta Street Roof Installation Feasibility Study	Re-time future year
North Terrace West Master Plan	Re-time future year
SA Power Networks (SAPN) Luminaire Upgrades	Completed
School Safety Review	On Track
Smart Lighting Platform Technical Specification	Re-time future year
Stormwater Network Cleaning	On Track
Underground of powerlines	Completed
Central Market Arcade Redevelopment	Moved to Capital
North Adelaide Golf Course – Water Investigative Study	Re-time future year
Strategic Property Action Plan Implementation	Moved to operating

# Headline deliverables

Quarter update for our headline deliverables / projects, which have been identified due to their complexity, risk, budget and / or impact on our city and community.

## Strategic Projects



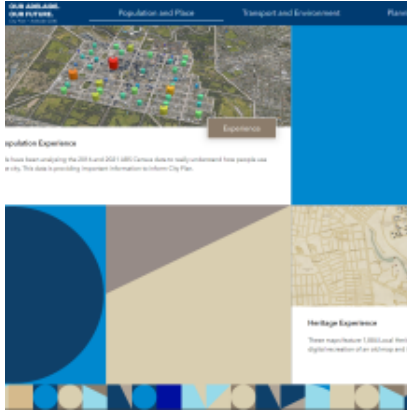
### ● Adaptive Re-use City Housing Initiative

Budget: \$0.193m

Two Steering Group Meetings occurred throughout quarter 4.

Building audit underway, including visual surveys and coordination of GIS. To date 80 properties have been identified.

ARCHI (Adaptive Reuse City Housing Initiative) Incentive Scheme grant from Capital City Committee approved.



### ● City Plan

Budget: \$0.475m

Draft City Plan endorsed by Council in June 2024 for public consultation.

Public consultation opened 18 June 2024 and closed on 16 July.

70 submissions were received which will inform the final City Plan to be presented to Council in Quarter 1 2024/25.



### ● Kaurna Voices

Budget: \$0.075m

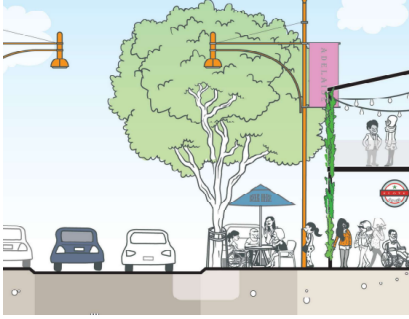
A new interactive map launched during Reconciliation week (27 May – 3 June).

This cultural mapping exercise of the Adelaide Park Lands, captures and celebrates the stories and cultural history for the Kaurna community.

<https://www.cityofadelaide.com.au/community/reconciliation/kaurna-voices/>



## Major / New and Upgrade Projects



### ● Hindley Street Revitalisation

Current Budget: \$0.780m

Stage: Detailed Design

Concept design released for public consultation from 8 April to 14 June 2024.

114 submissions received which will inform further design.



### ▲ Bikeways (North-South)

Current Budget: \$1.338m

Stage: Deliver

Work commenced in May 2024 along Frome Street to Frome Road. Building on the existing Frome Bikeway, the new section will connect Unley to Prospect.



### ● Melbourne Street improvements

Current Budget: \$0.232m

Stage: Deliver

Planter boxes & new street furniture installed.

Planning for lighting, flower baskets, entryway banners and signage in progress.



### ● Central Market Arcade Redevelopment

Current Budget: \$6.222m

Stage: Deliver

Significant on-site works have been completed including site establishment, structural demolition, site remediation and earthworks. Basement excavation and retention works are underway with Grote St side reaching lower basement levels.



### ● Market to Riverbank Laneways Upgrade

Current Budget: \$2.114m

Stage: Deliver

Final stages of works being undertaken including lighting, landscaping and footpath works. Completion expected August.



### ● Murlawirrapurka / Rymill Park upgrade

Current Budget: \$5.185m

Stage: Deliver

Construction is nearing completion with minor works to close out project occurring.

Rymill park reopened to the public in May 2024, in time for the Adelaide Equestrian Festival.

## Renewals



### ● **Town Hall Facade Conservation**

Current Budget: \$2.831m

Stage: Build / Construct

Conservation works on the King William facade are ongoing and will continue into 2024/25.

Mesh wrap, designed to look like the building's historic façade has been installed over the scaffolding.

### ● **Parking Meter Renewal**

Current Budget: \$1.550m

Stage: Deliver

Hardware rollout and installation has completed and managed in a timely and low risk manner to minimize disruption for customers. Budget savings realised with return of funds for 23/24.



### ▲ **Plant and Fleet Replacement**

Current Budget: \$2.726m

Stage: Deliver

Program being balanced by items ordered in 22/23, with similar adjustments for 24/25 for identified items not able to be delivered prior to EOFY.

Light passenger fleet now transitioned to 65% ZEV (Zero Emissions Vehicles). On target to reach 75% transition of Light Passenger Vehicles by 2025.

### ● **CCTV / Security and BMS Network Renewal and Compliance Program**

Current Budget: \$0.720m

Stage: Deliver

55% of CCTV camera replacements are installed and operational. Cable work scheduled to recommence at the start of 2024/25.



### ▲ **Lights Vision Footpath Renewal**

Current Budget: \$0.260m

Stage: Deliver

Footpath renewal works are progressing well (over 50% completed), with staging occurring to ensure the site is well maintained.

Completion was delayed due to inclement weather but is on track for finalisation by early 2024/25.

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# Budget update

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## Summary

### Preliminary End of Year Operating Position:

- The preliminary end of year operating position for 2023/24 is an operating surplus of \$8.984m, which is \$2.169m favourable to the approved Q3 budget of \$6.815m. The variance is driven by:
  - Income \$4.128m favourable to budget due to commercial parking \$0.696m, fines and interest associated with rates revenue \$0.406m, North Adelaide Golf Course \$0.535m, horticulture private works \$0.506m, bus shelter advertising \$0.409m, regulatory services \$0.393m (includes expiations, temporary parking controls, development/encroachment fees) and other smaller variances
  - Expenditure \$1.959m unfavourable to budget and includes the following key movements:
    - An increase to the provision for Works-In-Progress (WIP) Write-off provision of \$1.593m. The increase is in line with the overall increase in the WIP balance as at 30 June 2024, which has increased by \$32.350m (from \$43.815m in 2022/23 to \$76.164m in 2023/24) due to the status, timing of the completion and capitalisation of works.
    - An increase to the doubtful debt provision of \$0.882m, due to the recognition of permits and temporary parking controls issued and not yet paid \$0.529 million, Aquatic Centre \$0.062 million and other overdue balances.
    - An increase to depreciation expense of \$0.526m, including recognition of Library Books, and other plant & equipment asset depreciation, including UPark hardware replacement.
    - An increase to grants & contributions of \$0.459m largely due to the correct allocation of the nature of expenditure, as well as the re-timing of payments to event suppliers.
    - Within the expenditure variance above, employee costs for ongoing service delivery is \$0.866m favourable, offset by external temporary labour hire of (\$0.643m).
    - Favourable expenditure within computer software maintenance \$1.127m (due to payments scheduling), professional services \$0.666m, and waste services of \$0.471m has partially offset the unfavourable movements above.
- The preliminary year end Capital Expenditure as at 30 June 2024 is \$90.766m, \$8.790m lower than the Q3 budget of \$99.556m. This is largely due to the timing of Central Market Arcade Redevelopment, Rymill Park Lake, and On-Street Parking Meter Replacement.
- Council had a net cash surplus of \$1.635m as at 30 June 2024, which is \$25.198m favourable to the Q3 budgeted borrowing forecast of \$23.593m. This results from a combination of increased revenue and reduced capital expenditure.

*The preliminary results are estimates only at this stage. There are a number of items to be completed which may still impact the final number presented for the external audit.*

## **Operating Position (Financial Performance)**

\$000's	Actuals*	Q3 Budget	Variance
Rates Revenue	135,537	135,131	406
Fees and Charges	90,318	87,673	2,645
Grants, Subsidies and Contributions	8,638	8,875	(237)
Other Income	4,105	2,791	1,314
<b>Total Revenue</b>	<b>238,598</b>	<b>234,470</b>	<b>4,128</b>
Employee Costs	77,866	78,732	866
Materials, Contracts and Other Expenses	87,863	86,025	(1,838)
Sponsorships, Contributions and Donations	7,985	7,526	(459)
Depreciation, Amortisation and Impairment	55,008	54,482	(526)
Finance Costs	892	890	(2)
<b>Total Expenses</b>	<b>229,614</b>	<b>227,655</b>	<b>(1,959)</b>
<b>Operating Surplus / (Deficit)</b>	<b>8,984</b>	<b>6,815</b>	<b>2,169</b>

## **Capital Program**

Capital Program	Actuals*	Q3 Budget	Variance
Major Projects	27,338	28,551	1,213
New and Upgrades Projects	9,343	16,852	7,509
Renewal / Replacement of Assets	54,085	54,153	68
<b>Total Capital Expenditure</b>	<b>90,766</b>	<b>99,556</b>	<b>8,790</b>

*\*The actuals presented are preliminary estimates only at this stage. There are a number of items to be completed which may still impact the final number presented for the external audit.*

## Financial indicators

		Target	Adopted	Q1	Q2	Q3	Prelim <sup>^</sup>
Operating Surplus Ratio	Operating surplus as a percentage of operating revenue	0%-20%	0.9%	0.9%	0.9%	2.9%	3.8%
Net Financial Liabilities	Financial liabilities as a percentage of operating income	Less than 80%	-1%	0.7%	7.6%	2.1%	N/A*
Asset Renewal Funding Ratio	Expenditure on asset renewals as a percentage of forecast required expenditure in the asset management plans	90%-110%	90%	97%	97%	97%	94%
Asset Test Ratio	Borrowings as a percentage of total saleable property assets	Maximum 50%	10%	13%	14%	8%	0%
Interest Expense Ratio	Annual interest expense relative to General Rates Revenue (less Landscape Levy)	Maximum 10%	0.4%	0.6%	1.4%	2.5%	0.7%
Leverage Test Ratio	Total borrowings relative to General Rates Revenue (Less Landscape Levy)	Maximum 1.5 years	0.2	0.3	0.3	0.2	0.0
Cash Flow from Operations Ratio	Operating income as a percentage of Operating Expenditure plus expenditure on renewal/replacement of assets	Greater than 100%	101%	99%	99%	102%	N/A*
Borrowings	Borrowings as a percentage of the Prudential Borrowing Limit	Within Prudential Limits	30.184m	40.553m	42.106m	23.593m	0.000m
			20%	27%	28%	16%	0%

<sup>^</sup> The Financial Indicators are preliminary based on estimated actual results. The Indicators will be updated to reflect the audited financial statements within the Annual Report.

\* The Cash Flow from Operations Ratio will be updated when the audited Financial Statements are presented.

On track Within range

At risk May be within range but at risk of going outside of range

Off track Outside of range

## Treasury Reporting

The tables below present the debt and cash investment information as required by Council's Treasury Policy.

Table 1 shows the borrowing facilities taken out by Council. Council had nil borrowings as at 30 June 2024:

Borrowings Facility *	Available	Interest Type	Interest Rate	Current Borrowings	Change since previous report \$'000s	Maturity Date
LGFA CAD 555	\$70m	Variable	5.60%	Nil	\$-m	15/06/2033

\* Note CAD facilities are flexible and allows Council to convert all or part of it into a fixed rate interest only loan for a maximum of 5 years..

Table 2 shows cash invested by Council. Council had \$1.635m in cash investments at 30 June 2024:

Cash & Cash Equivalents	Available	Interest Type	Interest Rate	Current Investments	Change since previous report \$'000s	Maturity Date
LGFA General	\$0.199m	Variable	4.55%	\$0.199m	(\$5.778m)	-
NAB	\$0.780m	Variable	4.35%	\$0.280m	(\$0.670m)	-
CBA	\$1.656m	Variable	4.35%	\$1.156m	\$0.279m	-
LGFA FT 62351	\$-m	Fixed	4.95%	\$-m	(\$5.000m)	28/06/2024
LGFA FT 62352	\$-m	Fixed	4.95%	\$-m	(\$7.671m)	28/06/2024

Total borrowings without the Future Fund offset (\$36.629m) would otherwise be \$34.994m

Table 3 provides the Prudential Limit Ratios as outlined in Council's Treasury Policy:

Prudential Limit Ratio **	Comments	Limits	March 2024 YTD Actual
Interest Expense Ratio	Annual interest expense relative to General Rates Revenue (less Landscape Levy)	Maximum 10%	0.7%
Leverage Test	Total borrowings relative to annual General Rates Revenue (Less Landscape Levy)	Max 1.5 years	0 years
Asset Test	The percentage of total borrowings to Council's saleable property assets.	Max 50%	0%

\*\* Prudential borrowing limit as at 30 June 2024 is \$152.927 million (an increase from \$149 million as per adopted budget)

**Borrowings:** showing current facilities against our prudential limit and forecasted position



# Capital Works update

## Summary

- In Major projects, \$27.338m has been spent in 23/24 against a Q3 approved budget of \$28.551m (95.8%).
- In New/Upgrade projects \$9.343m has been spent in 23/24 against a Q3 approved budget of \$16.852m (55.4%).
- In Renewal projects, \$54.085m has been spent in 23/24 against a Q3 approved budget of \$54.153m (99.9%).

\$'000	Actuals*	budget	variance
Major Projects	\$27,338	\$28,551	\$1,213
New/Upgrade Projects	\$9,343	\$16,852	\$7,509
Asset Renewals	\$54,085	\$54,153	\$68
<i>Major Projects</i>	<i>\$5,529</i>	<i>\$6,282</i>	<i>\$753</i>
<i>New/Upgrade Projects</i>	<i>\$634</i>	<i>\$1,286</i>	<i>\$652</i>
<i>Corporate Overhead</i>	<i>\$5,550</i>	<i>\$5,500</i>	<i>(\$50)</i>
<i>Bridges</i>	<i>\$173</i>	<i>\$243</i>	<i>\$69</i>
<i>Buildings</i>	<i>\$10,476</i>	<i>\$9,568</i>	<i>(\$908)</i>
<i>ICT Renewals</i>	<i>\$1,896</i>	<i>\$2,090</i>	<i>\$193</i>
<i>Light'g &amp; Electrical</i>	<i>\$1,978</i>	<i>\$1,587</i>	<i>(\$391)</i>
<i>Park Lands Assets</i>	<i>\$3,187</i>	<i>\$3,253</i>	<i>\$66</i>
<i>Plant and Fleet</i>	<i>\$3,785</i>	<i>\$3,501</i>	<i>(\$284)</i>
<i>Traffic Signal</i>	<i>\$2,021</i>	<i>\$1,719</i>	<i>(\$301)</i>
<i>Transport</i>	<i>\$13,366</i>	<i>\$14,044</i>	<i>\$678</i>
<i>Urban Elements</i>	<i>\$2,879</i>	<i>\$3,392</i>	<i>\$513</i>
<i>Water Infrastructure</i>	<i>\$2,610</i>	<i>\$1,689</i>	<i>(\$921)</i>
<b>Total</b>	<b>\$90,766</b>	<b>\$99,556</b>	<b>\$8,790</b>

\*The actuals presented are preliminary estimates only at this stage. There are a number of items to be completed which may still impact the final number presented for the external audit.

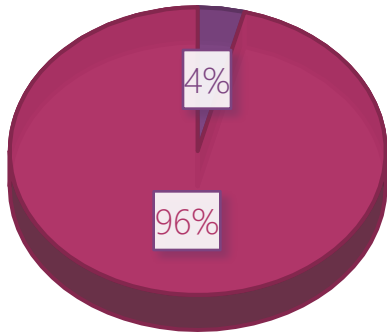
### Note

- Transport is made up of Roads, Pathways and Kerb and Water Table
- Plant and Fleet includes Commercial Plan and Fleet
- Some projects have been broken down into sub-projects, so total appears different

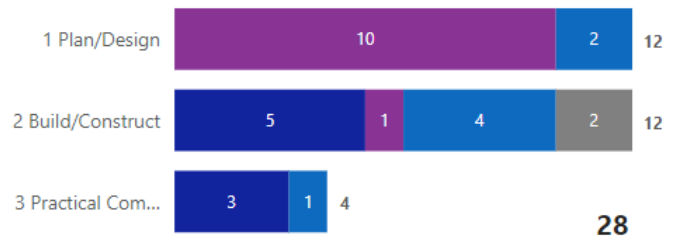
# Major Projects

Major Projects are significant works of a capital nature that are over the prudential limit, multi-year, or have significant grant funding.

## Approved Budget



■ Remaining Budget \$1.213m  
■ Spent \$27.338m



**Project Type** ● Construct ● Design ● Design and Construct ● Other  
*some projects have been broken down into sub-projects, so total appears different*

## Planning updates:

The final quarter has seen further progress in the delivery of our major projects. Progress highlights include:

- Pitt Street project (final section of the Market to Riverbank program) and Rymill Park Lake upgrade project are progressing well with completion scheduled for Q1/25.
- Charles Street streetscape upgrade completed design and is currently out to tender for 24/25 construction.
- North-South Bikeway remaining sections have started construction with an estimated completion date of October 2024.

## Budget updates:

Major projects have delivered actual spend of \$27.338m, which is \$1.213m lower than the approved Q3 budget of \$28.551m.

Several projects require retiming to future years, resulting in a budget variance of \$1.087m comprising of:

- Hutt St Entry Statement \$0.625m
- M2R: Pitt Street project \$0.475m
- 218-232 Flinders St \$0.407m
- Main Street Revitalisation: Gouger St \$0.324m
- Rymill Lake Renewal \$0.303m
- North-South Bikeway \$0.250m
- Mary Lee Park (P27B) Sports building \$0.224m
- Hindley St Revitalisation \$0.180m
- Hutt St/South Tce Stormwater \$0.109m
- Melbourne St Improvements \$0.084m
- Central Market Arcade (\$1.854m) bring back
- Charles St upgrade (\$0.040m) bring back

Grant interest of the quarter came to \$0.046m.

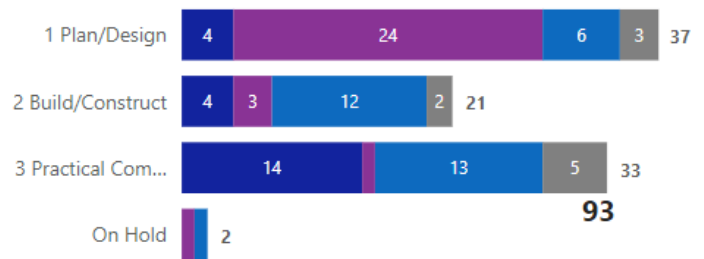
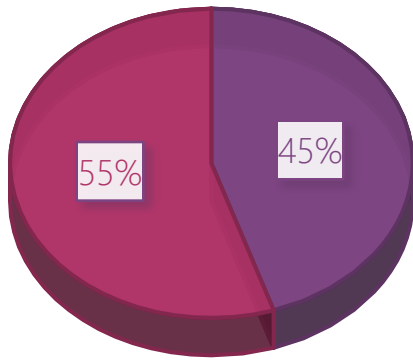
Savings of \$0.172m have been achieved.



# New and Significant Upgrades

New and Significant Upgrade projects are works of a capital nature that are either introducing new assets or significantly upgrading existing assets, usually by extending the footprint of an asset or increasing the level of service the asset provides.

## Approved Budget



**Project Type** ● Construct ● Design ● Design and Construct ● Other  
*some projects have been broken down into sub-projects, so total appears different*

■ Remaining Budget \$7.509m ■ Spent \$9.343m

## Planning updates:

The final quarter has seen progress in the delivery of our New and Upgrade program. Progress highlights are:

- 16 projects have reached practical completion this quarter, including 4 greening projects, Central Market security gate and Bio separator purchase, North Tce/Station Rd footpath upgrade and Pulteney/Angas St Traffic Signal upgrade.
- Several new projects have been created from available savings during the quarter, for example Motion sensors, Climate Micro sensors, new road greening designs and Hutt Rd/South Terrace Intersection Traffic signal upgrade.

## Budget updates:

New and Upgrade projects have delivered actual spend of \$9.343m, which is \$7.509m lower than the approved Q3 budget of \$16.852m.

Several projects require retiming to future years, resulting in a budget variance of \$6.644m comprising of:

- Integrated Climate Strategy \$4.000m
- Field St Upgrade \$0.573m
- Rymill Park Public Lighting upgrade \$0.357m
- Hutt Rd Park Lands Signalised crossing \$0.282m
- Christmas 2024 decorations \$0.188m
- Kingston Tce bus stop upgrade \$0.157m
- Hutt Rd/South Terrace Intersection Traffic signal upgrade \$0.150m
- Light Square Infrastructure upgrade \$0.142m
- Central Market Arcade Options \$0.126m
- 23 smaller projects \$0.669m

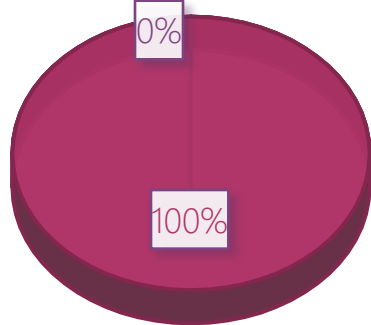
Savings of \$1.063m have been achieved.

1 new grant of \$0.198m was received and spent

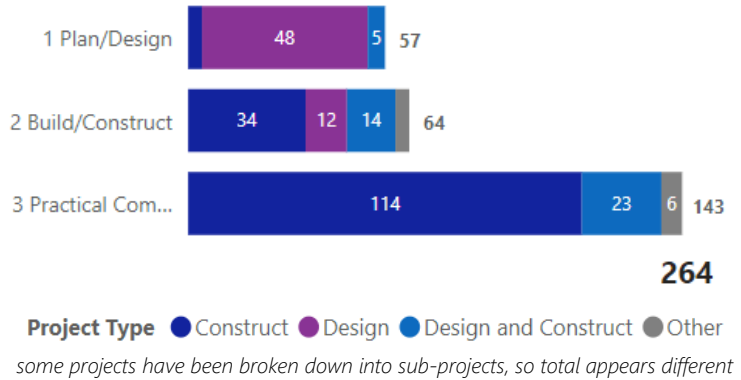
# Renewals

Renewals are works of a capital nature that are replacing an existing asset like for like or like for modern equivalent.

## Approved Budget



■ Remaining Budget \$0.068m  
■ Spent \$54.085m



## Planning updates:

Renewal have achieved 99.6% of the Q3 approved budget.

Progress highlights are:

- 39 projects have achieved practical completion this quarter, including Bud Lighting renewal, Eagle Chambers IT room renewal, Minor Works Building lift renewal, various ICT renewal and various road and footpaths renewal projects.
- A number of projects are forecasting completion in the next quarter, including Hindley Street toilet renewal, Frome Rd renewals, BMS platform renewal, CCTV Renewals, Gawler UPark Facade treatment, Central Market roof renewal (design), Wellington Square footpath and lighting renewal, Playground renewals and Parking meter renewals.

## Budget updates:

Renewal projects have delivered actual spend of \$54.085m, which is \$0.068m lower than the approved Q3 budget of \$54.153m.

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# Portfolio updates

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## City Shaping

The City Shaping Portfolio leverages and celebrates our role as a Capital City Council and delivers the services that lead, shape and enable a creative, dynamic, resilient and diverse city both now and into the future.

### **Programs:**

- City Culture
- Park Lands, Policy and Sustainability
- Regulatory Services

### **Key Focus areas:**

- City activation, initiatives, grants and sponsorship
- Park Lands greening, management and improvements
- Develop the City Plan
- Partnerships that support creative and resilient communities
- Kairua heritage and voice and cultural mapping of the Park Lands
- Heritage promotion and protection

## City Services

The City Services Portfolio delivers essential local government services for our community, making it easier to conduct business in our city, and providing a safe and attractive urban environment.

### **Programs:**

- City Operations
- Infrastructure
- Strategic Property and Commercial

### **Key Focus areas:**

- Capital Works Program, including Major Projects, New and Significant Upgrades and renewals
- Main street revitalisation and improvements
- Maintenance of public realm and city presentation

## Corporate Services

The Corporate Services Portfolio provides effective and efficient services and insights to strengthen and grow our organisational capability, and support a culture of accountability, transparency, and innovation.

### **Programs:**

- Customer and Marketing
- Finance and Procurement
- Governance
- Information Management
- People
- Strategy, Insights and Performance
- *Adelaide Central Market Authority*
- *Adelaide Economic Development Agency*
- *Kadaltilla / Adelaide Park Lands Authority*

### **Key Focus areas:**

- Strategic Management Framework and 2024-2028 Strategic Plan
- New and different ways to engage our community
- Adelaide free Wi-Fi expansion and improvements
- City of Adelaide Graduate Program

# City Shaping

YTD Operating Position	(\$'000)		
	Actual*	Budget	Variance
Income	27,993	27,424	569
Expenditure	(47,414)	(48,259)	845
Net Operating Surplus / (Deficit)	(19,421)	(20,835)	1,414

Operating Budget	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
Office of the Director, City Shaping	-	-	-	(649)	(634)	(15)
City Culture	12,211	12,143	68	(27,504)	(27,938)	434
Park Lands, Policy and Sustainability	96	63	33	(7,126)	(7,490)	364
Regulatory Services	15,361	14,968	393	(9,795)	(9,811)	16
Strategic Projects	325	250	75	(2,340)	(2,386)	46
<b>Total</b>	<b>27,993</b>	<b>27,424</b>	<b>569</b>	<b>(47,414)</b>	<b>(48,259)</b>	<b>845</b>

*\*The actuals presented are preliminary estimates only at this stage. There are a number of items to be completed which may still impact the final number presented for the external audit.*

# City Shaping

## Portfolio achievements from Quarter 4

- Council endorsed a range of policy, strategy and planning documents: Disability Access and Inclusion Plan 2024-2028, Integrated Climate Strategy 2030, Encroachment Policy, Electric Vehicle Charging Infrastructure Operating Guidelines, Kerbside Waste Management Services Operating Guidelines, Victoria Park / Pakapakapanthi (Park 16) Master Plan.
- Council endorsed the public consultation of City Plan, City of Adelaide By-Laws and Kadaltilla's review of the Adelaide Park Lands Management Strategy 2015-2025.
- City activations such as Meander Market on Melbourne Street, On the Cusp Cabaret, Jazz in the Square and Winter Weekends were delivered.
- Kurna Voices, an interactive map exploring the Kurna People's sacred connections with the land we know as Adelaide, was launched during National Reconciliation Week in May 2024.
- History Festival was held from 1-31 May 2024, with 34 events hosted by City of Adelaide.

# City Shaping | Budget

## City Culture

Operating Budget (excludes Strategic Projects)	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
Office of the A/D City Culture	-	-	-	(420)	(369)	(50)
Adelaide Town Hall	2,580	2,368	212	(2,869)	(2,605)	(264)
Aquatic Centre	6,766	6,993	(227)	(8,092)	(8,424)	332
City Experience	721	656	65	(4,140)	(4,116)	(24)
City Lifestyle	1,489	1,470	19	(4,691)	(4,791)	100
Creative City	121	130	(9)	(2,395)	(2,725)	329
Libraries	534	526	8	(4,897)	(4,908)	11
<b>Total</b>	<b>12,211</b>	<b>12,143</b>	<b>68</b>	<b>(27,504)</b>	<b>(27,938)</b>	<b>434</b>

## Park Lands, Policy and Sustainability

Operating Budget (excludes Strategic Projects)	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
A/D, Park Lands Planning & Policy	-	-	-	(442)	(351)	(91)
City Planning and Heritage	45	43	2	(1,058)	(1,157)	99
Low Carbon & Circular Economy	11	-	11	(1,723)	(1,849)	126
Park Lands, Policy & Sustainability	40	20	20	(3,903)	(4,133)	230
Kadaltilla / Park Lands Authority	-	-	-	-	-	-
<b>Total</b>	<b>96</b>	<b>63</b>	<b>33</b>	<b>(7,126)</b>	<b>(7,490)</b>	<b>364</b>

## Regulatory Services

Operating Budget (excludes Strategic Projects)	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
A/D, Regulatory Services	-	-	-	(894)	(836)	(58)
City Development	4,058	3,270	788	(3,177)	(2,637)	(540)
City Safety	423	442	(19)	(1,473)	(1,647)	174
On-Street Parking Compliance	10,880	11,256	(376)	(4,251)	(4,691)	440
<b>Total</b>	<b>15,361</b>	<b>14,968</b>	<b>393</b>	<b>(9,795)</b>	<b>(9,811)</b>	<b>16</b>

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# City Shaping | Strategic Projects

	Plan		Expenditure (\$'000)			
	delivered by		Actual^	Budget	Variance	
<b>City Culture</b>						
Aquatic Centre Investigations	●●●		●●● (54)	(75)	21	🔴
City Activation	●●●	Jun-24	●●● (396)	(400)	4	🔴
Cultural Mapping of the Adelaide Park Lands	●●●	Jun-24	●●● (65)	(75)	10	🔴
Park 21 West - New Community Sports Building (Z0170)	●●●	Apr-24	●●● (30)	(32)	2	🔴
<b>Park Lands, Policy and Sustainability</b>						
Adaptive Re-use Housing Initiative	●●●	Dec-25	●●● (185)	(193)	8	🔴
City Wide Waste and Recycling	●●●		●●● (438)	(503)	65	🔴
Delivering the City Plan	●●●	Sep-24	●●● (502)	(475)	(27)	🟡
Delivering the Planning and Design Code Amendment Program 2023-2026 (Year 2 of 3)	●●●		●●● 0	0	0	🟢
Historic Area Statement - Code Amendment	●●●		●●● (38)	0	(38)	🟡
Local Heritage Assessments - 20th Century Buildings	●●●	Jun-24	●●● (64)	(70)	6	🔴
Master Plan of Light Square	●▲●	Jun-24	●▲● (92)	(90)	(2)	🟡
Park Lands Biodiversity Survey	●●●	Jun-24	●●● (150)	(150)	0	🟢
Park Lands Greening	●●●		●●● (17)	(15)	(2)	🟡
Social Planning Homelessness and Adelaide Zero Project Resourcing	●●●		●●● (208)	(208)	0	🟢
<b>Regulatory Services</b>						
On-Street Parking Compliance Technology & Customer Analytics Reform	●●●	Jun-24	●●● (101)	(100)	(1)	🟡
<b>Total</b>			(2340)	(2386)	46	🔴

\* fully funded by State Government Grant

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# City Services

YTD Operating Position	(\$'000)		
	Actual*	Budget	variance
Income	65,516	62,758	2,758
Expenditure	(126,093)	(124,544)	(1,549)
Net Operating Surplus / (Deficit)	(60,577)	(61,786)	1,209

Operating Budget	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
Office of the Director, City Services	-	-	-	(699)	(677)	(22)
City Operations	4,364	3,250	1,114	(44,874)	(42,858)	(2,016)
Infrastructure	991	762	229	(43,906)	(43,839)	(67)
Strategic Property and Commercial	57,537	55,600	1,937	(31,495)	(31,663)	168
Strategic Projects	2,624	3,146	(522)	(5,119)	(5,507)	388
<b>Total</b>	<b>65,516</b>	<b>62,758</b>	<b>2,758</b>	<b>(126,093)</b>	<b>(124,544)</b>	<b>(1,549)</b>

*\*The actuals presented are preliminary estimates only at this stage. There are a number of items to be completed which may still impact the final number presented for the external audit.*



# City Services

## Portfolio achievements from Quarter 4

- Council endorsed all six Asset Management Plans – Buildings, Transportation, Lighting & Electrical, Urban Elements, Stormwater and Park Lands & Open Space.
- Finalisation of the Community Land Management Plan (CLMP) for the Hilton Hotel Land, leading to a lease extension.
- Delivery of four public realm audits of key streets with Council Members in attendance.
- Off Street Parking (UPark) and North Adelaide Golf Course business operations continue to perform well with increased patronage and revenue.
- Extensive turf remediation within the Adelaide Park Lands following a busy event season.
- Work has started pruning the 25,000 roses located in the Adelaide Park Lands, Streets and Squares.
- Significant delivery within the Capital Renewal Program with 94% of the Asset Funding Sustainability Ratio achieved at the end of June.
- The first crane has been installed at the Market Square site with significant basement excavation and retention works undertaken. ICD has announced major tenants across hotel, childcare and office.
- Construction at 88 O'Connell is well progressed with the residential towers to top out at the start of 24/25. Over 70% of apartments have sold with major tenants, including Mercato, announced.

# City Services | Budget

## City Operations

Operating Budget (excludes Strategic Projects)	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
A/D City Operations	30	6	24	(3,067)	(3,025)	(42)
Manager, City Maintenance	-	-	-	(392)	(384)	(8)
Manager, City Presentation	-	-	-	(190)	(199)	9
Cleansing	28	6	22	(7,347)	(7,019)	(328)
Facilities	6	-	6	(3,305)	(2,942)	(363)
Horticulture	3,468	2,818	650	(15,475)	(14,329)	(1,146)
Infrastructure Maintenance	238	100	138	(6,237)	(5,801)	(436)
Trades	531	292	239	(5,508)	(5,394)	(114)
Waste	61	28	33	(2,851)	(3,342)	491
Workshops	2	-	2	(502)	(423)	(79)
<b>Total</b>	<b>4,364</b>	<b>3,250</b>	<b>1,114</b>	<b>(44,874)</b>	<b>(42,858)</b>	<b>(2,016)</b>

## Infrastructure

Operating Budget (excludes Strategic Projects)	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
A/D Infrastructure	85	-	85	(1,009)	(639)	(370)
Infrastructure Planning and Delivery	906	762	144	(42,747)	(42,690)	(57)
Technical Services	-	-	-	(150)	(510)	360
<b>Total</b>	<b>991</b>	<b>762</b>	<b>229</b>	<b>(43,906)</b>	<b>(43,839)</b>	<b>(67)</b>

## Strategic Property and Commercial

Operating Budget (excludes Strategic Projects)	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
A/D Strategic Property & Commercial	-	-	-	(422)	(454)	32
Commercial	378	222	156	(626)	(768)	142
Parking	44,820	44,124	696	(14,235)	(13,936)	(299)
North Adelaide Golf Course	4,803	4,268	535	(4,942)	(4,460)	(482)
Strategic Property Development	584	584	-	(626)	(766)	140
Strategic Property Management	6,952	6,402	550	(10,644)	(11,279)	635
<b>Total</b>	<b>57,537</b>	<b>55,600</b>	<b>1,937</b>	<b>(31,495)</b>	<b>(31,663)</b>	<b>168</b>

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# City Services | Strategic Projects

	Plan		Expenditure (\$'000)				
	delivered by		Actual <sup>^</sup>	Budget	Variance		
<b>City Operations</b>							
Private Laneways Fee-for-Service Trial	●●●	Jun-24	●●●	(28)	(50)	22	🕒
<b>Infrastructure</b>							
Adelaide Central Market - Telecommunication Infrastructure and Communication System - Part 1	●▲●	Jun-24	●▲●	(119)	(124)	5	🕒
Adelaide Park Lands Strategic Water Resources Study	●●●	Dec-24	●●●	0	0	0	🕒
Asset Condition Audit	●●●	Jun-24	●●●	(220)	(223)	3	🕒
City Speed Limit Review	●▲●	Aug-24	●▲●	(104)	(113)	9	🕒
Climate Change Risk Adaptation Actions Year 2	●●●		●●●	(123)	(120)	(3)	🕒
Conservation Management Plans for Heritage Assets	●●●	Jun-24	●●●	(131)	(170)	39	🕒
Frome Road Masterplan			On Hold	0	0	0	🕒
Lighting and Electrical Data Collection	●●●		●●●	(283)	(285)	2	🕒
Moonta Street Roof Installation Feasibility Study		Jun-24	On Hold	0	0	0	🕒
North Terrace West Masterplan			On Hold	0	0	0	🕒
Resilient Flood Planning	●▲●	May-25	●▲●	(2854)	(2955)	101	🕒
SA Power Networks (SAPN) Luminaire Upgrades	●●●	May-24	●●●	(14)	(15)	1	🕒
School Safety Review	●●●		●●●	(49)	(80)	31	🕒
Smart Lighting Platform Technical Specification			On Hold	0	0	0	🕒
Stormwater Network Cleaning	●▲●	Oct-24	●▲●	(858)	(927)	69	🕒
Transport Strategy	●▲●		●▲●	(63)	(139)	76	🕒
Underground of powerlines	●●●		●●●	(66)	(66)	0	🕒
<b>Strategic Property and Commercial</b>							
88 O'Connell Project Delivery	●●●		●●●	(32)	(30)	(2)	🕒
Central Market Arcade Redevelopment		Jan-26	Cancelled	0	0	0	🕒
Future Fund Governance Framework Establishment			Cancelled	0	0	0	🕒
North Adelaide Golf Course - Water Investigative Study	●●●	Aug-24	●●●	(27)	(61)	34	🕒
Strategic Property Action Plan Implementation	●●●		●●●	(148)	(150)	2	🕒
<b>Total</b>				(5119)	(5508)	389	🕒

<sup>^</sup>The actuals presented are preliminary estimates only at this stage. There are a number of items to be completed which may still impact the final number presented for the external audit.

# Corporate Services

YTD Operating Position	(\$'000)		
	Actual*	Budget	variance
Income	145,039	144,288	751
Expenditure	(53,268)	(51,914)	(1,354)
Net Operating Surplus / (Deficit)	91,771	92,374	(603)

Operating Budget	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
Office of the Chief Operating Officer	-	-	-	(827)	(831)	4
Customer and Marketing	1	1	-	(6,249)	(6,450)	201
Finance and Procurement	115	104	11	(3,796)	(4,168)	372
Governance	41	40	1	(4,525)	(4,335)	(190)
Information Management	1404	1,430	(26)	(12,448)	(13,583)	1,135
People	170	82	88	(4,013)	(4,133)	120
Strategy, Insights & Performance	-	-	-	(1,228)	(1,508)	280
Corporate Activities <sup>^</sup>	132,601	132,062	539	(473)	3,730	(4,203)
Strategic Projects	400	400	-	(1,654)	(1,770)	116
<b>Total</b>	<b>134,732</b>	<b>134,119</b>	<b>613</b>	<b>(35,213)</b>	<b>(33,048)</b>	<b>(2,165)</b>

## Subsidiaries

Adelaide Central Market Authority	5,476	5,422	54	(5,395)	(5,410)	15
Adelaide Economic Development Agency	4,587	4,494	93	(12,416)	(13,203)	787
Kadaltilla / Adelaide Park Lands Authority	244	253	(9)	(244)	(253)	9
<b>Total Subsidiaries</b>	<b>10,307</b>	<b>10,169</b>	<b>138</b>	<b>(18,055)</b>	<b>(18,866)</b>	<b>811</b>
<b>Total Corporate Services (including Subsidiaries)</b>	<b>145,039</b>	<b>144,288</b>	<b>751</b>	<b>(53,268)</b>	<b>(51,914)</b>	<b>(1,354)</b>

<sup>^</sup> Corporate Activities includes Rates Revenue, Corporate grants (e.g. Financial Assistance Grants), vacancy management target, and capital overhead.

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# Corporate Services

## Portfolio achievements from Quarter 4

- The 2024/25 Business Plan and Budget was adopted by Council on 26 June 2024.
- Implementation of the new Community Engagement Platform, Our Adelaide, went live on 1 July 2024, replacing Your Say. Historical data from Your Say has been successfully transitioned into Our Adelaide.
- The CEO Selection Panel completed its recommendation process and recommended to Council its preferred candidate. Michael Sedgman was appointed as CEO in the first few weeks of July 2024.

### Customer and Marketing

- The City of Adelaide brand architecture project was completed and approved by Executive on 20 May 2024.
- Initiation of partnership with Catherine House and the introduction of extended phone reception hours in the Customer Centre.

### Finance and Procurement

- 25 active procurements progressed, valued at \$13.842m .
- Banking Transition Project completed.

### Governance

- Supported 8 CEO Briefings, 20 Committee meetings (Audit and Risk, City Community Services and Culture, City Finance and Governance, City Planning, Development and Business Affairs, Infrastructure and Public Works, Reconciliation), 7 Council meetings, 4 Kadaltilla / Adelaide Park Lands Authority meetings and 10 panel (Council Assessment, CEO Selection, CEO Performance Review)

### Information Management

- Practical completion of the City Safe CCTV camera replacement project.
- Significant progress on our new Workforce Management solution.

### People

- Preparation for the launch of the 2025 Graduate program.
- Transition to single payroll processing.

### Strategy, Insights and Performance

- Active promotion of over 20 Community Engagements.
- Governed the successful delivery of the 2023/24 Capital and Strategic Project Program.

# Corporate Services

## Portfolio achievements from Quarter 4

### Adelaide Central Market Authority

- The Adelaide Central Market 2024-2027 Sustainability Strategy was completed and approved by the ACMA Board in Quarter 4.
- Annual Community Engagement Plan approved.
- Shopify POS implemented.
- Development leasing campaign launched, including an EOI Platform and Marketing brochure.

### Adelaide Economic Development Agency

- Through the Welcome to Adelaide program, AEDA welcomed eight new and expanding companies to the city. They will add approx. 757 employees to the city's workforce.
- In May delivered Urban Kitchen, through Tasting Australia, that activated Rundle Mall with over 35 demonstrations and masterclasses.
- Delivered the "See for Yourself" awareness campaign that generated nearly 10,000 leads for tourism businesses in the city.
- Supported four events with a combined investment of \$170,000 through the Event and Festival Sponsorship Program which collectively had an anticipated attendance of 140,000 with an estimated gross economic impact of \$14.5 million.

### Kadaltilla / Adelaide Park Lands Authority

- Appointment of Kadaltilla / Adelaide Park Lands Authority Board Member with skills in indigenous culture or reconciliation.
- Draft Adelaide Park Lands Management Strategy (APLMS) – Towards 2036 approved by the Board, Council and the State Government for public consultation.

# Corporate Services | Budget

## Customer and Marketing

Operating Budget (excludes Strategic Projects)	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
Manager, Customer & Marketing	-	-	-	(213)	(204)	(9)
Customer Experience	1	1	-	(3,908)	(3,978)	70
Marketing & Communications	-	-	-	(2,128)	(2,267)	139
<b>Total</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>(6,249)</b>	<b>(6,450)</b>	<b>201</b>

## Finance and Procurement

Operating Budget (excludes Strategic Projects)	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
Manager, Finance & Procurement	-	-	-	(221)	(241)	20
Financial Planning & Reporting	-	-	-	(1,485)	(1,779)	294
Procurement & Contract Management	-	-	-	(866)	(970)	104
Rates & Receivables	115	104	11	(1,224)	(1,178)	(46)
<b>Total</b>	<b>115</b>	<b>104</b>	<b>11</b>	<b>(3,796)</b>	<b>(4,168)</b>	<b>372</b>

## Governance

Operating Budget (excludes Strategic Projects)	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
Manager, Governance & Risk	-	-	-	(214)	(207)	(7)
Corporate Governance	-	-	-	(2,184)	(2,109)	(75)
Council Governance	-	-	-	(1,082)	(1,044)	(38)
Legal Governance	41	40	1	(1,045)	(975)	(70)
<b>Total</b>	<b>41</b>	<b>40</b>	<b>1</b>	<b>(4,525)</b>	<b>(4,335)</b>	<b>(190)</b>

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# Corporate Services | Budget

## Information Management

Operating Budget (excludes Strategic Projects)	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
Manager, Information Management	4	7	(3)	(1,687)	(1,377)	(310)
Project Delivery	1,400	1,400	-	(2,833)	(2,554)	(279)
Service Desk	-	-	-	(757)	(1,172)	415
Technology, Infrastructure & Platforms	-	23	(23)	(7,171)	(8,480)	1,309
<b>Total</b>	<b>1,404</b>	<b>1,430</b>	<b>(26)</b>	<b>(12,448)</b>	<b>(13,583)</b>	<b>1,135</b>

## People

Operating Budget (excludes Strategic Projects)	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
Manager People	-	-	-	(448)	(445)	(3)
People Experience	88	-	88	(1,430)	(1,573)	143
People Safety and Wellbeing	-	-	-	(653)	(746)	93
People Services	82	82	-	(1,482)	(1,369)	(113)
<b>Total</b>	<b>170</b>	<b>82</b>	<b>88</b>	<b>(4,013)</b>	<b>(4,133)</b>	<b>120</b>

## Strategy, Insights and Performance

Operating Budget (excludes Strategic Projects)	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
Manager, Strategy, Insights & Performance	-	-	-	(185)	(187)	2
Project Management Office	-	-	-	(38)	(155)	117
Strategy and Insights	-	-	-	(1,005)	(1,166)	161
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(1,228)</b>	<b>(1,508)</b>	<b>280</b>

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# Corporate Services | Budget

## Adelaide Central Market Authority

Operating Budget (excludes Strategic Projects)	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
ACMA Operations	5,402	5,328	74	(5,198)	(5,174)	(24)
Online Market Platform	74	94	(20)	(197)	(236)	39
<b>Total</b>	<b>5,476</b>	<b>5,422</b>	<b>54</b>	<b>(5,395)</b>	<b>(5,410)</b>	<b>15</b>

## Adelaide Economic Development Agency

Operating Budget (excludes Strategic Projects)	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
Manager Director AEDA	-	-	-	(619)	(748)	129
Business and Investment	67	50	17	(2,377)	(2,688)	311
Marketing	34	35	(1)	(1,787)	(1,882)	95
Rundle Mall Management	4,462	4,390	72	(4,464)	(4,608)	144
Visitor Economy	24	19	5	(3,169)	(3,277)	108
<b>Total</b>	<b>4,587</b>	<b>4,494</b>	<b>93</b>	<b>(12,416)</b>	<b>(13,203)</b>	<b>787</b>

## Kadaltilla / Park Lands Authority

Operating Budget (excludes Strategic Projects)	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
Kadaltilla / Adelaide Park Lands Authority	244	253	(9)	(244)	(253)	9

*\*The actuals presented are preliminary estimates only at this stage. There are a number of items to be completed which may still impact the final number presented for the external audit.*

# Corporate Services | Strategic Projects

	Plan		Expenditure (\$'000)				
	delivered by		Actual*	Budget	Variance		
<b>Finance and Procurement</b>							
External Property Valuations	●●●	May-24	●●● (240)	(240)	0	↔	
Transactional Banking	●●●	Jun-24	●●● (190)	(225)	35	⬇	
<b>Information Management</b>							
Archives Digitisation	●●●	Jun-24	●●● (20)	(80)	60	⬇	
Cyber Security Enhancement	●●●	Jun-24	●●● (45)	(60)	15	⬇	
Deliver next generation Adelaide Free Wi-Fi network as part of the Adelaide City Deal	●●●	Sep-23	●●● (98)	(98)	0	↔	
<b>Strategy, Insights and Performance</b>							
Grant Management Software to facilitate identification of funding opportunities	●●●	Jun-24	●●● (8)	(12)	4	⬇	
<b>Adelaide Economic Development Agency</b>							
Destination Adelaide Promotion	●●●		●●● (300)	(300)	0	↔	
Promoting the City during Adelaide 500	●●●		●●● (76)	(75)	(1)	⬆	
Strategic Events Fund	●●●	Jun-24	●●● (600)	(600)	0	↔	
Welcome Adelaide	●●●		●●● (77)	(80)	3	⬇	
<b>Total</b>				(1654)	(1770)	116	⬇

*\*The actuals presented are preliminary estimates only at this stage. There are a number of items to be completed which may still impact the final number presented for the external audit.*

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# Regional Subsidiary and Offices

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Further to these subsidiaries, the City of Adelaide is also a member of:

## **Brown Hill and Keswick Creek Stormwater Board**

The Regional Subsidiary, known as the Brown Hill and Keswick Creeks Stormwater Board, was established in February 2018. The Board coordinates the delivery of the Brown Hill Keswick Creek Stormwater Project, which is a collaborative undertaking between the Cities of Adelaide, Burnside, Mitcham, Unley and West Torrens. The Board is governed by a Charter prepared by these five constituent Councils and subsequently approved by the Minister for Local Government.

*Reporting for this Board is done separately and is not embedded in the City of Adelaide quarterly reporting, however where available, the Board's own reports and plans will be provided as attachments as well as being available on the Board's website.*

## **Office of the Chief Executive Officer (CEO)**

Supports the CEO to lead a sustainable, successful organisation, to make well informed decisions to deliver on Council's priorities, and to foster productive partnerships both with industry, and local government and other government bodies through the delivery of effective intergovernmental relations.

### **Key Focus areas:**

- Capital City oversight
- Communication and Public Relations
- Executive Support and Administration
- Grants and Advocacy
- Partnerships and Intergovernmental Relations

## **Office of the Lord Mayor**

Supports the Lord Mayor and Council Members to foster productive relationships with peak bodies, other government bodies and the community, to deliver our strategic priorities, plan, and fulfill our Capital City leadership responsibilities.

### **Key Focus areas:**

- Civic Protocols and Events
- Communication and Public Relations
- Lord Mayor and Council Administration
- Partnerships and Intergovernmental Relations

# Office of the CEO and Office of the Lord Mayor

YTD Operating Position	(\$'000)		
	Actual*	Budget	variance
Income	50	-	50
Expenditure	(2,839)	(2,938)	99
Net Operating Surplus / (Deficit)	(2,789)	(2,938)	149

Operating Budget	Income (\$'000)			Expenditure (\$'000)		
	Actual*	Budget	Variance	Actual*	Budget	Variance
Office of the CEO	50	-	50	(1,410)	(1,401)	(9)
Civic Events, Partnerships, & Other Events	-	-	-	(359)	(415)	56
Councillor Support	-	-	-	-	-	-
Lord Mayor's Office Administration	-	-	-	(1,070)	(1,122)	52
Strategic Projects	-	-	-	-	-	-
<b>Total</b>	<b>50</b>	<b>-</b>	<b>50</b>	<b>(2,839)</b>	<b>(2,938)</b>	<b>99</b>

## Portfolio achievements from Quarter 4

- After a thorough recruitment process our new CEO, Michael Sedgman, was appointed.
- The Lord Mayor hosted two Roundtables, Hindley Street Property Owners on 24 April 2024 and, in conjunction with AEDA, representatives of the Night Time Entertainment Economy on 8 May 2024.
- Quarterly Citizenship Ceremony was held on 17 May 2024.
- A total of twelve Civic events were delivered during the quarter.

*\*The actuals presented are preliminary estimates only at this stage. There are a number of items to be completed which may still impact the final number presented for the external audit.*

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# Glossary

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## Budget:

*Financial Indicators:* Measures used to assess Council's financial performance, to guide decision making on major projects, and ensure its continued financial sustainability.

*Reallocation:* Reallocation of funds from one source to another.

*Reclassification:* A change of a project categorisation to reflect the scope, size or funding source of a projects (e.g. Renewal to Major Project).

*Retimed:* Deliberate change of timing of a project into a future year based on an agreed decision.

*Subsidiaries:* Established by Council under Section 42 of the *Local Government Act 1999 (SA)* that operate under independent boards or organisations that City of Adelaide either operates or supports.

## Capital Works:

*Major project:*

Significant works of a capital nature that are over the prudential limit, multi-year or have significant grant funding.

*New and upgrade:*

Works of a capital nature that are either introducing new assets or significantly upgrading existing assets. Usually by extending the footprint of an asset or increasing the level of service the asset provides.

*Renewal:*

Works of a capital nature that are replacing an existing asset like for like or like for modern equivalent.

## Project Management Phases:

*Commit/Concept:* A project plan is being finalised with scope, and greater understanding of budget timing and stakeholder management.

*Design:* Projects for which only the design phase will be undertaken in the current year, with construction occurring in another financial year.

*Design / Detail Planning:* The planning and design phase of a project, which includes activities such as project planning and technical design.

*Build/Construct (also Deliver):* The build and construction phase of a project, which includes activities such as tendering, and construction/creating an asset.

*Practical Completion:* The practical completion phase of a project, where works are completed to a point where an area/asset is open and created in our asset system. Depreciation commences at this point.

*On Hold:* Project status indicating a decision of Executive or Council is required and cannot proceed until a decision is reached.

## Types of projects:

*Capital project:* A long term project to establish, develop, improve or renew a capital asset.

*Strategic project:* Delivers the Strategic Plan and are generally 'once off' that have been prioritised to be delivered in a specific timeframe. Strategic Project budgets are operational in nature (not capital) and are aligned to a relevant service.

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# Appendix: Risk and opportunities

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## **Summary of key risks and opportunities being managed:**

- City Services has advised that tree inspections continue and will focus on high risks areas such as playspaces, paths and events and sporting spaces and that the outcomes of the Public Realm Audits will assist in progressing key public realms works and defining Service Standards.
- ACMA has identified that high inflation and cost of living pressures are impacting food retailing as well as cafes, restaurants and takeaway food services in Australia. Visitation has been plateauing at the Adelaide Central Market since September 2023.
- AEDA delivered a tactical campaign through social media that generated nearly 10,000 leads for tourism businesses in the city - promoting experiences, attractions, retail, hotels and hospitality.
- No significant risks were identified from Corporate Services, Office of the CEO and LM, and Kadaltilla / Adelaide Park Lands Authority.
- Given the recent adoption of revised Asset Management Plans (AMPs) for some asset classes and the requirement for additional funding, primarily through operating revenue, the current assumption of CPI increases generates insufficient operating revenue to fund the AMPs. The LTFP model assumes where there is a shortfall in funding from operating revenue, borrowings will be used to meet funding shortfalls.

## Opportunities

- City of Adelaide is participating in the State Government's Para-Planner Cadet Program, assisting to combat the skills shortage across the industry.
- Council endorsed the Draft Economic Development Strategy for public consultation this quarter, presenting an opportunity to provide clear guidance to businesses in the City for Economic Growth and to AEDA in development of the AEDA Strategic Plan.
- The draft Workforce Strategy and Workforce Planning framework was developed, which will provide an opportunity for integrated People systems and efficiencies in workforce planning.
- Administration continues to review Grant Management and seek partnership opportunities to co-fund Council led projects.

# Appendix: Detailed Capital Works

## Major Projects

Title	Plan		2023/24 Budget (\$'000)				
	delivered by		actual <sup>^</sup>	budget	variance		
<b>Initiate / Commit / Concept</b>							
Experience Adelaide Visitor Centre	●●●	Deferred to 24/25	●●●	0	0	0	↻
Gouger Street Revitalisation (Concept Design)	●●●	Jan-27	●●●	176	500	324	⏸
Park 27B Hellas Sports club building and lighting upgrade (grant)	●●●		●●●	622	815	193	⏸
<b>Design / Detailed Planning</b>							
Carriageway Park / Tuthangga (Park 17) Improvements (Detailed Design)	●●●		●▲●	44	45	1	⏸
Flinders Street Improvements (Detailed Design)*	●●●		●●●	4	3	0	↻
Hindley Street Revitalisation (Detailed Design)*	●●●	Mar-27	●●●	600	780	180	⏸
Hutt Street and South Terrace Stormwater Improvements (Detailed Design)*	●▲●	Feb-25	●●●	15	36	21	⏸
Hutt Street Entry Statement (Construction)	●●●	Sep-24	●●●	1,587	2,212	625	⏸
Jeffcott Street Pavement Rehabilitation and Catchment 13 Stormwater Improvements (Concept Design)*	●●●		●●●	4	4	0	↻
Victoria Park / Pakapakanthi (Park 16) Master Plan implementation	●●●		●▲●	25	50	25	⏸
Wakefield Street Improvements (Detailed Design)*	●●●	Feb-26	●●●	1	1	0	↻
<b>Deliver</b>							
218-232 Flinders Street	●●●	Dec-24	●▲●	8,297	8,700	403	⏸
Central Market Arcade Redevelopment	●●●	Feb-26	●●●	8,076	6,222	(1854)	⏸
Charles Street Streetscape Upgrade Major Project*	●●●	Apr-25	●▲●	419	375	(44)	⏸
City of Adelaide Bikeways (North-South) Major Project	●●◆	Oct-24	●▲●	1,088	1,338	250	⏸
City Safe CCTV Network Upgrade*	●▲●	Jun-24	●●●	2,787	3,113	326	⏸
Market to Riverbank Laneways Upgrade	●●●	Jun-24	●●●	1,620	2,114	494	⏸
Melbourne Street Improvements (Construction)	●●●	Apr-25	●●●	148	232	84	⏸
Rymill Park /Murlawirrapurka (Park 14) Lake Upgrade (Construction)*	●●●	Nov-24	●●●	4,453	5,185	732	⏸
<b>Completed</b>							
Moonta Street**	●●●	Aug-23	●●●		0	0	↻
Paxton's Walk Revitalisation**	●●●	Dec-23	●●●		0	0	↻
<b>Cancelled</b>							
Sturt Street (West) Greening	●●◆		●●●		0	0	↻

<sup>\*</sup> The budget for these projects includes renewal funding <sup>^</sup> The data presented are preliminary estimates only at this stage 3

\*\*Project completed in 2023/24; budget expended in 2022/23

# New and Significant Upgrades

Title	Plan		2023/24 Budget (\$'000)				
	delivered by		Actual^	budget	variance		
<b>Initiate / Commit / Concept</b>							
Adelaide Central Market -Dry Storage				9	50	41	
City Activation (Festoon Lighting)		Feb-25		56	105	49	
Glen Osmond Road & Hutt Road Intersection Upgrade (Concept Design) *				27	27	0	
Gunson Street Improvements (Detailed Design)*				58	56	(2)	
Hindmarsh Square - Minor Flood Lighting Augmentation				2	8	6	
Hutt Rd and South Tce Intersection Traffic Signal Upgrade							
Illuminate Adelaide Public Artwork		Deferred to 24/25			0	0	
Implementation of Resource Recovery (Organics, Recycling, Waste) Strategy & Action Plan 2020-2028				103	150	47	
Integrated Climate Strategy – City Public Realm Greening Program					4,000	4,000	
James Place Upgrade*		Feb-25		50	38	(12)	
Main Street Revitalisation - Melbourne Street including public artwork (24/25 Project Planning) Major Project		Jun-26			50	50	
O'Connell Street Revitalisation (Detailed Design)				26	50	24	
Public Art				69	135	66	
Royal Avenue Improvements (Detailed Design)*				45	50	6	
Rundle Mall Sound System		Dec-24		49	256	207	
Southwest Community Centre		Deferred to 24/25			0	0	
Town Clerks Walk and Red Gum Park / Karrawirra (Park 12) Improvements (Detailed Design)*				9	7	(2)	
Whitmore Square Stage 2 Masterplan Implementation Upgrades (Concept Design)*				24	24	0	
<b>Design / Detailed Planning</b>							
Adelaide Central Market Authority (ACMA) - New Parents Room				10	10	0	
Adelaide Town Hall - David Spence Room and Prince Alfred Room - TV and False Wall*		Sep-24		18	102	84	
Bonython Park / Tulya Wardli Shared Path Lighting, Retaining wall and Footpath Upgrade (Construction)*		Jun-24		11	11	0	
Botanic Catchment Water Course Rehabilitation (Detailed Design)*				169	195	26	
City Dirt Master Plan Implementation (24/25 Detailed Design and Construction) *				3	10	7	
Kingston Terrace Bus Stop Upgrades (Construction)		Jan-25		12	169	157	
Kingston Terrace Streetscape and Stormwater Improvements (Detailed Design)*				13	24	11	
New Access Ramps for Accessible Car Parks (Construction)					28	28	
Place of Courage / Spirit of Woman (Park 27)		Jun-25		5	5	0	
Stephens Street and Sanders Place Improvements (Detailed Design)				1	1	0	
Vincent Street and Vincent Place Improvements (Concept & Detailed Design)*				127	112	(15)	
Ward Street Improvements (Concept Design)*				58	58	0	
West Pallant Project Steet Lighting Design*				11	35	24	



# New and Significant Upgrades

Title	Plan		2023/24 Budget (\$'000)				
	delivered by		Actual^	budget	variance		
<b>Deliver</b>							
Central Market Arcade Redevelopment	●●●	Feb-26	●●●	356	480	124	👎
Christmas 2024 - KWS Light poles	●●●		●●●	5	140	135	👎
Climate Change Action Initiative Fund (CCAIF)*	●●●		●●●	340	332	(8)	👎
Field Street Improvements (Construction)*	●●●	Jul-24	●●●	1,031	2,203	1,172	👎
Frome Street Footpath Upgrades (In conjunction with N-S Bikeway Project)	●▲●	Project completion 24/25	●●●		0	0	👎
Greener City Streets Program	●▲●	Jun-24	●●●	647	874	228	👎
Hutt Road / Park Lands Trail Signalised Crossing (Construction)	●●●	Sep-24	●●●	335	718	382	👎
Hutt Road Earthen Levee Embankment	●●●	Jun-24	●●●	385	480	95	👎
Light Square Electrical Infrastructure Upgrade	●●●	Aug-24	●●●	258	400	142	👎
Minor Traffic Signal Safety Upgrades - 3G Hardware Replacement	●●●	Jul-24	●●●	11	18	7	👎
Mistletoe Park / Tainmuntilla (Park 11) Public Lighting Upgrade (Construction)*	●▲●	Apr-25	●▲●	23	123	99	👎
Public Art 21-22	●●●	Jun-24	●●●		28	28	👎
Public Lighting Alterations - 176 Mackinnon Parade, North Adelaide	●●●	Aug-24	●●●	3	40	37	👎
Replacement of UPark Car Park Management System (CPMS)	●●●	Dec-24	●●●	10	10	0	👎
Rymill Park / Murlawirrapurka (Park 14) Public Lighting Upgrade (Construction)	●●●	May-25	●●●	141	300	159	👎
Rymill Park /Murlawirrapurka (Park 14) Sustainable Water Supply (Construction)	●●●	Oct-24	●●●	614	1,000	386	👎
Stafford Street Public Lighting Upgrade (Construction)*	●●●		●●●	24	28	4	👎
Torrens Retaining Structure (Construction)	●●●	Jul-25	●●●	78	103	25	👎
<b>Complete</b>							
Adelaide Free Wi-Fi Electrical Works	●●●	Oct-23	●●●	8	8	0	👎
23/24 Traffic Signal Cables and Conduits Replacement - Pulteney Street/Angas Street (TS3024)*	●●●	Apr-24	●●●	403	318	(86)	👎
24/25 -North Adeladie Golf Course - Driving Range Ball Cleaner/Dispenser*	●●●	Jun-24	●●●	27	18	(9)	👎
Adelaide Central Market Authority (ACMA) - New Security Gates	●●●	May-24	●●●	43	75	32	👎
Brougham Place Footpath Improvements & Greening	●●●	Feb-24	●●●	158	159	1	👎
Brown Hill Keswick Creek - Stormwater Project (Financial Contribution)	●●●	Feb-24	●●●	320	320	0	👎
Christmas Festival Capital Budget	●●●	Dec-23	●●●	207	207	0	👎
City Operations Android Tablet Procurement*	●●●	Jun-24	●●●	38	132	94	👎
Currie Street and Morphett Street Intersection Traffic Signal Safety Upgrade (Construction)*	●●●	Feb-24	●●●	60	60	0	👎
Dogs On Leash Signage	●●●	Aug-23	●●●	17	17	0	👎
Francis Street Public Art	●●●	Aug-24	●●●		28	28	👎

\* The budget for these projects includes renewal funding. Page 97 The actuals presented are preliminary estimates only at this stage

# New and Significant Upgrades

Title	Plan		2023/24 Budget (\$'000)				
	delivered by		Actual^	budget	variance		
<b>Complete</b>							
Installation of compliant handrailing to Weir 3 Footbridge* **		Dec-23		0	0	0	
Laptops for Additional Resources		Nov-23		169	169	0	
Morphett Street and South Intersection Traffic Signal Safety Upgrade (Construction)*		Feb-24		151	151	0	
New Street and Park Lands Furniture (Construction)*		Jun-24		48	50	2	
New Street and Parklands Bicycle Racks (Construction)*		Jun-24		24	25	1	
North Terrace / Station Road Footpath Improvements (Construction)*		Jun-24		403	441	38	
On-Street Parking Compliance Resourcing		Aug-23		119	119	0	
Place of Reflection		Jul-23		4	4	0	
Public Art Action Plan - Capital Projects		Jun-24		8	12	4	
Reignite Adelaide - East End Festival and Event Place Retractable Bollards **		Oct-23			0	0	
Skate Park CCTV and Greening		Apr-24		38	37	(1)	
Tavistock Lane Festoon Lighting Upgrade (Detailed Design)		Jun-24		34		(34)	
Torrens Lake Earth Retaining Structure adjacent University Footbridge*		Dec-23		268	268	0	
Upark Equipment Test Bed Network Switch		Apr-24		28	28	0	
<b>Cancelled</b>							
ACMA -2112 - Cool room					0	0	
Adelaide Central Market Authority (ACMA) - New Trolley Bays and Trolleys				25	130	105	
Christmas 2024*				0	53	53	
Electric Vehicle Charging Infrastructure in UParks					0	0	
Flinders Street Pedestrian Crossing Improvements (Adjacent Pilgrim Lane)					10	10	
Kerbing - Hutt St/South Tce Stormwater				2	2	0	
Town Hall Complex Improvements					0	0	
West Pallant Street Improvements (PLEC)*				0		0	
<b>On Hold</b>							
Blackspot program - South Terrace and Pulteney Street Intersection Traffic Signal Safety Upgrade (Construction)					10	10	
Mini Golf in North Adelaide Golf Course Development (Future Fund)				5	11	6	
Strangways Terrace Golf Course Carpark and Access Improvements (Detailed Design)				20	33	14	

\* The budget for these projects includes renewal funding      ^The actuals presented are preliminary estimates only at this stage  
 \*\*Project completed in 2023/24; budget expended in 2022/23

# Renewals

Category	Total	Design only	Plan / Design	Build / Construct	On Hold	Complete
Bridges	4	2		1		1
Buildings	38	3	3	11		21
ICT Renewals	7		1	2		4
Lighting & Electrical	18	2		8		8
Park Lands Assets	15	2	1	2		10
Plant and Fleet	6			2		4
Traffic Signal	9		1			8
Transport	113	31	2	19		61
Urban Elements	47	5	1	18		23
Water Infrastructure	7	3		1		3
<b>Renewal Total</b>	<b>264</b>	<b>48</b>	<b>9</b>	<b>64</b>	<b>-</b>	<b>143</b>

*Note*

- *Transport is made up of Roads, Pathways and Kerb and Water Table*
- *Plant and Fleet includes Commercial Plan and Fleet*
- *Total Project count: mixed-funded projects are only counted once in the total project count*

# Renewals

## Renewal Projects COMPLETED this quarter

	Category
London Road Depot - Height Safety Improvements	Buildings
Adelaide Central Market - Market Floor Tenant Stall Renewal	Buildings
North Adelaide Golf Links - Kitchen Window Renewal including Asbestos Removal	Buildings
North Adelaide Golf Links - Renewal of Bin Storage Areas	Buildings
LRD workshop security door replacement	Buildings
Eagle Chambers - IT Server Room A/C renewal	Buildings
Adelaide Pavilion - Air Conditioning Rectification works	Buildings
Minor Works Building Lift Upgrade	Buildings
Historic and civic archive management	ICT Renewals
ICT Renewals - Network & Security	ICT Renewals
ICT Renewals - Server & Cloud Infrastructure	ICT Renewals
ICT Renewals - PC & Laptop Replacement	ICT Renewals
Lighting Renewal - Bud lighting Removals and Reinstatements Works	Lighting & Electrical
23/24 Lighting Renewal - Bud Lighting Removals and Reinstatements	Lighting & Electrical
Decorative Lighting East End Renewals	Lighting & Electrical
Morphett St (NT/Hindley) street light renewals	Lighting & Electrical
23/24 Electrical Switchboards Above Ground - Renewal Program	Lighting & Electrical
Irrigation Renewal - Victoria Square South / Tarntanyangga	Park Lands Assets
Water Feature renewal - Pinky Flat Park 26	Park Lands Assets
Golf Course Links - Southern Green Renewal"	Park Lands Assets
Commercial Plant & Fleet Replacement Program	Plant and Fleet
UPark Occupancy Signs Refurbishment	Plant and Fleet
23/24 Traffic Signal Cables and Conduits Replacement - West Terrace/Gouger Street (TS3104)	Traffic Signal
23/24 Traffic Signal Cables and Conduits Replacement - King William Street/South Terrace (TS3011)	Traffic Signal
23/24 Traffic Signal Cables and Conduits Replacement - East Terrace School Crossing near Wakefield Street (SC3210)	Traffic Signal
23/24 - Traffic Signal Cables and Conduits Replacement - Pulteney Street/Gilles Street (TS3027)	Traffic Signal
23/24 - Traffic Signal Cables and Conduits Replacement - Pulteney Street/Carrington Street (TS3025)	Traffic Signal
23/24 Traffic Signal Controller Renewal Program	Traffic Signal
Heavy Patching - North Terrace - King William Street to Stephens Place	Transport
23/24 Road Heavy Patching - Road Network	Transport
Road Resurfacing and Kerb Renewal - Cardiff Street - Childers Street to Dead End	Transport
King William Street - North Terrace to Victoria Square - Footpath Rehabilitation	Transport
Heavy Patching - North Terrace - West Terrace to King William Street	Transport
Footpath Renewal - Bentham St & Waymouth St Intersection	Transport
Public Art - Reedman Fountain - Pennington Gardens - Park 26	Urban Elements
Public Art - Mosaic Butterfly Sculpture - Park 21	Urban Elements
Urban Elements - Fence & Gate Renewal Program	Urban Elements
Urban Elements - BBQ Renewal Program	Urban Elements
Public Art - King George V - Stage 2 Treatment - Park 12	Urban Elements
Public Art Lighting - Start of Survey For The Siting of Adelaide Memorial - Park 27	Urban Elements
Talking Our Way Home - Park 26	Urban Elements
Sudholz Place Stormwater Renewal (linked to 211 Pirie St Development)	Water Infrastructure
Park 16 - Channel Rehabilitation and Erosion Protection	Water Infrastructure

# Appendix: Financial statements

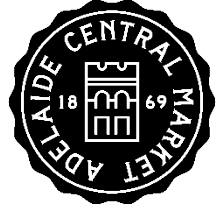
Uniform Presentation of Finances \$'000s	2023/24 Adopted Budget	2023/24 Q1	2023/24 Q2	2023/24 Q3	2023/24 Q4
<b>Income</b>					
Rates Revenues	135,395	135,281	135,131	135,131	135,537
Statutory Charges	14,683	14,683	14,613	15,107	16,220
User Charges	70,002	69,915	70,365	72,565	74,098
Grants, Subsidies and Contributions	4,449	8,562	8,891	1,723	8,638
Investment Income	150	150	734	944	1,449
Reimbursements	338	338	338	703	1,727
Other Income	465	465	465	1,143	929
<b>Total Income</b>	<b>225,481</b>	<b>229,394</b>	<b>230,537</b>	<b>234,470</b>	<b>238,598</b>
<b>Expenses</b>					
Employee Costs	81,586	82,435	82,443	78,732	77,866
Materials, Contracts and Other Expenses	85,100	88,130	88,730	93,551	95,848
Depreciation, Amortisation and Impairment	56,040	56,040	56,473	54,482	55,008
Finance Costs	835	835	887	890	892
<b>Total Expenses</b>	<b>223,561</b>	<b>227,442</b>	<b>228,534</b>	<b>227,655</b>	<b>229,614</b>
<b>Operating Surplus / (Deficit) before Capital Amounts</b>	<b>1,920</b>	<b>1,952</b>	<b>2,003</b>	<b>6,815</b>	<b>8,984</b>
<b>Net Outlays on Existing Assets</b>					
Capital Expenditure on Renewal and Replacement of Existing Assets	(50,416)	(54,153)	(54,153)	(54,153)	(52,667)
add back Depreciation, Amortisation and Impairment	56,040	56,040	56,473	54,482	55,008
add back Proceeds from Sale of Replaced Assets	630	630	630	630	495
<b>Net Outlays on Existing Assets</b>	<b>5,624</b>	<b>1,887</b>	<b>2,320</b>	<b>959</b>	<b>2,836</b>
<b>Net Outlays on New and Upgraded Assets</b>					
Capital Expenditure on New and Upgraded Assets	(50,318)	(56,127)	(56,183)	(45,403)	(36,681)
add back Amounts received specifically for New and Upgraded Assets	5,295	2,171	1,170	1,455	5,524
add back Proceeds from Sale of Surplus Assets	27,100	27,100	27,100	27,100	27,100
<b>Net Outlays on New and Upgraded Assets</b>	<b>(17,923)</b>	<b>(26,856)</b>	<b>(27,913)</b>	<b>(16,848)</b>	<b>(4,057)</b>
<b>Net Lending / (Borrowing) for Financial Year</b>	<b>(10,379)</b>	<b>(23,016)</b>	<b>(23,590)</b>	<b>(9,074)</b>	<b>7,763</b>

**City of Adelaide**  
**25 Pirie Street Adelaide**

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# Adelaide Central Market

## Quarter 4 Report, 1 April 2024 – 30 June 2024



### Executive Summary

The Adelaide Central Market Authority has reached EOFY with 100% of actions and measures set out in the 2023/24 business plan either completed, ongoing or on track. Highlights for Q4 include events and activations such as Winter Weekends and two successful 'popup' offers, as well as the endorsement by the ACMA Board of the inaugural Sustainability Plan 24/27 and the annual Community Engagement Plan. All contribute to attracting visitors, supporting local economy and strengthening community and cultural ties to the City. After months of research and Board discussions, the Leasing Strategy and campaign plan were also completed, a significant milestone and achievement within ACMA's existing internal resources.

ACMA's Financial performance was strong: the preliminary end of year result is a surplus of \$84K vs \$395K deficit in the original budget. The operating position is \$73K favourable to the reforecast budget (pending audit), and \$468K favourable to original budget. This was driven by additional leasing income, retaining 100% rental occupancy, and achieving minimal debt.

The Market visitation in Q4 continued to be steady but below 2023 amid ongoing cost-of-living pressures, muted retail results Australia wide and impact of local development works. It will be unlikely to see any visitation growth in FY24/25.

### Financial Report

Preliminary results Operating budget, Q4 2023/24 are provided in the table below

\$000's	Actual*	Q3 Budget	Variance
Income	5,476	5,422	54
Expenditure	5,395	5,410	15
Net Operating Surplus/(Deficit)	81	12	69

\* The 2023/24 results are preliminary and subject to the finalisation through Financial Statement preparation and external audit. The final audited position will be presented to Audit and Risk Committee in September 2024.

### Debtors Summary

Financial Year	Total Arrears	Current	%	30 Days	%	60 Days	%	90+ Days	%
2023/24	\$ 47,206	\$ 41,533	88%	\$ 6,456	14%	\$ -	0%	-\$ 782	-2%

Debt remains minimal and contained within 30 days.

## Risks and Opportunities

- 28% of leases will expire in FY24/25 leading an increased risk in vacancies.
- The construction of Market Square, the decreased capacity in the Central Market car park, as well as economic conditions and cost of living pressures may impact on potential spend in Market.
- Access to the Market may be affected further by compounding pressures in the precinct, depending on timing: future renovations of Market Plaza entrances, Gouger St rejuvenation, road closures for major events, etc.

## Business Plan & Budget 2023/24 and Strategic Plan Measures

The 2023/24 ACMA Business Plan and Budget includes 44 priority actions across the five strategic pillars of the ACMA Strategic Plan 2023/28: Our Customers, Our Traders, Our Business, Our Community and Our Market.

Summary Strategic actions	Delivered/ongoing	On Track	Off track
OUR CUSTOMERS	10	0	0
OUR TRADERS	4	0	0
OUR BUSINESS	17	0	0
OUR COMMUNITY	5	0	0
OUR MARKET	7	1	0
<b>TOTAL</b>	<b>43</b>	<b>1</b>	<b>0</b>

The 'One Market' Retail and Fit Out Guidelines was procured in Q3 and will be delivered by the end of Q1 FY24/25, but this will not cause any delay to the start of lease negotiations.

## Q4 Highlights

### OUR CUSTOMERS

We will keep customer experiences at the heart of all decisions, every day.

- Community Consultation for Market Carts, resulting in an advertising campaign to increase awareness of existing Carts for hire and sale.
- Winter Weekends in June
- Nearly 10,000 face to face enquiries managed by Customer Service Desk

### OUR TRADERS

We will work with our traders to support them in the delivery of an exceptional shopping experience.

- Security gates enabling traders' events outside of core trading hours
- Supported inaugural Adelaide Wine Festival on Sunday 23/06 (over 1K attendance)
- History Festival
- Successful pop-ups with traditional style Dutch winter offering in central aisle, and SACWA scone stand.

### OUR BUSINESS

We will take a responsible and sustainable approach to our business in pursuing positive long-term financial results.

- New property management software procured
- POS hardware implemented (customer service desk)

### OUR COMMUNITY

We will take a responsible and sustainable approach to our business in pursuing positive long-term financial results.

- ACMA first Sustainability Strategy 2024/27 completed
- Community Engagement Plan 2024/25 completed with focus on district collaboration
- National Reconciliation week celebrations in Market



## OUR MARKET

We will deliver infrastructure and programs that address the current and emerging needs for our customers and traders.

- Transition to NBN completed
- Southeastern entry refurbished
- Market Expansion:
  - Leasing Strategy and Leasing Campaign strategy completed.
  - Fit Out guidelines procured to Wood Bagots
  - Marketing/leasing collateral (Leasing brochure, EOI platform, animation etc.) finalised ready for EOI launch in July 2024
  - Exclusive access to EOI for existing traders

## Upcoming quarter ACMA: 1 July 2024 – 30 September 2024

- Marketing and events delivery:
  - Bastille Day
  - School Holidays program
  - Sustainable September
- Trading Hours review: trader consultation
- Single Use plastics ban transition by 01 September 2024
- Market Expansion:
  - Leasing campaign launch + EOI in progress
  - Shortlisting from September
  - Operational Preparedness project starts
  - Fit Out guidelines to be completed
  - Leasing and project advisory services procurement
  - Recruitment Leasing Manager

# Adelaide Economic Development Agency

## Quarter 4 Report

1 April 2024 – 30 June 2024

### Executive Summary

Between 1 April 2024 and 30 June 2024, AEDA:

- Delivered a tactical campaign through social media that generated nearly 10,000 leads for city tourism businesses.
- The 'See for Yourself' awareness campaign was launched in June and highlights experiences, nightlife, events and festivals, food and drink and retail offerings in the city
- Through the Welcome to Adelaide program, supported eight new and expanding companies to the city that are set to add 757 employees to the city's workforce between April and June 2024
- Delivered Urban Kitchen that activated Rundle Mall with over 35 demonstrations and masterclasses
- Supported four events with a combined investment of \$170,000 through the Event and Festival Sponsorship Program which were delivered in the quarter and collectively had anticipated attendance of 140,000 and an estimate gross economic impact of \$14.5 million

### Financial Report

Operating Position			
\$000s	2023/24 Actuals*	2023/24 Q3 Budget	Variance
Income			
Rundle Mall Levy	3,918	3,890	28
Rundle Mall User charges	544	500	44
CoA Contribution	8,880	9,546	(666)
Other Income	125	104	21
Total Income	13,467	14,040	(573)
Expenses			
Employee Costs	3,793	4,577	784
Materials, Contracts and Other Expenses	5,086	5,538	452
Sponsorship, Contributions and Donations	4,532	4,082	-450
Depreciation, Amortisation and Impairment	58	62	4
Total Expenses	13,469	14,258	789
Operating Surplus / Deficit	(2)	(218)	216

\* 2023/24 results are preliminary and subject to the finalisation through Financial Statement preparation and external audit. The final audited position will be presented to Audit and Risk Committee in September 2024.

## Income

Income variances reported are a result of:

- Favourable Rundle Mall Levy income due to allowance of \$30k for objections and only \$2k being realised
- Rundle Mall user charges exceeded the budget by \$32k with an additional \$12k in sundry sales
- Other income favourable variances include AEDA Summit income of \$17k (this income offset in expenses)

## Expenditure

- Employee costs \$784k favourable for AEDA noting Rundle Mall component \$215k, this has resulted in a reduction of the CoA contribution at year end.
- Any favourable Rundle Mall expense budget will be retained and added to Rundle Mall 2024/25 expense budget at the first available quarterly forecast. Currently this surplus is estimated at \$216k.

## Risks and Opportunities

- Cost of living pressures impacting on discretionary spend for visitors to the city
- Economic projections suggest a flattening of economic growth and job formation over the coming year
- In response to an identified risk, SAPOL patrols and private security contractor presence has been increased in Rundle Mall to address recent community and trader concerns

## Grant Funding Approved

### 2024/25 Events and Festivals Sponsorship Program

Funding was approved by the AEDA Board at a special meeting on 14 June 2024 to support the below events as part of 2024/25 Events and Festivals Sponsorship Program. Based on the information provided in funding applications, these events are expected to collectively bring 49,000 attendees to the city and generate over \$8.8 million in economic impact.

Event	Date(s)	Funding
Adelaide Guitar Festival	12 - 29 Sept 2024	\$40,000
Carols by Candlelight	14 December 2024	\$75,000
Viking Fest (name TBC)	6 - 29 June 2025	\$50,000

In addition to the above, the Board also approved the following allocations:

- \$65,000 - Additional funding to the South Australian Tourism Commission to support 2025 Santos Tour Down under 25th Anniversary Race
- \$50,000 - For partnership between Adelaide Botanic Gardens and AEDA to leverage the 2024/25 Chihuly Exhibition

### 2024 Commercial Events and Festivals Sponsorship Program

Funding was approved by the Acting General Manager, AEDA on 10 April 2024 to support the below events in the small-medium funding category. Based on the information provided in funding applications, these events are expected to collectively bring 25,000 attendees to the city and deliver over \$10 million in expenditure.

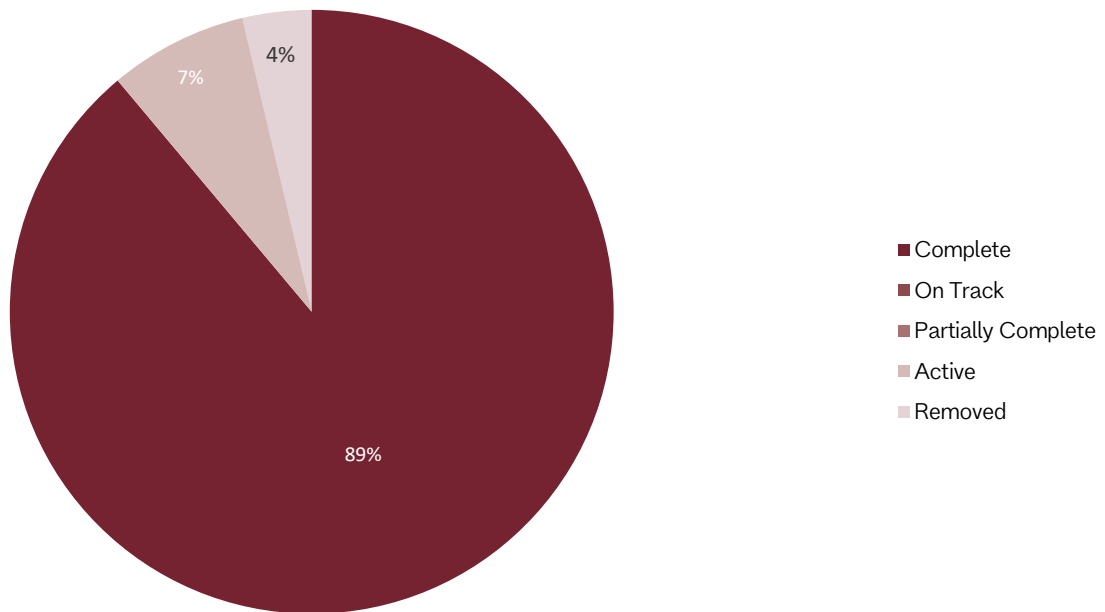
Event	Date(s)	Funding
Bastille Festival	14 July 2024	\$15,000
Rundle Restaurant	6 - 9 September 2024	\$16,000
Cranker Jamboree	7 September 2024	\$12,000
Hongdae in Adelaide	7 September	\$17,500
Future Sounds Festival	19 October 2024	\$15,000
CheeseFest – Cheese, Food & Wine	19 - 20 October 2024	\$20,000
Poppin' Out	2 November 2024	\$14,000
Adelaide Polo Classic	13 - 14 December 2024	\$14,000

## Business Plan & Budget Measures

The 2023/24 AEDA Business Plan and Budget includes 27 measures across the four key areas, Business, Investment & Residential Growth; Visitor Economy; Rundle Mall and Brand and Marketing.

As at the end of the quarter four period the current progress against the measures are as follows:

- 24 measures have been marked 'Complete' because they have been finalised or the annual target met;
- 2 measures are 'Active' which means work is being done towards the target but no numerical figure towards the target has been recorded and;
- 1 target has been removed from tracking



## Business, Investment and Residential Growth

Key Performance Indicator	Status	Measure	Actual	Difference
50 inward investment proposals/local expansions supported, with at least 10,000sqm of office space committed to	Complete	50	78	+28
1,000 Welcome to Adelaide employee introduction packs distributed	Complete	1,000	1,057	+57
30+ vacant shopfronts/premises activated	Complete	30	30	-
Deliver AEDA Business Summit	Complete	1	1	-
Deliver 3 industry briefing events	Complete	3	3	-
Enrolled international student numbers 5+% above 2019 levels (44,318 students across all segments).	Complete	44,318	54,726	+6,408
2+% increase in the number of city workers above 2020/21 levels (148,369)	Complete	151,336	169,940	+18,604
2+% increase in the number of city businesses above 2020/21 levels (12,018)	Complete	12,518	12,558	+40
2 campaigns/projects/market interventions to support emerging industries in the city	Complete	2	5	+3



## Visitor Economy

Key Performance Indicator	Status	Measure	Actual	Difference
Delivery of the new Experience Adelaide Visitor Centre	Active	1	-	-
Maintain accreditation of the Visitor Information Centre	Complete	1	1	-
8 training sessions with VIC volunteers and staff	Complete	8	9	+1
2 destination marketing campaigns or initiatives with the state government to increase the number of people visiting the city	Complete	2	3	+1
20 new bookable city tourism products/experiences	Complete	20	20	-
City hotel occupancy above 70%	Complete	70%	72%	+2%

## Rundle Mall

Key Performance Indicator	Status	Measure	Actual	Difference
3 recommendations from Rundle Mall place vision workshop implemented	Complete	3	3	-
5 major brands committed to Rundle Mall	Complete	5	5	-
Stakeholders agree that the volume and quality of communication and data/insights to stakeholders has improved over the previous 12 months	Active	1	-	
Rundle Mall average strip vacancy rates below 8%	Complete	8%	5%	-3%
Average vacancy rates below 20% for arcades, centres and laneways in the Rundle Mall precinct	Complete	20%	18.8%	1.2%
3 significant campaigns that are aligned with exclusive city events and festivals	Complete	3	4	1
Uplift in foot traffic across 3 major events/festivals	Complete	3	3	-
Uplift in market share across 3 major events/festivals	Complete	3	3	
MAT market share remains above 5%	Complete	5%	5.5%	+0.5%

## Brand & Marketing

Key Performance Indicator	Status	Measure	Actual	Difference
Generate \$2 million in advertising space rate with reference to City of Adelaide/AEDA	Complete	\$2m	\$2.223m	+\$223k
Support 200 city businesses to establish or extend their e-commerce capability on byADL.com.au	Removed	200	N/A	-
Total city expenditure above \$4.45b	Complete	\$4.450b	\$4.650b	+\$200m

## Key Achievements



Strategic Partnership Program

MTPConnect's Global Navigator Program has assigned mentors to participating companies and begun workshops to help define market entry strategies for the companies.

ThincLab's ThincSeed program's first cohort have undertaken nine workshops ranging from product development to people and organisation management.

Through the Mastermind program\_SouthStart have delivered the first of the four strategic sessions.

Renew Adelaide activated a further 9 vacant shopfront/premises in the city including Vice Jewellery on Pirie St and Unica & Co an Italian ceramic and homeware boutique in Adelaide Arcade.

StudyAdelaide hosted delegates from international school SACE Board's to showcase Adelaide's unique study qualities and education opportunities and undertook a Northeast Asia roadshow conducting agent workshops and student events to further highlight Adelaide as a study destination.

As part of their Festival HQ industry program, designed to strengthen capacity of the SA festival industry, Festivals Adelaide launched their crew and supplier directory, an opt-in directory that connects sole traders and businesses wanting to work with events and festivals.

In the quarter, Business Events Adelaide visited China to secure corporate incentive travel groups for Adelaide, and attended events aimed at boosting Adelaide's global appeal for business events in London, Frankfurt and Singapore.



Destination Adelaide

As part of the Destination Adelaide Strategic Project, AEDA ran a digital marketing campaign through Meta to promote product page views and generate leads for City Tourism Operators.

The campaign ran for four months from March to June 2024. 171 tourism products across accommodation, food and drink and attractions were promoted through 38 Meta ads. The ads generated 5.9 million impressions and resulted in 86,435 clicks through to the business product pages on ExperienceAdelaide.com.au and 9,207 ATDW leads (clicks through to the business websites).

Also developed and delivered through the Destination Adelaide project was the 'See for Yourself' campaign targeted at 22-49 year olds across Adelaide that challenges perceptions that the city is 'bland, boring and sleepy', particularly in winter.

The campaign is in market from June to July to coincide with traditionally quieter period for city visitation and targets an audience that research shows has the desire and disposable income to enable them to experience the city. It focusses on sectors currently experiencing trading pressures such as those operating in the nighttime economy, hospitality and retail.



Rundle Mall Activations



Urban Kitchen

Over 90 activations took place on Rundle Mall in the quarter. Key activations included:

- During AFL Gather Round, the Mall was host to the live site which hosted player appearances, a 9.5 metre inflatable Sherrin football, a pop-up AFL Store, a footy quiz, reaction test and personalised football card attractions, live streaming of Games and a Footy Bar over the April Gather Round weekend.
- Gather Markets that took place on three Sundays over the quarter, activating the Mall on at a typically quieter trade period with markets showcasing the best of SA designers and produce.
- The Tillie's Bar and Live Site, leveraged off the sold out game of the Matilda's vs China at Adelaide Oval which streamed the game and featured a pop up bar and live DJs prior to kick off.
- Mix 102.3's Our Boy Sammy in Blue activation supported the radio station hosts to make a 8 year old boy with an inoperable brain tumour dream come true, working as a police officer and finding 'criminals' Reilly O'Brien, Alex Carey and Guy Sebastian.

The Mall was also the location for the VAILO Adelaide 500 2024 media call and the National Pharmacies Christmas Pageant Media call this quarter.

Urban Kitchen returned to Rundle Mall for its fourth iteration from Friday 3 May to Sunday 12 May.

The expanded program this year, included masterclasses from RIEDEL, Koko Black, Red Hen Spirits and Malissa Fedele (MasterChef contestant), alongside the Sprout chefs who prepared dishes daily across the 10-day program.

Precinct businesses also took part in the activation such as the Myer Store and Centre that expanded the activations by delivering additional instore cooking demonstrations and David Jones that held the RIEDEL masterclass.

1,103 tickets were sold across the 10-day program with 62% of attendees reporting they went shopping in the Mall after attending Urban Kitchen.

The Sunday Mail featured the activation on the 21 April edition, promoting ticket sales and the expanded program. Urban Kitchen ads for ticket sales saw a total reach of 5.1M and impressions of 7.8M, making it the Mall's highest ever performing owned paid ads.





### Gather Round

AEDA worked collaboratively with multiple CoA teams and ACMA as well as external stakeholders including the AFL and the South Australian Tourism Commission and other city stakeholders holding events or activations, to deliver a range of initiatives that leveraged off Gather Round. Initiatives included:

- Distribution of Gather Round 'Trader Packs' to dress the city, provided to more than 100 city businesses, precincts, city libraries and community centres, primary schools, Adelaide Aquatic Centre, Adelaide Central Market and the Adelaide Visitor Information Centre.
- The Rundle Mall Live Site and activations as reported under Rundle Mall activations
- Dedicated landing page on the Experience Adelaide website promoting all the city based events, activations, offers and places to visit before, after and during the games
- Development and distribution of 7500 printed booklets distributed to hotel rooms in key city hotels via an insert in SA Style Magazine, promoting what's on in the city during the weekend
- Pillar and wayfinding signage in the city promoting key precincts and what's on and providing directions
- Paid digital media and bus stop advertising screens directing people to the landing page for more information; and
- Content creation to highlight interstate visitors' experiences in the city during Gather Round via social media.

Foot-traffic figures indicate citywide visitation numbers were 20% higher this year when compared to the AFL Gather Round 2023 period.

The West and East End were the key beneficiaries, with the highest changes on last year and the 12-month average. Night-time activity was also higher than last year.



### Events and Festival Sponsorship Programs

The Adelaide Equestrian Festival, Tasting Australia, Cabaret Fringe Festival and Adelaide Cabaret Festival, supported through the Events and Festivals Sponsorship Program, took place in quarter four.

A total of \$170,000 was invested to support these 4 events generating an estimated\* \$14.5 million gross economic impact and bringing over 140,000 attendees to the city. \*estimate figures are derived from 2023 acquittal reports. 2024 reports are not yet due.

The Commercial Events and Festivals Sponsorship Program provided \$20,000 funding to support Home Base: Footy Place in quarter four which coincided with Gather Round. As this is a new event there is no historical data on estimated attendance and economic impact and the acquittal report is pending.



### Welcome to Adelaide

Over its life time the Welcome to Adelaide program has supported hundreds of new jobs into the City. In the past quarter the program has supported eight new and expanding companies to add 757 employees to the city's workforce.

Firms supported by the program this quarter include Pernod Richard Winemakers, Marriott Hotel, Rising Sun Pictures, Amplar Health, Zoho Australia, Lutheran Homes, Defence Housing Australia and URPS.



### AEDA Business Summit

More than 350 people attended the third AEDA Business Summit held on 22 May 2024 at the Adelaide Oval. The Summit brought together the business community to share topical information and insights that impact the city's economy. Fourteen speakers discussed a diverse range of topics from the state of the economy to luxury retail and artificial intelligence to property development. The Summit sought and secured a major sponsor for the first time, the University of Adelaide which included integration of a panel comprising of university speakers.

The overwhelming majority of delegates continue to be satisfied with the AEDA Business Summit with the majority satisfied or extremely satisfied with the overall event, quality of speakers, the panel discussions and networking opportunities.

## Up Next

Coming up from 1 July 2024 – 30 September 2024

- Data4Lunch – 21 August
- See for Yourself Campaign
- Phase 1 of the Tourism Investment Attraction Project
- Chihuly City Trail
- AEDA Strategic Plan
- Rundle Mall Friday Night Winter Activations



*"Finding Your Way Into The Games Industry"*

### Gaming and VFX Support

The Gaming Plus Support Program in its second year aims to enhance diversity and inclusivity in the gaming industry and reduce barriers in the industry to drive the growth of the sector.

Key highlights of the program from the quarter include sponsorship of the Women in Creative Technologies rebranding launch which brought together over 100 women from creative technology industries, the VFX Adelaide event that brought 70 VFX students and staff together to foster collaboration in the community that consists of global studio firms with staff that typically work from home and the Market Access Program which is a collaborative effort between DTI and SA Film Corporation which provides sponsorships to trade conferences to facilitate pitches to commercial investors and distributors as well as development of commercial opportunities.

# Kadaltilla

Adelaide Park Lands Authority

Quarterly Update  
April to June 2024

**Kadaltilla**  
Adelaide Park Lands Authority



# Key Highlights April to June 2024

- Endorsement of the [Kadaltilla Annual Business Plan and Budget 2024/2025](#)
- The [draft “Adelaide Park Lands Management Strategy – Towards 2036”](#) was released for public consultation from 17 June – 9 August 2024.
- Appointment of Kadaltilla / Adelaide Park Lands Authority Board Member with skills in indigenous culture or reconciliation
- Delivered a Park Lands Site Tour with Board Members
- Convened a Special Board Meeting to discuss Park Lands water opportunities with Green Adelaide
- Completed an intensive integrated marketing and communications strategy



DRAFT

## Adelaide Park Lands Management Strategy Towards 2036

# Core Responsibilities

## PURPOSE FOR WHICH THE AUTHORITY IS ESTABLISHED

The Council and the State Government of South Australia are committed to protecting and enhancing the Adelaide Park Lands for the benefit of all South Australians.

The Kadaltilla / Adelaide Park Lands Authority (Kadaltilla) is the principal advisor to both the Council and the State Government on the protection, management, enhancement and promotion of the Adelaide Park Lands.

The Council, on behalf of the communities of the City of Adelaide and the State, is committed to ensuring that Kadaltilla delivers maximum benefit for the future of Adelaide's Park Lands as the City of Adelaide's defining feature.

In this context, Kadaltilla is established by Statute to undertake in accordance with the powers conferred by the APLA Charter, the Functions of Kadaltilla as set out in section 9 of the *Adelaide Park Lands Act 2005*.



# Strategic Pillars



## PURPOSE

- To be the trusted voice on the Adelaide Park Lands which actively conserves, promotes, and enhances the environmental, economic, cultural, recreational, and social importance value of the Adelaide Park Lands

# Strategic Plan 2023-2028

## Key Actions April to June 2024

### Cultural Value

1.1 Seek Kaurna cultural authority in everything we do

- ✓ Amended Kadaltilla membership as per KYAC's request
- ✓ Noted the draft Stretch Reconciliation Action Plan 2024-2027

1.4 Champion the development of World Heritage listing nomination

- ✓ Reviewed World Heritage listing submission progress

### Environmental Performance

2.2 Promote ecologically sustainable initiatives and monitor tree canopy cover, biodiversity, and environmental sustainability and design quality

- ✓ Received the Adelaide Park Lands Biodiversity Survey Report

2.5 Increase the accessibility of evidence-based information

- ✓ Delivered the draft APLMS to key stakeholders and the public
- ✓ Created a dedicated APLMS consultation engagement webpage
- ✓ Held a public pop-up session in Rundle Mall

### Management and Protection

3.1 Monitor delivery of priority projects in the Adelaide Park Lands Management Strategy

- ✓ Draft APLMS endorsed for public consultation



# Strategic Plan 2023-2028

## Key Actions April to June 2024

### Expert Advice

4.1 Provide advice on plans, projects, and policies for the Adelaide Park Lands

- ✓ Advice of Kadaltilla is endorsed and adopted

4.2 Engage with City of Adelaide and State Government including input into State Government initiatives

- ✓ Received a State Government presentation

4.3 Review leasing and licensing and event management policies together with other relevant Park Lands use policies

- ✓ Reviewed the draft Park Lands and Open Space Asset Management Plan
- ✓ Reviewed two lease licensing agreements

4.4 Strengthen Kadaltilla's engagement with City of Adelaide, State Government, and adjoining Councils

- ✓ The City of Adelaide, State Government, and adjoining Councils actively engaged with Kadaltilla

4.5 Increase the profile of the Kadaltilla Board

- ✓ Pop-up APLMS session with Kadaltilla Board Members held in Rundle Mall on 26 June 2024





# Kadaltilla Advice to Council April to June 2024

- Provided feedback and advice on the 2024 VAILO Adelaide 500 event consultation to Council and the State Government
- Endorsed the draft *Adelaide Park Lands Management Strategy – Towards 2036* for the purposes of community consultation
- Supported granting of an exemption to the Adelaide Park Lands Leasing and Licensing Policy to enter into licence negotiations with BBQ Buoys for a new five-year Park Lands Commercial Licence Agreement in Tarntanya Wama (Park 26) and the River Torrens / Karrawirra Pari
- Received the draft Park Lands and Open Space Asset Management Plan
- Noted that Asset Management Plans have been prepared for five other asset categories, which include Transport, Urban Elements, Buildings, Water Infrastructure and Public Lighting and Electrical Infrastructure
- Endorsed the location for the new toilets within Carriageway Park / Tuthangga (Park 17)



# Kadaltilla Advice to Council

## April to June 2024

- Endorsed the Victoria Park / Pakapakanthi (Park 16) Master Plan
- Endorsed the draft Light Square/Wauwi Master Plan for community consultation
- Received the progress update on the development of the City of Adelaide's draft Stretch Reconciliation Action Plan 2024-2027
- Noted the update on the World Heritage Listing for the Adelaide Park Lands and its Rural Settlement Landscapes
- Endorsed Council to enter into lease negotiations with Prince Alfred College (PAC) for a five-year Park Lands Community Lease Agreement for a sports building and playing field in King Rodney Park / Ityamai-itpina (Park 15)
- Supported multi-year Major Event Licences with 24 applicants
- Noted the Adelaide Park Lands Biodiversity Survey Report



# 2023-2024 Business Plan & Budget

## April to June 2024

### Performance Measures Addressed:

- ✓ Support for the development of a World Heritage listing nomination
- ✓ Kaurna culture is made intrinsic to everything we do
- ✓ A review of the Adelaide Park Lands Management Strategy is conducted which will include prioritisation of projects
- ✓ Workshop held to review River Torrens water opportunities
- ✓ Kadaltilla is insured according to the requirements of the Local Government Mutual Liability Scheme
- ✓ Provided advice on plans, projects and policies for the Adelaide Park Lands
- ✓ A high level of knowledge and understanding of the Park Lands is developed amongst Members through regular site visits and briefings
- ✓ Utilisation of skills is maximised through effective meetings that foster dialogue and the development of shared thinking
- ✓ Annual Business Plan and Budget is in place for Kadaltilla



# 2023-2024 Business Plan & Budget

## April to June 2024

### Performance Measures Addressed:

- ✓ The Adelaide Park Lands Fund is operational and monies are received and expended according to the provisions of Kadaltilla's Charter
- ✓ Advice of Kadaltilla is endorsed and adopted
- ✓ Kadaltilla makes appropriate use of available finances provided by Council
- ✓ Provide advice in relation to tree canopy cover, biodiversity and environmental sustainability and improvements
- ✓ Review leasing and licensing and event management policies together with other relevant Park Lands use policies
- ✓ Increase the accessibility of information
- ✓ Seek early input into issues relating to the Park Lands to ensure Kadaltilla advice is timely and relevant
- ✓ Monitor developments subsequent to Kadaltilla's advice



# Budget Position

## Preliminary Results for 2024

\$	Actual	Q3 Budget	Variance
Income	244,393	253,360	(8,968)
Expenditure	244,393	253,360	8,968
Net Operating Surplus / (Deficit)	-	-	-

- For 2023/2024, Kadaltilla's budget of \$253,360 included:
  - Sitting Fees and Salary (Kadaltilla Advisor) of \$199,880
  - Operations (e.g. Marketing; community forum) of \$31,878
  - Insurance, Audit and Legal of \$21,602
- Variance to budget is a result of salary savings. Kadaltilla is a wholly owned subsidiary of the City of Adelaide, and funding is provided to match expenditure.



# Upcoming Quarter

## Key Actions:

- Preparation of Kadaltilla's draft 2023/2024 Annual Report
- Preparation of Kadaltilla's draft 2023/2024 Strategic Plan Annual Review of Progress
- Concluding the public consultation on the draft *Adelaide Park Lands Management Strategy – Towards 2036*
- Finalise the draft *Adelaide Park Lands Management Strategy – Towards 2036* for Kadaltilla, Council and State Government approval
- Development of a Kadaltilla social media profile
- Park Lands Site Tour with Board Members
- Holding the annual Community Forum



# Upcoming Quarter

## Forward Report Schedule:

- REPORT - Glen Osmond Road, Hutt Road and Park 17 Improvements
- REPORT - Draft Adelaide Park Lands Management Strategy (APLMS)
- REPORT - Park Lands Leasing – Expression of Interest
- REPORT - Kadaltilla Park Lands Art Sponsorship
- REPORT - Mock Roadway Lease in Bonython Park / Tulya Wardli (Park 27) with SAPOL
- REPORT - North Adelaide Railway Station
- REPORT - Kadaltilla 2024 Community Forum
- REPORT - Park Lands Community Buildings Policy
- REPORT - Park Lands Community Buildings Investment Plan
- REPORT - Update on the World Heritage Listing for the Adelaide Park Lands and Rural Settlement Landscapes



## By-law Review – Consultation Feedback and Endorsement

Strategic Alignment - Our Corporation

Public

Tuesday, 20 August 2024

City Finance and Governance Committee

**Program Contact:**

Steve Zaluski, Associate Director  
Regulatory Services

**Approving Officer:**

Ilia Houridis, Director City  
Shaping

## EXECUTIVE SUMMARY

City of Adelaide's (CoA) by-laws are required to be renewed every seven (7) years. Revised draft by-laws were endorsed for public consultation by Council at its meeting on at the 11 June 2024.

The draft by-laws were subsequently submitted to the Dog and Cat Management Board (DCMB) for feedback in addition to undergoing a public consultation process.

This report presents the feedback during consultation and seeks formal adoption of the draft by-laws.

All feedback received during the consultation has been considered and responded to. Following the public consultation process and DCMB review, there are no changes proposed to the draft by-laws previously endorsed by Council.

Under the *Local Government Act (SA) 1999* (the Act), at least two-thirds of Council Members will be required to be present at the Council Meeting (where the by-laws will be presented for adoption), with support by an absolute majority of Council Members.

If adopted by Council, by-laws will be submitted to the Legislative Review Committee for review, gazetted and laid before Parliament, taking effect four (4) months from the date they are gazetted.

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## RECOMMENDATION

The following recommendation will be presented to Council on 27 August 2024 for consideration

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Notes the public consultation submissions and recommendations received on the draft by-laws, as included in Attachment A, and the Dog and Cat Management Board's endorsement provided in Attachment B to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 20 August 2024.
2. Notes the requirements of the National Competition Policy and the Reports prepared on the National Competition Policy with respect to the by-laws, included in Attachment C to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 20 August 2024.
3. Makes, pursuant to Section 246 of the *Local Government Act 1999* (SA), in exercise of the powers and taking into account the requirements under the *Acts Interpretation Act 1915*, *City of Adelaide Act 1998*, *Dog and Cat Management Act 1995* and *Local Government Act 1999* (SA) and regulations, the following by-laws as contained in Attachments D-L to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 20 August 2024:

3.1 *Permits and Penalties By-law 2024*

3.2 *Moveable Signs By-law 2024*



3.3 *Local Government Land By-law 2024*

3.4 *Roads By-law 2024*

3.5 *Waste Management By-law 2024*

3.6 *Rundle Mall By-law 2024*

3.7 *Dogs By-law 2024*

3.8 *Cats By-law 2024*

3.9 *Lodging Houses By-law 2024*

4. Authorises the Chief Executive Officer to sign the by-laws as made by Council.
  5. Authorises the Chief Executive Officer to publish notice of the making of the by-laws in the Advertiser newspaper.
  6. Authorises the Chief Executive Officer to arrange for the by-laws as made by Council to be published in the Government Gazette.
  7. Adopts the reports to the Legislative Review Committee on each of the by-laws included at Attachment M to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 20 August 2024 and authorises the Chief Executive Officer to sign on Council's behalf.
  8. Authorises the Chief Executive Officer to arrange for the by-laws and all other necessary documentation to be provided to the Legislative Review Committee.
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## IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	<a href="#">Strategic Alignment – Our Corporation</a>
Policy	By-laws are a legislated function within the <i>Local Government Act 1999 (SA)</i> . The revised draft by-laws have no material impact on existing policies.
Consultation	All required consultation with the Dog and Cat Management Board and public has been completed.
Resource	Not as a result of this report
Risk / Legal / Legislative	Legal advice has been sought to mitigate any risk and ensure the process is legislatively sound.
Opportunities	That CoA has appropriate and applicable by-laws in place to ensure Council continues to be a convenient, safe and comfortable environment for all residents, businesses and visitors.
24/25 Budget Allocation	\$20,000 for legal fees and State Government fees to gazette the final by-laws.
Proposed 25/26 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Council by-laws must be renewed every seven (7) years but can be reviewed at any time within the seven (7) years.
24/25 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

# DISCUSSION

## Background

1. By-laws are a form of delegated legislation designed to provide good governance and assist Council in providing a convenient, safe and comfortable space for its community.
2. Council's power to make a by-law is derived from Section 246 of the Act provided as [Link 1](#). Council is required to review and formally make new by-laws every seven (7) years.
3. Provisions under Section 249(3) of the Act to make the by-laws include:
  - 3.1. (3) A by-law cannot be made unless-
    - 3.1.1. (a) the by-law is made at a meeting of the council where at least two-thirds of the members of the council are present; and
    - 3.1.2. (b) the relevant resolution is supported by an absolute majority of members of the council.
4. The by-laws proposed to Council are largely based on Council's existing by-laws, with some refinements to take into account changes to legislation and modern language since Council last reviewed its by-laws.
5. The proposed changes were highlighted in detail in the 11 June 2024 Council report.
6. CoA currently has 9 by-laws:
  - 6.1. By-law No 1 – Permits and Penalties
  - 6.2. By-law No 2 – Moveable Signs
  - 6.3. By-law No 3 – Local Government Land
  - 6.4. By-law No 4 – Roads
  - 6.5. By-law No 5 – Waste Management
  - 6.6. By-law No 6 – Rundle Mall
  - 6.7. By-law No 7 – Dogs
  - 6.8. By-law No 8 – Cats
  - 6.9. By-law No 9 – Lodging Houses
7. Following Council endorsement of the revised draft by-laws, they were submitted to the Dog and Cat Management Board (DCMB) for comment. Council's letter and the DCMB's endorsement are provided in **Attachment B**.
8. Public consultation was undertaken through Council's 'Our Adelaide' engagement platform. In addition to the online format, information packs were available at our Customer Centre, libraries and community centres, and an advertisement placed in The Advertiser.
9. Consultation resulted in 1889 views and 29 pieces of feedback lodged. Complete results of the public consultation feedback are provided as **Attachment A**, however in summary:
  - 9.1. The majority of feedback, both positive and negative, centred on questions and clarity regarding gender inclusivity in public conveniences. As noted in the 11 June 2024 Council report, the wording of Council's draft by-laws in this regard comes directly from the model by-law recently drafted by the Legislative Review Committee.
  - 9.2. Feedback also included suggestions for improving the placement of a-frame signs, and support for residential waste collection and compliance among other matters.
  - 9.3. Many of the practical comments submitted by the public can be considered and achieved through permit guidelines and operational approaches, if deemed appropriate, rather than within the by-laws themselves.
  - 9.4. All feedback will be shared with the Legislative Review Committee.
10. While all consultation feedback has been considered and responded to, no changes are proposed to the draft by-laws previously presented to Council.
11. Solicitor's Certificates of Validity have been prepared for each by-law pursuant to Section 249(4) of the Act, see [Link 2](#), which certifies that in the opinion of a legal practitioner, the Council has the power to make the by-laws by virtue of a statutory power specified in the certificate, and the by-law is not in conflict with the Act.
12. The final draft of all nine (9) by-laws is now presented for Council for consideration and endorsement.

## Next Steps

13. By-laws will be published in the Government Gazette, the Advertiser newspaper and referred to the Legislative Review Committee for review.
14. If not disallowed by Parliament, by-laws will take effect four months after they are Gazetted and will be valid for a further seven years, unless revoked prior.
15. If the Legislative Review Committee makes the decision that any of the proposed by-laws should not be allowed, a report of the grounds will be submitted to Council.
16. Council remain able to add, edit or revoke by-laws at any time prior to the legislation seven year timeframe.

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## DATA AND SUPPORTING INFORMATION

**Link 1** - Local Government Act 1999

**Link 2** - Solicitors Certificates of Validity

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## ATTACHMENTS

**Attachment A** – Public consultation submission/feedback spreadsheet

**Attachment B** – Council’s letter and the Dog and Cat Management Boards endorsement

**Attachment C** – Reports to Council – National Competition Policy

**Attachment D** – Draft By-law No 1 – Permits and Penalties By-Law 2024

**Attachment E** – Draft By-law No 2 – Moveable Signs By-law 2024

**Attachment F** – Draft By-law No 3 – Local Government Land By-law 2024

**Attachment G** – Draft By-law No 4 – Roads By-law 2024

**Attachment H** – Draft By-law No 5 – Waste Management By-law 2024

**Attachment I** – Draft By-law No 6 – Rundle Mall By-law 2024

**Attachment J** – Draft By-law No 7 – Dogs By-law 2024

**Attachment K** – Draft By-law No 8 – Cats By-law 2024

**Attachment L** – Draft By-law No 9 – Lodging Houses By-law 2024

**Attachment M** – Reports to the Legislative Review Committee

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- END OF REPORT -

Respondent	Relevant By-law	Submission	Abridged Comment	Administration Response	Action
Respondent 1 - Resident	By-law 3 - Local Government Land	Fantastic to see gender inclusivity introduced into this bylaw.	Support for the introduction of gender inclusivity in the bylaw.	Proposed changes follow the model by-law wording drafted by the LRC. Comments noted.	No change required
Respondent 2 - Business Representative	By-law 2 - Movable Signs	Regarding removalable signs particularly Aframes could you please advise What is a Ceremonial Road? Is it King William St and North Tce?	Request for clarification on the definition of a Ceremonial Road and whether it includes King William St and North Tce.	Response to questions provided to Respondent.	No change required
	By-law 2 - Movable Signs	Compliance, no mention of pro active monitoring and who is the authorised officer? Is it the Parking people? Or is it a re-active issue and only checked upon if a complaint is made?	Enquiry about the absence of proactive monitoring details and clarification on whether the authorized officer is from Parking or if the issue is reactive and complaint-based	In accordance with the Local Government Act 1999, an "Authorised Person" has the same meaning as defined within the Act. Investigations are conducted both reactively and based on complaints received. The authorised officers involved in these investigations may come from various departments based on delegations of authorisations. Response to questions provided to Respondent.	No change required
	By-law 2 - Movable Signs	Is their a 3 strikes and your out regarding repeat non compliance?	Inquiry about the existence of a 'three strikes and you're out' policy for repeat non-compliance.	Investigations of requests and complaints are conducted on an individual case basis and in accordance with the Council's internal policies and procedures.	No change required
	By-law 2 - Movable Signs	The current By-Law has not been successful as numerous non compliant placement of these Aframes continues and repeat offenders do not suffer any penalties.	Concern about the lack of enforcement and penalties for non-compliant A-frame placements, leading to repeated offenses	Penalties and enforcement action for non-compliance and non-compliant A-frame placements are set out in accordance with the Local Government Act 1999.	No change required
	By-law 2 - Movable Signs	Some traders locations do not work well with Aframes such as intersections where pedestrians bankup and 1.8m from the corner is not sufficient.	Concern about A-frame placement at intersections where pedestrian congestion occurs, with the 1.8m distance from the corner being insufficient	Placement of Moveable Signs is covered in Section 6 of the By-law relating to placement.	No change required
	By-law 2 - Movable Signs	Bus Zones can be very crowded areas and queues go past the length of the marked zone.	Observation about bus zones becoming crowded and queues exceeding the marked zone length.	Comment noted and will be considered for future.	No change required

Respondent	Relevant By-law	Submission	Abridged Comment	Administration Response	Action
Respondent 3 - Unknown	By-law 4 - Roads	<p>As part of your consultation process for the 2024 bylaws, you requested feedback. As such, after reviewing several of the PDFs on your website, I'd like to offer the following changes to the Draft of the By Law no. 4 (original attached):</p> <p>Please remove the provision 4.5 titled "Distribute" and all subsequent subsections of this (for posterity, shown below):</p> <p>4.5 Distribute give out or distribute any hand bill, book, notice, leaflet, or other printed matter to any bystander, passer-by or other person except any hand bill, book, notice, leaflet or other printed matter:</p> <p>4.5.1 that is related to a Commonwealth or State election and is placed, given out or distributed during the period commencing at 5.00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or</p> <p>4.5.2 that is related to an election under the Local Government Act 1999, or the Local Government (Elections) Act 1999 and is placed, given out or distributed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or</p> <p>4.5.3 that is related to and placed, given out or distributed during the course of and for the purpose of a Referendum;</p> <p>My rationale is clear and straightforward and as follows: I do not believe any government entity (state or federal) should have the right to limit something as fundamental as the posting or handing out of bills, booklets, fliers or printed matter. As a federal employee within the Australian Public Service it pains me greatly to see the ever increasing scope of censorship by governments across the western world including within Australia. If ideas cannot be distributed online due to mass surveillance and censorship that limits their reach, the only recourse the average citizen has is directly spreading their message in person, which will naturally require the distribution of "printed matter". No one should have the right to limit the free speech and spread of ideas, certainly not a local council. In all my years of frequenting the Adelaide CBD, I have never encountered anyone forcing their "printed matter" onto me; at the end of the day, it is up to the individual person who decides whether to engage with or pick up this "printed matter". The fact that this clause specifically exempts printed matter relating to Commonwealth or State matters is rather telling, namely that whoever wrote these clauses seems to believe that only government approved messages are allowed to be disseminated. This is NOT what I believe a free and democratic society should mandate upon its population.</p> <p>For these reasons I hope you consider the removal of this provision from these by laws, including if they currently exist elsewhere within your purview.</p>	Recommendation to remove provision 4.5 'Distribute' and its subsections from Draft By Law No. 4, citing concerns over limiting the distribution of printed materials and free speech	The activity of "distribution" is not prohibited; however, permission is required prior to the activity to ensure public safety, maintain order, and prevent disruptions. This requirement is included in the By-law to balance individuals' rights to distribute materials with the need to manage public spaces effectively.	No change required
Respondent 4 - Non Resident	By-law 5 - Waste Management	<p>I support the current changes however I want to provide feedback for MORE changes.</p> <p>I want to see compulsory waste services for offices (organic, recycle and landfill) it should be based on a calculation between their square footage and their tenants. If the council truly cares about the environment then they should be mandating the appropriate waste facilities for offices above a certain size where you're council bins no longer apply.</p>	Support for current changes with a request for mandatory waste services (organic, recycle, and landfill) for offices, based on square footage and tenant number, to enhance environmental care.	Waste management services, including different approaches to reduce waste and increase resource recovery are noted. Councils are required to provide waste services to residents only: 'In order to facilitate the proper management of waste that is to be collected under subclause (1)(b), a metropolitan council must provide a weekly general kerbside waste collection service (other than for recyclable waste or vegetative matter) in respect of residential premises within its area.' Environment Protection (Waste to Resources) Policy 2010 (legislation.sa.gov.au) Accordingly CoA provides a weekly service to residents and small businesses. Commercial premises are not eligible for council services.	No change required
Respondent 5 - Resident	By-law 6 - Rundle Mall - section 4.9	<p>4.9 - The use of the term 'interfere with' suggests it is designed to prevent people searching for 10c refundable containers in rubbish bins.</p> <p>My experience is that such individuals are almost always methodical and tidy, and cause neither litter nor disturbance to others. These people use this collection as a means of financially supporting themselves in the absence of appropriate government and council support.</p> <p>I am very much against denying such activities, as they are beneficial to those involved and do no harm to the general public.</p>	Opposition to the term 'interfere with' in 4.9, arguing it targets tidy individuals collecting refundable containers for financial support without causing harm	This activity is acknowledged and supported via Rundle Mall bins being equipped with side rails that facilitate the storage and easy collection of bottles and cans to reduce the amount of interference.	No change required

Respondent	Relevant By-law	Submission	Abridged Comment	Administration Response	Action
Respondent 6 - Non Resident	By-law 6 - Rundle Mall	Feeding birds is a joy to people. Depleting vegetation ei houses with no gardens and city buildings are leaving birds with few options for finding food.	Concern about limited bird feeding options due to reduced vegetation in urban areas, highlighting the joy people find in feeding birds	Feeding birds in public places like Rundle Mall may be prohibited to maintain health and safety, control pests, prevent property damage, avoid food debris attracting other pests, prevent disrupting birds' natural feeding habits, and to avoid aggressive bird behaviour	No change required
	By-law 8 - Cats	Unsuportive - No comments made			No change required
Respondent 7 - Non Resident	By-law 6 - Rundle Mall	Clause (new) 5.7 appears to (now) prohibit parents taking their very young children of the opposite gender into a public convenience by removing clause 5.8.5.1. For clarity under clause 3 children should be identified as "vulnerable persons".	Concern that new clause 5.7 may prohibit parents from taking young children of the opposite gender into public conveniences, suggesting children be identified as 'vulnerable persons' for clarity	Proposed changes follow the model by-law wording drafted by the LRC. Comments noted.	No change required
	By-law 6 - Rundle Mall	For clarity, proposed new clause 5.7.5.3 should have the word "is" replaced by the words "identifies as".	Replace 'is' with 'identifies as' in proposed clause 5.7.5.3 for clarity	Proposed changes follow the model by-law wording drafted by the LRC. Comments noted.	No change required
Respondent 8 - Non Resident	By-law 6 - Rundle Mall	I'm concerned with the one policing who can go into toilets though I appreciate you have updated and improved it.	Appreciation for updates but concern over policing access to toilets."	Proposed changes follow the model by-law wording drafted by the LRC. Comments noted.	No change required
	By-law 6 - Rundle Mall	To my knowledge the problems about toilets is entirely people policing other people and this shouldn't be encouraged. I know you said "except trans and gender diverse" but I have to say as a nonbinary person you already feel very unsafe...and sometimes get picked on...without having to explain yourself. Wouldn't it be safer to have ungendered toilets? Although when it comes to Rundle Mall I am not even sure what toilets you mean.	Concerns about safety and policing in toilets, suggesting ungendered toilets for inclusivity.	Proposed changes follow the model by-law wording drafted by the LRC. Comments noted.	No change required
	By-law 6 - Rundle Mall	As far as approved activities go, I wanted to check protesting is still allowed. Some of them (eg toxic street preachers) really annoying me but we need democratic spaces for a reasonable amount of free speech.	Ensure protesting remains allowed for democratic free speech	Protests remain possible and the conditions unchanged. Protests are administered and enforced under the Public Assemblies Act 1972 and managed by SAPOL	No change required
	By-law 6 - Rundle Mall	Also no ball sports seems reasonable but I hope scouts can still do orienteering and little kids can still ride on the pigs. Just checking that's not what you are banning.	Confirm ball sports ban doesn't affect scouts' orienteering or kids' activities	The activity mentioned is permitted however activities such as this require permission in the form of a permit (written permission) prior to the activity taking place	No change required
Respondent 9 - Ratepayer	By-law 6 - Rundle Mall	I'm concerned that the wording of by-law 5.7.5.3 may cause distress to individuals who identify as gender diverse, especially if they are required to prove their gender in certain situations. I suggest rewording this by-law to remove the gender-related clause and instead focus on creating a by-law that prohibits disrespectful or inappropriate language and actions toward any member of the public in any public convenience area.	Reword by-law 5.7.5.3 to avoid distress to gender-diverse individuals, focusing on respectful behaviour.	Proposed changes follow the model by-law wording drafted by the LRC. Comments noted.	No change required
Respondent 10 - Unknown	By-law 3 - Local Government Land	Single sex bathrooms only. Invalid bathrooms should be the only bathrooms persons of either sex can use.	Support for single-sex bathrooms; invalid bathrooms for either sex.	Proposed changes follow the model by-law wording drafted by the LRC. Comments noted.	No change required
	By-law 5 - Waste Management	Single sex bathrooms only. Invalid bathrooms should be the only bathrooms persons of either sex can use.	Support for single-sex bathrooms; invalid bathrooms for either sex.	Proposed changes follow the model by-law wording drafted by the LRC. Comments noted.	No change required
	By-law 6 - Rundle Mall	Single sex bathrooms only. Invalid bathrooms should be the only bathrooms persons of either sex can use.	Support for single-sex bathrooms; invalid bathrooms for either sex.	Proposed changes follow the model by-law wording drafted by the LRC. Comments noted.	No change required
	By-law 6 - Rundle Mall	Prohibition of firearms should remain for members of the public.	Maintain prohibition of firearms for public safety.	Offence is covered by other legislation, Summary Offences Act 1953	No change required
	By-law 9 - Lodging Houses	Single sex bathrooms only. Invalid bathrooms should be the only bathrooms persons of either sex can use.	Support for single-sex bathrooms; invalid bathrooms for either sex.	Proposed changes follow the model by-law wording drafted by the LRC. Comments noted.	No change required

Respondent	Relevant By-law	Submission	Abridged Comment	Administration Response	Action
Respondent 11 - Resident	By-law 5 - Waste Management	While I support the changes the enforcement of the rules needs to be included in the by-laws. I note that commercial businesses have one hour only to remove bins from the street after they have been emptied. In my street they are often out for days and weeks and calling the Council gets a sluggish result meaning that the commercial bins are often in our lovely street marring the amenity. Real warnings and fines need to be built into the by-laws and they need to be enforced regularly and often in a timely manner. I was assured many years ago (probably at the time of the last review) that fines would be included and yet it seems this was not the case!	Enforcement of rules needed, including timely fines for commercial bin removal.	Penalties and enforcement action for non-compliance and non-compliant bins placement are set out in accordance with the Local Government Act 1999.	No change required
Respondent 12 - Unknown	By-law 1 - Permits and Penalties	There should be an allowance for food trucks etc to not require a permit if in a specific area	Allow food trucks to operate without a permit in specific areas.	Permits for mobile food trucks ensure public health and safety, manage location and congestion, balance competition with brick-and-mortar businesses, protect public amenities, control environmental impact, comply with relevant legislation, maintain community standards	No change required
	By-law 5 - Waste Management	This will only work if the correct bins are provided and not just set up to look like they are that type of bin.	Ensure correct bins are provided for intended use.	Comments noted.	No change required
	By-law 6 - Rundle Mall	I see no need to stop advertisement of any way shape or form. Maybe a little bit of advertising may get people back into the city.	Support for advertising to attract people back to the city.	No proposed amendments to advertising.	Comment noted
Respondent 13 - Non	By-law 3 - Local	As a member of Women's Rights Network Australia I am concerned about by-law 3 which will allow male people who identify as women to enter	Concerns about by-law 3 allowing	Proposed changes follow the model	Comment noted



12 June 2024

Your Ref:  
Our Ref: PSK/SXP/10055-512066/2835083By Email: [dcmb@sa.gov.au](mailto:dcmb@sa.gov.au)The Chairperson  
Dog and Cat Management Board  
GPO Box 1047  
ADELAIDE SA 5001

Attention: Mr David Parkin

Dear Sir

**Corporation of the City of Adelaide – Draft Dogs By-law 2024 and Cats By-law 2024**

The Corporation of the City of Adelaide has caused to be prepared draft by-laws dealing with dogs and cats within its area.

We **enclose** draft By-law 7 of 2024, being the draft *Dogs By-law 2024* and draft By-law 8 of 2024, being the draft *Cats By-law 2024* and reports to the Board in respect of the by-laws.

We confirm the draft by-laws are provided to you at least 42 days before the Council resolves to make the by-laws and consequently at least 21 days before public notice of the proposed by-laws, in accordance with Section 90(5) of the *Dog and Cat Management Act 1995*.

The Council is preparing to commence public consultation of the draft by-laws starting on 4 July 2024. Whilst we acknowledge and respect the legislated timeframe of 21 days for receiving feedback, we kindly request that, if possible, you provide your feedback before 4 July 2024.

Receiving your input ahead of this date will significantly assist the Council in ensuring that it meets the scheduled timeframe for the public consultation process.

Please do not hesitate to contact the writer should you have any queries.

Yours faithfully  
Norman Waterhouse**Paul Kelly**  
Principal  
Direct Line: +61 8 8210 1248  
Email: [pkelly@normans.com.au](mailto:pkelly@normans.com.au)

Enc

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**CORPORATION OF THE CITY OF ADELAIDE**

**DRAFT DOGS BY-LAW 2024**

**Report to:** The Dog and Cat Management Board pursuant to Section 90(5) of the *Dog and Cat Management Act 1995*.

**Objectives**

The draft *Dogs By-law 2024* seeks to establish requirements for the management and control of dogs within the area of Corporation of the City of Adelaide (**the Council**) by imposing a limit on the number of dogs that can be kept on certain premises and by controlling and managing dogs on land owned by the Council or under the care, control and management of the Council.

**Clauses**

- Clause 1:** Creates a short title for the by-law namely the 'Dogs By-law 2024'.
- Clause 2:** Creates the commencement date for the by-law namely four months after the day on which it is published in the Gazette.
- Clause 3:** Defines certain terms for the purposes of the by-law.
- Clause 4:** Places a limit on the number of dogs that may be kept in premises and provides for exemptions from the limit.
- Clause 5:** Sets out exemptions where the limits on the number of dogs on premises will apply.
- Clause 6:** Enables the Council to create areas where dogs are prohibited.
- Clause 7:** Enables the Council to create areas where dogs must be on a leash at all times.
- Clause 8:** Enables the Council to create areas where dogs can enter and be exercised provided they remain under effective control as defined.
- Clause 9:** Directs that certain parts of the by-law shall apply in such portions of the area as the Council may by resolution direct in accordance with Section 246(3)(e) of the *Local Government Act 1999*.
- Clause 10:** Revokes the Council's previous Dogs By-law.

**Implementation and Enforcement**

The by-law will be policed by inspection, the issue of warnings, expiation notices and by prosecution if necessary. It is anticipated that complaints by members of the public will bring a breach of most parts of the by-law to the Council's attention.

**Comparison with other similar By-laws**

- The Council submits there is no difference in the draft by-law from other similar by-laws of other councils within South Australia.
- The restriction on the number of dogs kept at premises is made pursuant to Section 90(2)(a) of the *Dog and Cat Management Act 1995* and is consistent with the objects of that Act, namely to encourage responsible dog ownership, to reduce public environmental nuisance caused by dogs and to promote the effective management of dogs by the Council.

## **CORPORATION OF THE CITY OF ADELAIDE**

### **DRAFT CATS BY-LAW 2024**

**Report to:** The Dog and Cat Management Board pursuant to Section 90(5) of the *Dog and Cat Management Act 1995*.

#### **Objectives**

The draft *Cats By-law 2024* seeks to establish requirements for the management and control of cats within the area of Corporation of the City of Adelaide (**the Council**) by imposing a limit on the number of cats that can be kept on certain premises and by controlling and managing cats on land owned by the Council or under the care, control and management of the Council.

#### **Clauses**

- Clause 1:** Creates a short title for the by-law namely the 'Cats By-law 2024'.
- Clause 2:** Creates the commencement date for the by-law namely four months after the day on which it is published in the Gazette.
- Clause 3:** Defines certain terms for the purposes of the by-law.
- Clause 4:** Limits the number of cats over four months of age that may be kept on premises. Written permission is required to keep any cat on premises where the prescribed limit will be exceeded. This clause creates an exemption where the limit on cat numbers does not apply.
- Clause 5:** Enables Council to serve notice on an occupier of premises to ensure compliance with the by-law.
- Clause 6:** Revokes the Council's previous Cats By-law.

#### **Implementation and Enforcement**

The by-law will be policed by inspection, the issue of warnings, expiation notices and by prosecution if necessary. It is anticipated that complaints by members of the public will bring a breach of most parts of the by-law to the Council's attention.

#### **Comparison with other similar By-laws**

- The Council submits there is no difference in the draft by-law from other similar by-laws of other councils within South Australia.
- The restriction on the number of cats kept at premises is made pursuant to Section 90(2)(a) of the *Dog and Cat Management Act 1995* and is consistent with the objects of that Act, namely to encourage responsible cat ownership, to reduce public environmental nuisance caused by cats and to promote the effective management of cats by the Council.



Level 9  
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Adelaide SA 5001

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[www.dogandcatboard.com.au](http://www.dogandcatboard.com.au)

25 June 2024

Paul Kelly  
Norman Waterhouse

E: PKelly@normans.com.au

Dear Paul,

**ADELAIDE CITY COUNCIL – DOGS BY-LAW NO. 7 OF 2024 AND CATS BY-LAW  
NO.8 OF 2024**

Thank you for the email dated 12 June 2024 enclosing relevant information for Adelaide City Council's draft by-laws for dogs and cats.

The Dog and Cat Management Board (the Board) has delegated its power under section 90(5) of the *Dog and Cat Management 1995 Act* (the Act) to make recommendations on draft by-laws to the Manager, Dog and Cat Management.

Having reviewed the draft by-laws, I am satisfied they are broadly consistent with those of other councils with similar by-laws, and have no recommendations to make.

Yours sincerely,

A handwritten signature in blue ink that reads 'Ann Gee'.

Ann Gee  
**Manager**  
**Dog and Cat Management**

**CORPORATION OF THE CITY OF ADELAIDE**  
**REPORT TO COUNCIL - NATIONAL COMPETITION POLICY**  
**PERMITS AND PENALTIES BY-LAW 2024**  
**BY-LAW NO 1. OF 2024**

**STATUS**

**This by-law has been identified as one which of itself will not restrict competition.**

**Report**

This by-law has been reviewed in light of the National Competition Policy.

The objectives of the by-law are to:

- (a) provide for a permit system and fix maximum and minimum penalties in Council by-laws;
- (b) clarify the construction of such by-laws.

There is no potential to restrict competition within the provisions of the *Permits and Penalties By-Law 2024*, taking into account any likely benefit or detriment to the community.

**Recommendation:**

**That the Council, following consideration of this report with respect to National Competition Policy, adopts the *Permits and Penalties By-Law 2024* as drafted.**

**CORPORATION OF THE CITY OF ADELAIDE**  
**REPORT TO COUNCIL - NATIONAL COMPETITION POLICY**  
**MOVEABLE SIGNS BY-LAW 2024**  
**BY-LAW NO. 2 OF 2024**

**STATUS**

**This by-law has been identified as one in which parts of the by-law have the potential to restrict competition.**

**POTENTIAL RESTRICTIONS**

This by-law contains certain provisions which may be regarded as having the potential to restrict competition as follows.

- (a) The by-law imposes restrictions on where moveable signs may be placed, the number of signs and their design. This may limit the extent of advertising conducted by businesses using moveable signs.
- (b) 'Permission' means the permission of the Council or other persons authorised by the Council given in writing as prescribed in the *Permits and Penalties By-law 2024*.
- (c) The Council or other person authorised by the Council may attach conditions to a grant of permission as it thinks fit and may vary or revoke such conditions or impose new conditions by notice in writing to the permit holder.
- (d) Any permit holder shall comply with every such condition.
- (e) The Council or other person authorised by the Council may revoke such grant of permission at any time by notice in writing to the permit holder.

**OBJECTIVES OF THE BY-LAW**

To set standards for moveable signs on roads, to provide conditions for and the placement of such signs, to protect public safety and to protect or enhance the amenity of the area of the Council.

The objectives of the by-law include:

- (a) the prevention and suppression of nuisances;
- (b) protecting the convenience, comfort and safety of members of the public;
- (c) protecting or enhancing the amenity of the Council's area;
- (d) ensuring a moveable sign does not unreasonably restrict the use of a road.

### **DOES THE BY-LAW RESTRICT COMPETITION?**

The restrictions in the by-law have the potential to restrict competition by placing controls over the positioning of and number of moveable signs that may be displayed. The requirement to obtain a permit in circumstances outside of those contemplated by this by-law also has the potential to restrict competition. Additionally, it contains an administrative discretion in favour of the Council which can be used selectively without any objective criteria.

### **ALTERNATIVE MEANS OF ACHIEVING THE SAME RESULT**

There are no directly relevant alternative means of regulating the placement of moveable signs on roads in the Council's area.

### **IS THE BY-LAW AN APPROPRIATE METHOD OF CONTROL? DO THE BENEFITS OUTWEIGH COSTS TO THE COMMUNITY?**

1. The costs to the person requiring the permit will include:
  - the administrative costs in making the application;
  - any permit fee;
  - the costs of compliance with any condition imposed by the Council.
2. The costs to the Council will include:
  - the administrative costs in making the by-law;
  - the administrative costs in considering the application;
  - staffing costs of supervision and enforcement of the by-law.
3. The benefits to the community will include:
  - the proper management of moveable signs on roads on behalf of the community;
  - the protection of the Council's and other property within the Council's area;
  - the protection and enhancement of the amenity of the Council's area;
  - the protection of the safety of members of the public;
  - a reduction in the level of inconvenience that could be caused to members of the public if the placement of moveable signs is not regulated.
4. There appear to be no substantial costs to the community by the enactment of this by-law.

### **SUMMARY**

The potential restrictions on competition within the provisions of By-law No 2. - Moveable Signs favour the community by proper control of the design, construction, appearance and

placement of moveable signs on roads which the Council has a responsibility to manage properly in the interests of the community at large.

The costs to the person requiring a permit and the community are outweighed by the benefits to the community to be achieved from the by-law.

**Recommendation:**

**That the Council, following consideration of this report with respect to National Competition Policy, adopts the *Moveable Signs By-law 2024* as drafted.**



**CORPORATION OF THE CITY OF ADELAIDE**  
**REPORT TO COUNCIL - NATIONAL COMPETITION POLICY**  
**LOCAL GOVERNMENT LAND BY-LAW 2024**  
**BY-LAW NO. 3 OF 2024**

**STATUS**

**This by-law has been identified as one in which parts of the by-law have the potential to restrict competition.**

**POTENTIAL RESTRICTIONS**

This by-law contains certain provisions which may be regarded as having the potential to restrict competition as follows.

- (a) Certain activities as set out in the By-law may only be undertaken where the prior permission of the Council has been obtained.
- (b) 'Permission' means the permission of the Council or other person authorised by the Council given in writing as prescribed in the *Permits and Penalties By-Law 2024*.
- (c) The Council or other person authorised by the Council may attach conditions to a grant of permission as it thinks fit and may vary or revoke such conditions or impose new conditions by notice in writing to the permit holder.
- (d) Any permit holder shall comply with every such condition.
- (e) The Council or other person authorised by the Council may revoke such grant of permission at any time by notice in writing to the permit holder.

**OBJECTIVES OF THE BY-LAW**

To provide for the management and regulation of the use of and access to all land vested in or under the control of the Council, including the prohibition and regulation of particular activities on local government land.

The objectives of the by-law include:

- (a) the prevention of damage to local government land;
- (b) the prevention and suppression of nuisances;
- (c) protecting the convenience, comfort and safety of the residents in the Council's area and members of the public generally;
- (d) protecting the amenity of the Council area.

### **DOES THE BY-LAW RESTRICT COMPETITION?**

The requirement to obtain a permit has the potential to restrict competition by limiting the number of providers of goods or services and/or by restricting the space or area the permit holder may occupy. Additionally, it contains an administrative discretion in favour of the Council that can be used selectively without any objective criteria.

### **ALTERNATIVE MEANS OF ACHIEVING THE SAME RESULT**

There are no directly relevant alternative means of regulating these activities when carried out on local government land.

### **IS THE BY-LAW AN APPROPRIATE METHOD OF CONTROL? DO THE BENEFITS OUTWEIGH COSTS TO THE COMMUNITY?**

1. The costs to the person requiring the permit will include:
  - the administrative costs in making the application;
  - any permit fee;
  - the costs of compliance with any conditions imposed by the Council, for example, finding another site on which to carry out the particular activity.
2. The costs to the Council will include:
  - the administrative costs in making the by-law;
  - the administrative costs in considering the application;
  - staffing costs of supervision and enforcement of the by-law.
3. The benefits to the community will include:
  - the proper management of local government land on behalf of the community;
  - the approval of suitable applicants who will be required to comply with safety, health and hygiene standards;
  - the protection of the Council's property;
  - a reduction in the level of inconvenience which could be caused to members of the public by unregulated conduct.
4. There appear to be no substantial costs to the community by the enactment of this by-law.

### **SUMMARY**

The potential restrictions on competition within the provisions of the *Local Government Land By-Law 2024* favour the community by proper control of activities on local government land

National Competition Policy Report – By-law 3 – Local Government Land

over which the Council has a responsibility to manage properly as trustees for the community at large and which the Council holds for the benefit of all of its community.

The costs to the person requiring the permit and the community (if any) are outweighed by the benefits for the community to be achieved from the by-law.

It should also be noted that in any event very few of the costs and benefits are likely to be measurable in financial terms.

**Recommendation:**

**That the Council, following consideration of this report with respect to National Competition Policy, adopt the *Local Government Land By-Law 2024* as drafted.**

**CORPORATION OF THE CITY OF ADELAIDE**  
**REPORT TO COUNCIL - NATIONAL COMPETITION POLICY**

**ROADS BY-LAW 2024**  
**BY-LAW NO. 4 OF 2024**

**STATUS**

**This by-law has been identified as one in which parts of the by-law have the potential to restrict competition.**

**POTENTIAL RESTRICTIONS**

The by-law contains certain provisions which may be regarded as having the potential to restrict competition as follows.

- (a) Certain activities set out in the By-law require the permission of the Council.
- (b) 'Permission' means the permission of the Council or other person authorised by the Council given in writing as prescribed in the *Permits and Penalties By-Law 2024*.
- (c) The Council or other person authorised by the Council may attach conditions to a grant of permission as it thinks fit and may vary or revoke such conditions or impose new conditions by notice in writing to the permit holder.
- (d) Any permit holder shall comply with every such condition.
- (e) The Council or other person authorised by the Council may revoke such grant of permission at any time by notice in writing to the permit holder.

**OBJECTIVES OF THE BY-LAW**

To provide for the management of public roads.

The objectives of the by-law include:

- (a) the prevention and suppression of nuisances;
- (b) protecting the convenience, comfort and safety of the residents in the Council's area.

**DOES THE BY-LAW RESTRICT COMPETITION?**

The requirement to obtain a permit has the potential to restrict competition by limiting the number of providers of goods and services and/or by restricting the space or area the permit holder may occupy. Additionally, it contains an administrative discretion in favour of the Council that can be used selectively without any objective criteria.

**ALTERNATIVE MEANS OF ACHIEVING THE SAME RESULT?**

There is no directly relevant alternative means of regulating the activities when carried out on roads.

**IS THE BY-LAW AN APPROPRIATE METHOD OF CONTROL?  
DO THE BENEFITS OUTWEIGH THE COSTS TO THE COMMUNITY?**

1. The costs to the person requiring the permit will include:
  - the administrative costs in making the application;
  - any permit fee;
  - the costs of compliance with the conditions, for example, finding another site on which to carry out the particular activity.
2. The costs to the Council will include:
  - the administrative costs in making the by-law;
  - the administrative costs in considering the application;
  - staffing costs of supervision and enforcement of the by-law.
3. The benefits to the community will include:
  - the proper management of roads on behalf of the community;
  - the approval of suitable applicants who will comply with safety, health and hygiene standards;
  - a reduction in the level of inconvenience that could be caused to members of the public by unregulated conduct.
4. There appear to be no substantial costs to the community by the enactment of this by-law.

**SUMMARY**

The potential restrictions on competition within the provisions of the *Roads By-Law 2024* favour the community by proper control of activities on roads over which the Council has a responsibility to manage properly as trustees for the community at large.

The cost to the person requiring the permit and the community (if any) are outweighed by the benefits for the community to be achieved from the by-law.

It should also be noted that in any event very few of the costs and benefits are likely to be measurable in financial terms.

**Recommendation:**

**That the Council, following consideration of this report with respect to National Competition Policy, adopt the *Roads By-Law 2024* as drafted.**

**CORPORATION OF THE CITY OF ADELAIDE**  
**REPORT TO COUNCIL - NATIONAL COMPETITION POLICY**  
**WASTE MANAGEMENT BY-LAW 2024**  
**BY-LAW NO 5. OF 2024**

**STATUS**

**This by-law has been identified as one in which parts of the by-law have the potential to restrict competition**

**POTENTIAL RESTRICTIONS**

The by-law contains certain provisions which may be regarded as having the potential to restrict competition as follows:

- (1) The by-law seeks to regulate the provision of household waste and recycling containers, the management of waste collection services, the collection of waste on roads and the management of interference with waste. Certain matters require Council approval.
- (2) Approval, means the approval of the Council or other person authorised by the Council.

**OBJECTIVES OF THE BY-LAW**

The objectives of this By-law are to:

- regulate and control the collection and removal of general waste, recycling and organic waste from premises within the Council's area;
- prevent and suppress nuisances associated with the storage and collection of domestic waste;
- prevent damage to Council property and land;
- define the requirements for the use of the Council's domestic kerbside waste collection service;
- protect the convenience, comfort and safety of members of the public; and
- enhance the amenity of the Council area.

**DOES THE BY-LAW RESTRICT COMPETITION?**

The requirement to obtain approval has the potential to restrict competition by limiting the number of providers of goods and services. Additionally, it contains an administrative discretion in favour of the Council that can be used selectively without any objective criteria.

### **ALTERNATIVE MEANS OF ACHIEVING THE SAME RESULT?**

There is no directly relevant alternative means of regulating and controlling the removal of household and other waste and recycling in a manner compatible with the provision of a uniform service across Council's area.

### **IS THE BY-LAW AN APPROPRIATE METHOD OF CONTROL? DO THE BENEFITS OUTWEIGH THE COSTS TO THE COMMUNITY?**

1. The costs to the person requiring the authorisation will include:
  - the administrative costs in making the application;
  - any fee;
  - the costs of compliance with the conditions, for example the requirement to obtain and use a particular container.
2. The costs to the Council will include:
  - the administrative costs in making and enforcing the by-law;
  - the administrative costs in considering any application;
  - costs associated with waste removal in accordance with by-law requirements.
3. The benefits to the community will include:
  - the proper management of waste on roads on behalf of the community;
  - the advance of safety, health and hygiene standards;
  - a reduction in the level of nuisance that could be caused to members of the public by unregulated conduct.
4. There appear to be no substantial costs to the community by the enactment of this by-law.

### **SUMMARY**

The potential restrictions on competition within the provisions of the *Waste Management By-law 2024* favour the community by proper regulation of the storage, disposal and collection of domestic and other waste and recycling which the Council has a responsibility to undertake.

The cost to the community is outweighed by the benefits achieved from the by-law.

### **Recommendation:**

**That the Council, following consideration of this report with respect to National Competition Policy, adopt the *Waste Management By-Law 2024* as drafted.**



**CORPORATION OF THE CITY OF ADELAIDE**  
**REPORT TO COUNCIL - NATIONAL COMPETITION POLICY**  
**RUNDLE MALL BY-LAW 2024**  
**BY-LAW NO 6. OF 2024**

**POTENTIAL RESTRICTIONS**

This by-law contains certain provisions which may be regarded as having the potential to restrict competition as follows.

- (a) Certain activities as set out in the by-law may only be undertaken where the prior permission of the Council has been obtained.
- (b) 'Permission' means the written permission of the Council, or other person as authorised by the Council, as prescribed in this by-law.
- (c) The Council, or other person authorised by the Council, may attach conditions to a grant of permission as it thinks fit and may vary or revoke such conditions or impose new conditions by notice in writing to the permit holder.
- (d) Any permit holder shall comply with every such condition.
- (e) The Council, or other person as authorised by the Council, may revoke such grant of permission at any time by notice in writing to the permit holder.

**OBJECTIVES OF THE BY-LAW**

To provide for the proper management of Rundle Mall, being the central shopping/eating hub of Adelaide, which is under the care, control and management of the Council, including the prohibition and regulation of particular activities in Rundle Mall to supplement the provisions of Council's *Roads By-law 2024* in the Rundle Mall.

The objectives of the by-law include:

- the prevention of damage to Rundle Mall;
- the prevention and suppression of nuisances;
- protecting the convenience, comfort and safety of the public who frequent Rundle Mall, as well as the residents in the Council's area;
- protecting the amenity of Rundle Mall.

### **DOES THE BY-LAW RESTRICT COMPETITION?**

The requirement to obtain a permit has the potential to restrict competition by limiting the number of providers of goods or services, and by restricting the activities, space or area the permit holder may occupy. Additionally, it contains an administrative discretion in favour of the Council that can be used selectively without reference any objective criteria.

### **ALTERNATIVE MEANS OF ACHIEVING THE SAME RESULT**

There are no directly relevant alternative means of regulating these activities when carried out in Rundle Mall.

### **IS THE BY-LAW AN APPROPRIATE METHOD OF CONTROL? DO THE BENEFITS OUTWEIGH COSTS TO THE COMMUNITY?**

1. The costs to the person requiring the permit will include:
  - the administrative costs in making the application;
  - any permit fee;
  - the costs of compliance with any conditions imposed by the Council, for example, finding another site on which to carry out the particular activity.
2. The costs to the Council will include:
  - the administrative costs in making the by-law;
  - the administrative costs in considering the application;
  - staffing costs of supervision and enforcement of the by-law.
3. The benefits to the community will include:
  - the proper management of Rundle Mall on behalf of the community;
  - the approval of suitable applicants who will be required to comply with safety, health and hygiene standards;
  - the protection of the Council's property;
  - a reduction in the level of inconvenience which could be caused to members of the public by unregulated conduct in Rundle Mall.
4. There appear to be no substantial costs to the community by the enactment of this by-law.

### **SUMMARY**

The potential restrictions on competition within the provisions of the *Rundle Mall By-law 2024* favour the community by proper regulation of the storage, disposal and collection of domestic and other waste and recycling which the Council has a responsibility to undertake.

The cost to the community is outweighed by the benefits achieved from the by-law.

**Recommendation:**

**That the Council, following consideration of this report with respect to National Competition Policy, adopt the *Rundle Mall By-Law 2024* as drafted.**

**CORPORATION OF THE CITY OF ADELAIDE**  
**REPORT TO COUNCIL - NATIONAL COMPETITION POLICY**

**DOGS BY-LAW 2024**  
**BY-LAW NO. 7 OF 2024**

**STATUS**

**This by-law has been identified as one which will not have the potential to restrict competition.**

**Report**

This by-law has been reviewed in light of the National Competition Policy.

**OBJECTIVES OF THE BY-LAW**

To provide for the management and control of dogs within the Council's area and to limit the number of dogs that may be kept on premises.

The objectives of the by-law are to:

- (a) protect the comfort and safety of residents in and visitors to the Council's area;
- (b) establish areas within the Council that are dog free, in which dogs must be on leashes and restrained or where dogs may be exercised.

There is no potential to restrict competition within the provisions of the *Dogs By-law 2024*, taking into account any likely benefit or detriment to the community.

**Recommendation:**

**That the Council, following consideration of this report with respect to National Competition Policy, adopt the *Dogs By-law 2024* as drafted.**

**CORPORATION OF THE CITY OF ADELAIDE**  
**REPORT TO COUNCIL - NATIONAL COMPETITION POLICY**

**CATS BY-LAW 2024**  
**BY-LAW NO 8. OF 2024**

**STATUS**

This by-law has been identified as one which will not have the potential to restrict competition

**REPORT**

This by-law has been reviewed in light of the National Competition Policy.

**OBJECTIVES OF THE BY-LAW**

To provide for the control and management of cats within the Council's area and to limit the number of cats that maybe kept on premises.

The objectives of the by-law include:

- protecting the comfort and safety of residents in and visitors to the Council's area;
- limiting the number of cats kept at premises for hygiene and amenity purposes.

There is no potential to restrict competition within the provisions of the *Cats By-law 2024*, taking into account any likely benefit or detriment to the community.

**Recommendation:**

**That the Council, following consideration of this report with respect to National Competition Policy, adopt the *Cats By-law 2024* as drafted.**

**CORPORATION OF THE CITY OF ADELAIDE**  
**REPORT TO COUNCIL - NATIONAL COMPETITION POLICY**  
**LODGING HOUSES BY-LAW 2024**  
**BY-LAW NO 9. OF 2024**

**STATUS**

This by-law has been identified as one in which parts of the by-law have the potential to restrict competition.

**POTENTIAL RESTRICTIONS**

This by-law contains certain provisions which may be regarded as having the potential to restrict competition as follows.

- (1) The Council requires all persons to make application for a lodging house licence or to renew the licence of an existing lodging house.
- (2) The Council or another person authorised by the Council may attach conditions to a grant of a licence as the Council or other person deems appropriate and may vary or revoke such conditions or impose new conditions by notice in writing to the licence holder.
- (3) The licence holder must at all times comply with the licence conditions.
- (4) The Council or another person authorised by the Council may at any time, by notice in writing revoke or suspend a licence.

**OBJECTIVES OF THE BY-LAW**

To provide for the control, licensing, inspection and regulation of lodging houses.

**DOES THE BY-LAW RESTRICT COMPETITION?**

The requirement to obtain a licence has the potential to restrict competition by limiting the number of providers of such services. Additionally, it contains an administrative discretion in favour of the Council that can be used selectively without any objective criteria.

**ALTERNATIVE MEANS OF ACHIEVING THE SAME RESULT**

There are no directly relevant alternative means of regulating these activities.

**IS THE BY-LAW AN APPROPRIATE METHOD OF CONTROL?**  
**DO THE BENEFITS OUTWEIGH COSTS TO THE COMMUNITY?**

1. The cost to the person requiring the licence will include:

- the administrative costs in making the application;
  - any license fee;
  - the costs of compliance with the conditions.
2. The cost to the Council will include:
- the administrative costs in making the by-law;
  - the administrative costs in considering the application;
  - staffing costs of supervision and enforcement of the by-law.
3. The benefits to the community will include:
- the proper management of lodging houses on behalf of the community;
  - the approval of suitable applicants who will comply with safety, health and hygiene standards;
  - a reduction in the level of inconvenience which could be caused to members of the public by unregulated conduct.
4. There appear to be no substantial costs to the community by the enactment of this by-law.

### **SUMMARY**

The potential restrictions on competition within the provisions of *Lodging Houses By-Law 2024* favour the community by proper control of activities in lodging houses over which the Council has a responsibility to manage properly as trustees for the community at large.

The cost to the applicant and the community (if any) are outweighed by the benefits for the community to be achieved from the by-law.

It should also be noted that in any event very few of the costs and benefits are likely to be measurable in financial terms.

### **Recommendation:**

**That the Council, following consideration of this report with respect to National Competition Policy, adopt the *Lodging Houses By-law 2024* as drafted.**



## CORPORATION OF THE CITY OF ADELAIDE

*By-law made under the Local Government Act 1999*

### PERMITS AND PENALTIES BY-LAW 2024

#### By-law No. 1 of 2024

*To provide for a permit system, set penalties for breaches of by-laws, provide for certain matters pertaining to liability and evidence, set regulatory requirements, clarify the construction of Council's by-laws and for related purposes.*

#### Part 1 – Preliminary

##### 1. Short Title

This by-law may be cited as the *Permits and Penalties By-law 2024*.

##### 2. Commencement

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

##### 3. Definitions

3.1 In any by-law of the Council, unless the contrary intention is clearly indicated:

3.1.1 **person** includes a natural person, a body corporate, an incorporated association and an unincorporated association;

3.1.2 **the Council** means the Corporation of the City of Adelaide;

3.1.3 **permission** means the permission of the Council, or such other person as the Council may by resolution authorise for that purpose, given in writing prior to the act, event or activity to which it relates.

3.2 In this by-law:

3.2.1 **Approved Form** means the form approved from time to time by the Chief Executive Officer of the Council;

3.2.2 **Authorised Person** has the same meaning as in the *Local Government Act 1999*;

3.2.3 **Drive** and **Driver** have the same meaning as in the *Road Traffic Act 1961*;



- 3.2.4 **Food Business** has the same meaning as in the *Food Act 2001*;
- 3.2.5 **Local Government Land** has the same meaning as in the Council's *By-law No. 3 – Local Government Land*;
- 3.2.6 **Owner** has the same meaning as in the *Road Traffic Act 1961*;
- 3.2.7 **Premises** has the same meaning as in the *Food Act 2001*;
- 3.2.8 **Prescribed Offence** means an offence against a by-law of the Council relating to the driving, parking or standing of vehicles;
- 3.2.9 **Proprietor** has the same meaning as in the *Food Act 2001*;
- 3.2.10 **Road** has the same meaning as in the *Local Government Act 1999*;
- 3.2.11 **Vehicle** has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules*;
- 3.2.12 **Writing** includes both paper and electronic format.

## Part 2 – Permits

### 4. Council May Grant Permits

If any by-law of the Council states that a person needs a 'permit' or 'permission' to do a specified thing, then the following provisions apply:

- 4.1 The permit must be in writing.
- 4.2 The Council may:
  - 4.2.1 attach conditions to the permit;
  - 4.2.2 change or revoke a condition, by notice in writing; or
  - 4.2.3 add new conditions, by notice in writing.
- 4.3 A person who holds a permit must comply with every condition attached to it. Failure to do so constitutes a breach of this by-law.
- 4.4 The Council may revoke a permit, by notice in writing, if:
  - 4.4.1 a condition of the permit is breached; or
  - 4.4.2 the Council has reasonable grounds for its revocation.
- 4.5 The Council may, by resolution, fix, vary or revoke fees or charges for the granting of a permit to do a specified thing.

### Part 3 – Enforcement

#### 5. Offences and Penalties

- 5.1 A person who contravenes, or fails to comply with any by-law of the Council is guilty of an offence and is liable to a maximum penalty being the maximum penalty referred to in the *Local Government Act 1999*, which may be fixed for offences against a by-law.
- 5.2 A person who is found guilty of an offence against any by-law of the Council in respect of a continuing act or omission is liable, in addition to the penalty otherwise applicable, to a further penalty being the maximum amount referred to in the *Local Government Act 1999* which may be fixed for offences of a continuing nature against a by-law.

#### 6. Liability of Vehicle Owners and Expiation of Certain Offences

- 6.1 Without derogating from the liability of any other person, but subject to this clause, if a Vehicle is involved in a Prescribed Offence, the Owner of the Vehicle is guilty of an offence and liable to the same penalty as is prescribed for the principal offence and the expiation fee that is fixed for the principal offence applies in relation to an offence against this clause.
- 6.2 The Owner and Driver of a Vehicle are not both liable through the operation of this clause to be convicted of an offence arising out of the same circumstances, and consequently conviction of the Owner exonerates the Driver and conversely conviction of the Driver exonerates the Owner.
- 6.3 An expiation notice or expiation reminder notice given under the *Expiation of Offences Act 1996* to the Owner of a Vehicle for an alleged Prescribed Offence involving the Vehicle must be accompanied by a notice inviting the Owner, if they were not the Driver at the time of the alleged Prescribed Offence, to provide the Council or officer specified in the notice, within the period specified in the notice, with a statutory declaration:
- 6.3.1 setting out the name and address of the Driver; or
- 6.3.2 if they had transferred Ownership of the Vehicle to another prior to the time of the alleged offence and have complied with the *Motor Vehicles Act 1959* in respect of the transfer - setting out details of the transfer (including the name and address of the transferee).
- 6.4 Before proceedings are commenced against the Owner of a Vehicle for an offence against this section involving the Vehicle, the complainant must send the Owner a notice:
- 6.4.1 setting out particulars of the alleged Prescribed Offence; and
- 6.4.2 inviting the Owner, if they were not the Driver at the time of the alleged Prescribed Offence, to provide the complainant, within 21 days of the date of the notice, with a statutory declaration setting out the matters referred to in clause 6.3.
- 6.5 Clause 6.4 does not apply to:

- 6.5.1 proceedings commenced where an Owner has elected under the *Expiation of Offences Act 1996* to be prosecuted for the offence; or
  - 6.5.2 proceedings commenced against an Owner of a Vehicle who has been named in a statutory declaration under this section as the Driver of the Vehicle.
- 6.6 Subject to clause 6.7, in proceedings against the Owner of a Vehicle for an offence against this clause, it is a defence to prove:
- 6.6.1 that, in consequence of some unlawful act, the Vehicle was not in the possession or control of the Owner at the time of the alleged Prescribed Offence; or
  - 6.6.2 that the Owner provided the complainant with a statutory declaration in accordance with an invitation under this clause.
- 6.7 The defence in clause 6.6.2 does not apply if it is proved that the Owner made the declaration knowing it to be false in a material particular.
- 6.8 If:
- 6.8.1 an expiation notice is given to a person named as the alleged Driver in a statutory declaration under this clause; or
  - 6.8.2 proceedings are commenced against a person named as the alleged Driver in such a statutory declaration,
- the notice or summons, as the case may be, must be accompanied by a notice setting out particulars of the statutory declaration that named the person as the alleged Driver.
- 6.9 The particulars of the statutory declaration provided to the person named as the alleged Driver must not include the address of the person who provided the statutory declaration.

#### **Part 4 – Food Business Notification**

##### **7. Food Business Notification Confirmation**

- 7.1 Upon receipt and processing of a written notice received from the Proprietor of a Food Business in accordance with Section 86 of the *Food Act 2001* the Council will issue the Proprietor with a food business notification confirmation, in the Approved Form, evidencing that the Proprietor has complied with their obligations pursuant to Section 86 of the *Food Act 2001*.
- 7.2 The Proprietor of a Food Business must, at all times, keep a copy of the food business notification confirmation issued to them by the Council displayed in a prominent position on the Premises of the Food Business that is clearly visible from the outside of the Premises to potential customers, members of the public and passers-by.

## Part 5 – Miscellaneous

### 8. Evidence

In proceedings for a Prescribed Offence, an allegation in an Information<sup>1</sup> that:

- 8.1 a specified place was a Road or Local Government Land; or
- 8.2 a specified Vehicle was driven, parked or left standing in a specified place; or
- 8.3 a specified Vehicle was parked or left standing for the purposes of soliciting business from a person or offering or exposing goods for sale; or
- 8.4 a specified place was not set aside by the Council for the purposes of the driving, parking or standing of vehicles; or
- 8.5 a specified person was an Authorised Person; or
- 8.6 a specified provision was a condition of a specified permit granted under paragraph 4 of this by-law; or
- 8.7 a specified person was the Owner or Driver of a specified vehicle; or
- 8.8 a person named in a statutory declaration under paragraph 6 of this by-law for the Prescribed Offence to which the declaration relates was the Driver of the Vehicle at the time at which the alleged offence was committed; or
- 8.9 an Owner or Driver of a Vehicle for a Prescribed Offence was given notice under paragraph 6 of this by-law on a specified day,

is proof of the matters so alleged in the absence of proof to the contrary.

### 9. Construction

Every by-law of the Council is subject to any Act of Parliament and Regulations made thereunder.

### 10. Revocation

Council's *By-law No. 1 – Permits and Penalties*, published in the *Gazette* on 23 August 2018, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the Corporation of the City of Adelaide held on the \_\_\_\_\_ day of \_\_\_\_\_ 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

.....  
Michael Sedgman  
Chief Executive Officer

<sup>1</sup> **Information** means an Information and Summons filed for the purposes of commencing prosecution proceedings against a defendant in accordance with the *Joint Criminal Rules 2022*.

**CORPORATION OF THE CITY OF ADELAIDE**

*By-law made under the Local Government Act 1999*

**MOVEABLE SIGNS BY-LAW 2024****By-law No. 2 of 2024**

*To set standards for moveable signs on roads, to provide conditions for and the placement of such signs, to protect public safety and to protect or enhance the amenity of the area of the Council.*

**Part 1 – Preliminary****1. Short Title**

This by-law may be cited as the *Moveable Signs By-law 2024*.

**2. Commencement**

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

**3. Definitions**

In this by-law:

- 3.1 **Authorised Person** has the same meaning as in the *Local Government Act 1999*;
- 3.2 **Banner** means a moveable sign constituted of a strip of cloth, plastic or other material hung or attached to a pole, fence or other structure and includes a tear drop sign;
- 3.3 **Boundary** means that line between private property and the Road or Road Related Area;
- 3.4 **Business** means the business or organisation to which a Moveable Sign relates;
- 3.5 **Business Premises** means the premises from which a business, trade or calling is conducted;
- 3.6 **Ceremonial Street** means any Road declared as such by the Council;
- 3.7 **Footpath Area** means:

- 3.7.1 that part of the Road between the boundary of the Road and the edge of the carriageway of the Road on the same side as that boundary; or
- 3.7.2 a footway, laneway or other place made or constructed for the use of pedestrians and not for the use of Vehicles;
- 3.8 **Local Government Land** means land owned by the Council or under the Council's care, control and management;
- 3.9 **Moveable Sign** has the same meaning as in the *Local Government Act 1999*;
- 3.10 **Road** has the same meaning as in the *Local Government Act 1999* and includes a footpath;
- 3.11 **Road Related Area** has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules*;
- 3.12 **Vehicle** has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules*.

## Part 2 – Provisions Applicable to Moveable Signs

### 4. Design and Construction

A Moveable Sign must:

- 4.1 be of a kind known as an 'A' frame sign, a Sandwich Board sign, an inverted 'T' sign or, with the permission of the Council, a sign of some other kind;
- 4.2 be designed, constructed and maintained in good quality and condition so as not to present a hazard to any member of the public;
- 4.3 be of strong construction so as to be stable when in position and be able to keep its position in adverse weather conditions;
- 4.4 not contain sharp or jagged edges or corners;
- 4.5 not be unsightly or offensive in appearance or content;
- 4.6 not rotate or contain moving parts;
- 4.7 not contain flashing lights or be illuminated internally;
- 4.8 be constructed of timber, cloth, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 4.9 not have balloons, flags, streamers or other material attached to it;
- 4.10 not exceed 900 mm in perpendicular height, or have a base with any side exceeding 600 mm in length;
- 4.11 in the case of an 'A' Frame or Sandwich Board sign:
  - 4.11.1 be hinged or joined at the top; and

4.11.2 be of such construction that its sides shall be securely fixed or locked in position when erected; and

4.12 in the case of an inverted 'T' sign, contain no struts or supports that run between the display area and the base of the sign.

## 5. Appearance

A Moveable Sign must, in the opinion of an Authorised Person:

5.1 be painted or otherwise detailed in a competent and professional manner;

5.2 be aesthetically appealing, legible and simply worded to convey a precise message;

5.3 be of such design and contain such colours as are compatible with the architectural design of the premises adjacent to the moveable sign, and which relate well to the townscape and overall amenity of the locality in which it is situated;

5.4 contain combinations of colour and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated; and

5.5 not detract from or conflict with traffic, safety or direction signs or signals.

## 6. Placement

A Moveable Sign must:

6.1 only be placed on the Footpath Area of a Road;

6.2 be adjacent to the Business Premises to which it relates;

6.3 be placed no closer than 600 mm from the edge of the carriageway of a Road;

6.4 not be placed on a Footpath Area less than 1.8 m from any structure, object, tree, bush or plant (including another Moveable Sign);

6.5 not be fixed, tied, chained to or leaned against any other structure, object, tree, bush or plant (including another Moveable Sign);

6.6 not be placed on the sealed part of any Footpath Area, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare for pedestrians of a width of at least 1.8 m;

6.7 not be placed on a Footpath Area unless the Footpath Area is at least 3 m wide;

6.8 not be placed within 1.8 m of the corner of a Road;

6.9 not be placed on a landscaped area;

6.10 not be placed on a designated parking area or within 1.8 m of an entrance to or exit from premises;

- 6.11 not be placed within 1.8 m of an intersection;
- 6.12 not unreasonably restrict the use of the Footpath Area or endanger the safety of members of the public;
- 6.13 not be placed so as to interfere with the reasonable movement of persons using the Footpath Area in the vicinity of or adjacent to where the Moveable Sign is positioned or endanger the safety of members of the public;
- 6.14 not be placed on any Footpath Area adjacent to a Road which contains a designated bus, taxi, disabled or loading zone;
- 6.15 not be placed within 1.8 m of a construction site;
- 6.16 not be placed on a Ceremonial Street; and
- 6.17 not be placed so as to obstruct or impede a Vehicle door when opened, provided that the Vehicle is parked lawfully on the carriageway.

## 7. Restrictions

- 7.1 A Moveable Sign must:
  - 7.1.1 only display material which advertises a Business being conducted on premises which is immediately adjacent to the Moveable Sign, or the products available from that Business;
  - 7.1.2 be limited to one Moveable Sign per Business Premises;
  - 7.1.3 only be displayed when the Business to which the Moveable Sign relates is open to the public;
  - 7.1.4 be securely fixed in position such that it cannot be blown over or swept away in adverse weather conditions;
  - 7.1.5 not be in such a position or in such circumstances that the safety of any person or user of the Road is at risk;
  - 7.1.6 not be displayed during the hours of darkness unless it is in a clearly lit area and clearly visible; and
  - 7.1.7 not be displayed on a median strip, traffic island or on the carriageway of a Road.
- 7.2 If in the opinion of the Council a Footpath Area or other area forming the boundary of any Road is unsafe for any Moveable Sign to be displayed or placed the Council may by resolution prohibit or restrict the display or placement of a Moveable Sign or the times at which a Moveable Sign may be displayed or placed in that area.

## 8. Signs on Local Government Land

A person must not, without permission, display or cause to be displayed a Moveable Sign on any Local Government Land or rest on or attach to any Vehicle on any Local Government Land any Moveable Sign, except a Moveable Sign:



- 8.1 attached to a licensed taxi or bus;
- 8.2 on or attached to a Vehicle belonging to any council and which has been placed on or attached to the Vehicle with the consent of the council to which the Vehicle belongs;
- 8.3 on or attached to a Vehicle which only has a sign or signs painted on or glued to it, the main purpose of which is to identify it as belonging to a Business; or
- 8.4 comprising a sunscreen on a Vehicle, where any message or trade name or mark on the sunscreen does not advertise a Business being carried on in the vicinity of the place the Vehicle is parked, or the products available from that Business.

### Part 3 – Provisions Applicable to Banners

#### 9. Banners

A banner must:

- 9.1 only be displayed on a road, footpath or road related area;
- 9.2 be securely fixed to a pole, fence or other structure so that it does not hang loose or flap;
- 9.3 not be attached to any building, structure, fence, vegetation or other item owned by the Council on a road, or other improvement to a road owned by the Council;
- 9.4 not be displayed more than one month before and two days after the event it advertises;
- 9.5 not exceed 3m<sup>2</sup> in size.

#### 10. Exemptions

- 10.1 Subparagraphs 7.1 and 7.2 of this by-law do not apply to a Moveable Sign which is displayed and used to advertise a garage sale taking place from residential premises provided that no more than four Moveable Signs per residential premises may be displayed at any one time in relation to a garage sale taking place at that residential premises.
- 10.2 A requirement of this by-law will not apply where permission has been granted for the Moveable Sign to be displayed contrary to the requirement.
- 10.3 This by-law will not apply to a Moveable Sign which is:
  - 10.3.1 placed on a Road pursuant to an authorisation under the *Local Government Act 1999*, or another Act; or
  - 10.3.2 designed to direct people to the open inspection of any land or building that is available for purchase or lease; or
  - 10.3.3 related to a State or Commonwealth election and is displayed during the period commencing at 5.00pm on the day before the issue of writ

or writs for the election and ending at the close of polls on polling day;  
or

- 10.3.4 related to a referendum and is displayed during the course and for the purpose of that referendum.

## **Part 4 – Enforcement**

### **11. Removal of Non-complying Moveable Signs**

#### 11.1 If:

11.1.1 the design or construction of a Moveable Sign that has been placed on a Road does not comply with a requirement of this by-law; or

11.1.2 the positioning of a Moveable Sign does not comply with a requirement of this by-law; or

11.1.3 any other relevant requirement of this by-law is not complied with; or

11.1.4 the sign unreasonably:

11.1.4.1 restricts the use of the Road; or

11.1.4.2 endangers the safety of members of the public,

an Authorised Person may order the owner of the Moveable Sign to remove it from the Road.

11.2 A person must comply with an Order of an Authorised Person made pursuant to subparagraph 11.1 of this by-law.

11.3 If the Authorised Person cannot find the owner, or the owner fails to comply immediately with the Order made pursuant to subparagraph 11.1 of this by-law, the Authorised Person may remove the Moveable Sign.

11.4 If a Moveable Sign that is removed pursuant to subparagraph 11.3 of this by-law, is not claimed within thirty days of such removal, the Authorised Person may sell, destroy or otherwise dispose of the Moveable Sign as the Authorised Person thinks fit.

11.5 The owner or other person entitled to recover a Moveable Sign removed pursuant to subparagraph 11.3 of this by-law must pay to the Council any reasonable costs incurred by the Council in removing, storing and attempting to dispose of the Moveable Sign before being entitled to recover the Moveable Sign.

### **12. Removal of Complying Moveable Signs**

12.1 The owner of, or other person responsible for, a Moveable Sign must remove or relocate the Moveable Sign at the request of an Authorised Person if, in the reasonable opinion of that Authorised Person, and notwithstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the Moveable Sign.

- 12.2 The owner of, or other person responsible for, a Moveable Sign must remove or relocate the Moveable Sign at the request of an Authorised Person for the purpose of special events, parades, roadworks or in any other circumstances which, in the reasonable opinion of the Authorised Person, requires relocation or removal of the Moveable Sign to protect public safety or to protect or enhance the amenity of a particular locality.

**Part 5 – Miscellaneous**

**13. Revocation**

Council's *By-law No. 2 – Moveable Signs*, published in the *Gazette* on 23 August 2018, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the Corporation of the City of Adelaide held on the \_\_\_\_\_ day of \_\_\_\_\_ 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

.....  
Michael Sedgman  
Chief Executive Officer

**CORPORATION OF THE CITY OF ADELAIDE**

*By-law made under the Local Government Act 1999*

**LOCAL GOVERNMENT LAND BY-LAW 2024****By-law No. 3 of 2024**

*For the management of all land vested in or under the care, control and management of the Council.*

**Part 1 – Preliminary****1. Short Title**

This by-law may be cited as the *Local Government Land By-law 2024*.

**2. Commencement**

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

**3. Definitions**

In this by-law:

- 3.1 **Authorised Person** has the same meaning as in the *Local Government Act 1999*;
- 3.2 **Boat** means any boat, craft, raft or other vessel designed or constructed for the purpose of carrying persons on water;
- 3.3 **Building** includes any structure and or fixture of any kind whether for human habitation or not;
- 3.4 **Central Market** means portion of allotment 11 in Filed Plan 26448, being portion of the land comprised in Certificate of Title Volume 6118 Folio 750, and being that portion that was previously comprised as Town Acres 333 and 380 in the Council's area, but excludes that area above ground level car park known as UPark on Central Market;
- 3.5 **E-Cigarette** means:
  - 3.5.1 a device that is designed to generate or release an aerosol or vapour for inhalation by its user in a manner similar to the inhalation of smoke from an ignited tobacco product; or

- 3.5.2 a device of a kind resolved by the Council and notified by notice in the *Gazette* to be an E-Cigarette;
- 3.6 **Electoral Matter** has the same meaning as in the *Electoral Act 1985*;
- 3.7 **Emergency Vehicle** has the same meaning as in the *Australian Road Rules* and the *Road Traffic (Road Rules) Ancillary and Miscellaneous Provisions Regulations 2014*;
- 3.8 **Horse Riding Track** means the area set aside primarily for the purpose of riding horses in Lefevre Park/Nantu Wama (Park 6) located in the North Park Lands between Robe Terrace, Medindie Road, LeFevre Terrace and Kingston Terrace or any other area that the Council may by resolution designate for that purpose;
- 3.9 **Liquor** has the same meaning as in the *Liquor Licensing Act 1997*;
- 3.10 **Livestock** has the same meaning as in the *Livestock Act 1997*, but does not include dogs and cats;
- 3.11 **Local Government Land** means all land vested in or under the care, control and management of the Council (except streets and roads);
- 3.12 **Model Aircraft** includes a drone;
- 3.13 **National Soldiers Memorial** means the land described in Section 2(1) of the *National Soldiers Memorial Act 1949*;
- 3.14 **Offensive** includes threatening, abusive, insulting or annoying behaviour and 'offend' has a complementary meaning;
- 3.15 **Playspace** means:
- 3.15.1 any fenced area on or in which there is playspace equipment or other installed devices for the purpose of children's play; or
- 3.15.2 any unfenced area within 15 m of playspace equipment or other installed devices for the purposes of children's play;
- 3.16 **Public Place** has the same meaning as in the *Local Government Act 1999*;
- 3.17 **River Torrens** means any part of the River Torrens situated within the area of the Council, including, but not limited to:
- 3.17.1 the waters known as Torrens Lake;
- 3.17.2 the waters impounded by the dam referred to in Section 25 of the *Adelaide Park Lands Act 2005*; and
- 3.17.3 any watercourse or drain leading to the River Torrens;
- 3.18 **Road** has the same meaning as in the *Local Government Act 1999* and includes a footpath;
- 3.19 **Smoke** means:

- 3.19.1 in relation to a Tobacco Product, smoke, hold, or otherwise have control over, an ignited Tobacco Product; or
- 3.19.2 in relation to an E-Cigarette, to inhale from, hold or otherwise have control over, an E-Cigarette that is in use;
- 3.20 **Tobacco Product** has the same meaning as in the *Tobacco Products Regulation Act 1997*;
- 3.21 **Vehicle** has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules*;
- 3.22 **Waters** includes any body of water, including a pond, lake, river, creek or wetland under the care, control and management of the Council;
- 3.23 **Wheeled Recreational Device** has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules*.

## Part 2 – Management of Local Government Land

### 4. Activities Requiring Permission

A person must not without permission on any Local Government Land:

#### 4.1 Alteration of Local Government Land

make an alteration to the land, including:

- 4.1.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property; or
- 4.1.2 erecting or installing a structure (including pipes, wires, cables, fixtures, fittings and other objects) in, on, across, under or over the land; or
- 4.1.3 changing or interfering with the construction, arrangement or materials of the land; or
- 4.1.4 changing, interfering with or removing a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the land; or
- 4.1.5 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land;

#### 4.2 Amplification

use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound;

#### 4.3 Athletic and Ball Sports and Games

- 4.3.1 promote, organise or take part in any organised athletic sport in any area to which this subparagraph applies;

4.3.2 play or practice the game of golf in any area to which this subparagraph applies;

4.3.3 play any organised competition sport, as distinct from organised social play, in any area to which this subparagraph applies;

#### 4.4 **Boats**

subject to the provisions of the *Harbors and Navigation Act 1993* and the *Marine Safety (Domestic Commercial Vessel) National Law*:

4.4.1 hire or offer for hire a boat, raft, pontoon or other watercraft or use same for commercial purposes;

4.4.2 launch, propel, float or otherwise use any boat, raft, pontoon or other watercraft on any Waters;

#### 4.5 **Boat Ramps**

4.5.1 launch or retrieve a boat other than from a boat ramp constructed for that purpose;

4.5.2 allow any vehicle to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat;

#### 4.6 **Bridge Jumping**

jump or dive into any Waters from any bridge or any other structure;

#### 4.7 **Burials and Memorials**

4.7.1 bury, inter or spread the ashes of any human or animal remains;

4.7.2 erect any memorial;

#### 4.8 **Business Use**

conduct, provide or offer to provide services for monetary consideration, including but not limited to personal training services;

#### 4.9 **Camping and Tents**

4.9.1 camp or remain overnight whether in the open, a building, a vehicle or otherwise;

4.9.2 erect any tent or other structure;

#### 4.10 **Canvassing**

convey any advertising, religious or other message to any bystander, passer by or other person except for any message or material:

4.10.1 that is related to a Commonwealth or State election and is conveyed during the period commencing at 5.00pm on the day before the issue

of the writ or writs for the election and ending at the close of polls on polling day; or

4.10.2 that is related to an election under the *Local Government Act 1999*, or the *Local Government (Elections) Act 1999* and is conveyed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or

4.10.3 that is related to, and conveyed, during the course of and for the purpose of a Referendum;

#### 4.11 **Closed Lands**

enter or remain on any part of Local Government Land including any Waters:

4.11.1 at any time during which the Council has declared that the part shall be closed to the public, and which is indicated by a sign adjacent to the entrance to that part of the land;

4.11.2 where the land is enclosed with fences and/or walls, and gates have been closed and locked; or

4.11.3 where admission charges are payable, without paying those charges;

#### 4.12 **Collections and Donations**

collect anything from any passer-by or ask for or receive or indicate that they desire a donation of money or any other thing;

#### 4.13 **Depositing Rubbish etc**

deposit any structure, goods, materials, earth, soil, clay, gravel, sand, timber, stones, pebbles or any other matter or substance (including any liquid substance);

#### 4.14 **Distribution**

give out or distribute any hand bill, book, notice, leaflet, or other printed matter to any bystander, passer-by or other person except any hand bill, book, notice, leaflet or other printed matter:

4.14.1 that is related to a Commonwealth or State election and is placed, given out or distributed during the period commencing at 5.00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or

4.14.2 that is related to an election under the *Local Government Act 1999*, or the *Local Government (Elections) Act 1999* and is placed, given out or distributed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or

4.14.3 that is related to and placed, given out or distributed during the course of and for the purpose of a Referendum;



**4.15 Entertainment and Busking**

- 4.15.1 sing, busk, perform, chant, recite, mime or play any recording or upon any musical instrument so as to appear to be for the purpose of entertaining other persons;
- 4.15.2 conduct or hold any concert, festival, show, public gathering, circus, meeting, performance or any other similar activity;

**4.16 Erection of Structures**

- 4.16.1 erect a fence or hoarding, if:
  - 4.16.1.1 the fence or hoarding is made of or contains barbed or razor wire; or
  - 4.16.1.2 the fence is not easily visible at night and thereby creates a danger to users of the land;
- 4.16.2 erect, place, use or allow to remain:
  - 4.16.2.1 a ladder or trestle;
  - 4.16.2.2 any other equipment, appliance, object or material likely to cause an obstruction or danger to any person;
- 4.16.3 park, place, use or allow to remain a mobile crane, scissor lift, elevated platform vehicle or cherry picker;

**4.17 Fires**

subject to the *Fire and Emergency Services Act 2005*, light any fire except:

- 4.17.1 in a place provided by the Council for that purpose; or
- 4.17.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least 4 m;

**4.18 Fireworks**

use, discharge or explode any fireworks;

**4.19 Flora and Fauna**

subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:

- 4.19.1 damage, pick, disturb, interfere with or remove any plant or flower thereon;
- 4.19.2 lead or drive any animal or stand or walk on any flower bed or garden;
- 4.19.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;

- 4.19.4 take, interfere with, tease, harm or disturb any animal, bird, marine creature or insect or the eggs or young of any animal, bird, marine creature or insect;
- 4.19.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;
- 4.19.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;
- 4.19.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or marine creature;
- 4.19.8 burn any timber or dead wood;

#### 4.20 **Liquor**

consume, carry or be in possession or in charge of any Liquor on any Local Government Land comprising parks or reserves to which the Council has resolved this subparagraph shall apply;

#### 4.21 **Livestock**

- 4.21.1 cause or allow any Livestock to stray onto, move over, graze or be left unattended;
- 4.21.2 cause or allow any Livestock to enter, swim, bathe or remain in any Waters located on Local Government Land to which the Council has resolved this subparagraph shall apply;
- 4.21.3 lead or drive any Livestock, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind;
- 4.21.4 allow any Livestock to damage any flower bed, garden, tree, lawn or other item or place;
- 4.21.5 train any Livestock;

#### 4.22 **Model Aircraft, Boats and Cars**

- 4.22.1 fly or operate a Model Aircraft, boat or model/remote control car which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of Local Government Land or detract from or be likely to detract from another person's lawful use and enjoyment of the land;
- 4.22.2 fly or operate a Model Aircraft, boat or model/remote control car on land to which the Council has resolved this subparagraph shall apply;

#### 4.23 **Obstructions**

- 4.23.1 obstruct any path, footpath, track, gateway or other area;

4.23.2 erect, place, use or allow to remain over any path, footpath, track, gateway or other area any object including, but not limited to, any planter box, hoarding, crane, cherry picker, elevated platform vehicle, scaffolding, stage, ladder, trestle, appliance, or other equipment.

#### 4.24 **Organised Ceremonies and Events etc**

hold, conduct or participate in a funeral, marriage ceremony, game, picnic, other event or entertainment on any Local Government Land except where the number of persons attending the event or entertainment does not exceed 20;

#### 4.25 **Overhanging Articles**

suspend or hang any article or thing from any building, verandah, pergola, post or other structure where it might present a nuisance or danger to any person using Local Government Land;

#### 4.26 **Playing Area**

use or occupy any playing area:

4.26.1 in such a manner as to damage or be likely to damage the surface of the playing area and/or infrastructure (above and under ground level);

4.26.2 in any manner contrary to the purpose for which the playing area was intended to be used or occupied;

4.26.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area;

#### 4.27 **Preaching and Canvassing**

preach, canvass, harangue, tout for business or conduct any survey or opinion poll except:

4.27.1 in any area where the Council has, by resolution, determined this restriction shall not apply; or

4.27.2 any opinion poll that is related to a Commonwealth or State election and is conducted during the period commencing at 5.00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or

4.27.3 any opinion poll that is related to an election under the *Local Government Act 1999*, or the *Local Government (Elections) Act 1999* and is conducted during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or

4.27.4 any opinion poll that is related to and is conducted during the course of and for the purpose of a Referendum;

**4.28 Public Exhibitions and Displays**

- 4.28.1 allow or cause any public exhibition or display;
- 4.28.2 allow or cause to be displayed any bills, advertisements or other papers or items or mark with any substance or apply any stickers or stencils to a building or structure on Local Government Land or other public place except any bills, advertisements or other papers or items:
  - 4.28.2.1 that are related to a Commonwealth or State election and are displayed during the period commencing at 5.00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
  - 4.28.2.2 that are related to an election under the *Local Government Act 1999*, or the *Local Government (Elections) Act 1999* and are displayed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
  - 4.28.2.3 that are related to and displayed during the course of and for the purpose of a Referendum;

**4.29 Riverbank**

drive or propel a Vehicle onto or from a riverbank other than by a ramp or thoroughfare constructed on the riverbank or provided by the Council for that purpose;

**4.30 Rubbish and Rubbish Dumps**

- 4.30.1 interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on Local Government Land;
- 4.30.2 remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging etc) that has been discarded in a Council bin on Local Government Land;

**4.31 Swimming**

swim, bathe or wash in any Waters to which this subparagraph applies;

**4.32 Trading**

- 4.32.1 carry on the business of buying or selling, or offering or exposing for sale, or hiring or leasing any goods or services including, but not limited to any Vehicle, watercraft or aircraft; or
- 4.32.2 set up a Vehicle, stall, stand, table, tray, carpet or other structure for the apparent purpose of buying or selling, or offering or exposing for sale, or hiring or leasing any goods or services including, but not limited to any Vehicle, watercraft or aircraft;

#### 4.33 **Vehicles**

drive or propel any vehicle on local government land unless on an area or road that is constructed or set aside by the Council for that purpose.

### 5. **Prohibited Activities**

A person must not on any Local Government Land:

#### 5.1 **Birds**

feed any bird;

#### 5.2 **Climbing**

climb on or over any fixture, fitting, plant, object or building other than in a Playground or other similar area that the Council has indicated by signage set aside for that purpose;

#### 5.3 **Damaging or Defacing Property**

attach any object, including an animal on a leash or a bike to any tree, gate, fence or other fixture other than a designated bicycle rack;

#### 5.4 **Fishing**

5.4.1 fish in any Waters on Local Government Land to which the Council has resolved this subparagraph shall apply;

5.4.2 fish from any bridge or other structure on Local Government Land to which the Council has resolved this subparagraph shall apply;

#### 5.5 **Interference with Permitted Use**

interrupt, disrupt or interfere with any other person's use of Local Government Land which is permitted or for which permission has been granted;

#### 5.6 **Playing Games**

play or practice a game:

5.6.1 which is likely to cause damage to the land or anything in or on it;

5.6.2 which endangers the safety or interferes with the comfort of any person;

5.6.3 in any area where a sign indicates that the game is prohibited;

#### 5.7 **Public Conveniences**

in any public convenience:

5.7.1 smoke tobacco or any other substance;

- 5.7.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 5.7.3 use it for a purpose for which it was not designed or constructed;
- 5.7.4 subject to clause 5.7.5, enter the public convenience unless the person is of the gender indicated in writing or on a sign located on the public convenience;
- 5.7.5 clause 5.7.4 does not apply:
  - 5.7.5.1 in the case of a genuine emergency; or
  - 5.7.5.2 to a vulnerable person being assisted by the vulnerable person's caregiver, parent or guardian; or
  - 5.7.5.3 to a person that is intersex, transgender or gender diverse; or
  - 5.7.5.4 to a person with a disability; or
  - 5.7.5.5 to a person assisting a person with a disability;

#### 5.8 **Repairs to Vehicles**

perform the work of repairing, washing, painting, panelbeating or other work of any nature on or to any Vehicle, provided that this subparagraph shall not extend to running repairs in the case of breakdown;

#### 5.9 **Smoking**

- 5.9.1 Smoke in any building on Local Government Land;
- 5.9.2 Smoke on any Local Government Land or part thereof to which the Council has resolved this subparagraph shall apply;

#### 5.10 **Solicitation**

tout or solicit customers for the parking of Vehicles or for any other commercial purpose whatsoever;

#### 5.11 **Use of Council Rubbish Bins**

deposit any commercial waste or other rubbish emanating from commercial premises in any Council rubbish bin;

#### 5.12 **Use of Equipment**

use any form of equipment or property belonging to the Council other than in the manner and for the purpose for which it was designed;

#### 5.13 **Waste**

deposit in any receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs;

**5.14 Waters**

wash clothes in, and/or add any substance to any Waters;

**5.15 Wheeled Recreational Devices**

use a Wheeled Recreational Device on any part of Local Government Land to which this subparagraph applies.

**Part 3 – Restrictions Applying in Specific Areas****6. Central Market**

In addition to the prohibitions generally applying to Local Government Land, a person must not do any of the following in the Adelaide Central Market without the permission of the Council:

**6.1 Animals**

bring into or allow any animal to remain (except an Assistance Dog as defined in the *Dog and Cat Management Act 1995*);

**6.2 Forklifts**

6.2.1 drive or use a forklift;

6.2.2 fail to carry proof of being qualified to drive a forklift;

6.2.3 fail to equip any forklift with an amber flashing warning device and an audible reversing warning device.

**7. Horse Riding Track**

In addition to the prohibitions generally applying to Local Government Land, a person must not do any of the following on a Horse Riding Track:

7.1 ride a horse at a gallop;

7.2 train a racehorse, trotting horse or quarter horse; or

7.3 ride or drive a horse with or attached to any cart or Vehicle.

**8. National Soldiers Memorial**

In addition to the prohibitions generally applying to Local Government Land, a person must not do any of the following in or on the National Soldiers Memorial or in or on the forecourt and gardens surrounding the National Soldiers Memorial:

8.1 affix any object or erect any fixture;

8.2 sit or lie upon any part of the building;

8.3 lie or stand on any seat; or

- 8.4 drive any vehicle, bicycle, small wheeled recreational vehicle including roller blades.

#### **Part 4 – Miscellaneous**

##### **9. Directions**

A person must comply with any reasonable direction or request from an Authorised Person relating to:

- 9.1 that person's use of the land;
- 9.2 that person's conduct and behaviour on the land;
- 9.3 that person's safety on the land;
- 9.4 the safety and enjoyment of the land by other persons.

##### **10. Removal of Animals and Exclusion of Persons**

10.1 If any animal is found on Local Government Land in breach of a by-law:

10.1.1 any person in charge of the animal shall forthwith remove it from that land on the request of an Authorised Person; and

10.1.2 any Authorised Person may remove any animal from the land if the person fails to comply with the request, or if no person is in charge of the animal.

10.2 An Authorised Person may direct any person who is considered to be committing, or has committed, a breach of a by-law to leave Local Government Land.

##### **11. Removal of Obstructions**

If an object is obstructing any part of Local Government Land then the Council may remove the object provided that this paragraph shall not apply to any object that has been placed on Local Government Land with the permission of the Council or the object has been placed on the Local Government Land by some other lawful authority.

##### **12. Exemptions**

The restrictions in this by-law do not apply to any Police Officer, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or an emergency worker when driving an Emergency Vehicle in an emergency situation.

##### **13. Application of Paragraphs**

Any of subparagraphs 4.3, 4.20, 4.21.2, 4.22.2, 4.31, 5.4, 5.8.2 and 5.15 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with Section 246(3)(e) of the *Local Government Act 1999*.



**14. Revocation**

Council’s *By-law No. 3 – Local Government Land*, published in the *Gazette* on 23 August 2018, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the Corporation of the City of Adelaide held on the \_\_\_\_\_ day of \_\_\_\_\_ 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

.....  
Michael Sedgman  
Chief Executive Officer

**CORPORATION OF THE CITY OF ADELAIDE**

*By-law made under the Local Government Act 1999*

**ROADS BY-LAW 2024****By-law No. 4 of 2024**

*For the management of roads vested in or under the control of the Council.*

**Part 1 – Preliminary****1. Short Title**

This by-law may be cited as the *Roads By-law 2024*.

**2. Commencement**

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

**3. Definitions**

In this by-law:

- 3.1 **Authorised Person** has the same meaning as in the *Local Government Act 1999*;
- 3.2 **Electoral Matter** has the same meaning as in the *Electoral Act 1985*;
- 3.3 **Emergency Vehicle** has the same meaning as in the *Australian Road Rules* and the *Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 3.4 **Livestock** has the same meaning as in the *Livestock Act 1997*;
- 3.5 **Model Aircraft** includes a drone;
- 3.6 **Road** has the same meaning as in the *Local Government Act 1999*;
- 3.7 **Vehicle** has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules*;
- 3.8 **Wheeled Recreational Device** has the same meaning as in the *Road Traffic Act 1961*.

## Part 2 – Management of Roads

### 4. Activities Requiring Permission

A person must not without permission on any Road:

#### 4.1 Advertising

- 4.1.1 display any sign other than a Moveable Sign which is displayed on a Road in accordance with the Council's *Moveable Signs By-law 2024*;
- 4.1.2 place or maintain any goods on the Road or park or stand a Vehicle on the Road for the purpose of:
  - 4.1.2.1 soliciting any business from any person; or
  - 4.1.2.2 offering or exposing goods or services for sale

provided that this subparagraph 4.1.2 shall not apply to a person who is simply travelling along a Road.

#### 4.2 Amplification

use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound;

#### 4.3 Bicycles

chain, lock or affix a bicycle to any pole, fence or other structure on a Road where the bicycle may cause an obstruction or damage the structure, other than on a structure specifically designed and set aside by the Council for that purpose;

#### 4.4 Bridge Jumping

jump or dive from any bridge or other structure;

#### 4.5 Distribute

give out or distribute any hand bill, book, notice, leaflet, or other printed matter to any bystander, passer-by or other person except any hand bill, book, notice, leaflet or other printed matter:

- 4.5.1 that is related to a Commonwealth or State election and is placed, given out or distributed during the period commencing at 5.00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 4.5.2 that is related to an election under the *Local Government Act 1999*, or the *Local Government (Elections) Act 1999* and is placed, given out or distributed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or

4.5.3 that is related to and placed, given out or distributed during the course of and for the purpose of a Referendum;

**4.6 Donations**

ask for or receive or indicate that he or she desires a donation of money or any other thing, or otherwise solicit for religious or charitable purposes;

**4.7 Fires and Fireworks**

4.7.1 subject to the *Fire and Emergency Services Act 2005*, light any fire except in a place provided by the Council for that purpose;

4.7.2 use, discharge or explode any fireworks;

**4.8 Hatches**

leave any hatch connected with adjacent premises unattended when open;

**4.9 Livestock**

lead or drive any Livestock on any Road except in those areas that the Council has by resolution designated for that purpose;

**4.10 Model Aircraft and Cars**

fly or operate a Model Aircraft or model/remote control car on any Road to which the Council has resolved this subparagraph applies;

**4.11 Preaching and Canvassing**

preach, canvass, harangue or otherwise solicit for religious purposes except on any Road or part thereof where the Council has, by resolution, determined this restriction shall not apply;

**4.12 Public Exhibitions and Displays**

4.12.1 sing, busk or play any recording or use any musical instrument;

4.12.2 conduct or hold any concert, festival, show, public gathering, circus, meeting, performance or any other similar activity;

4.12.3 cause any public exhibitions or displays, except on any Road or part thereof where the Council has, by resolution, determined this restriction shall not apply;

**4.13 Repairs to Vehicles**

perform the work of repairing, washing, painting, panelbeating or other work of any nature on or to any Vehicle, provided that this paragraph shall not extend to running repairs in the case of breakdown;

**4.14 Rubbish**

remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging etc) that has been discarded in a Council bin;

**4.15 Tents and Camping**

4.15.1 camp or remain overnight whether in the open, a building, a vehicle or otherwise;

4.15.2 erect any tent or other structure;

**4.16 Touting for Business**

tout for business;

**4.17 Use of Council Rubbish Bins**

deposit any commercial waste or other rubbish emanating from commercial premises in any Council rubbish bin;

**4.18 Venue Management**

allow patrons or potential patrons of a venue under their management or control to queue outside the venue;

**4.19 Wheeled Recreational Devices**

use a Wheeled Recreational Device on a footpath.

**5. Prohibited Activities**

A person must not on a Road;

**5.1 Birds**

feed any bird;

**5.2 Climbing**

climb on or over any fixture, fitting, plant, object or building;

**5.3 Damaging or Defacing Property**

attach any object to any tree, gate, fence or other fixture;

**5.4 Glass**

wilfully break any glass, china or other brittle material;

**5.5 Interference with Permitted Use**

interrupt, disrupt or interfere with any other person's use of the Road which is permitted or for which Permission has been granted;

## 5.6 Public Conveniences

in any public convenience:

- 5.6.1 smoke tobacco or any other substance;
- 5.6.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 5.6.3 use it for a purpose for which it was not designed or constructed;
- 5.6.4 subject to clause 5.6.5, enter the public convenience unless the person is of the gender indicated in writing or on a sign located on the public convenience;
- 5.6.5 clause 5.6.4 does not apply –
  - 5.6.5.1 in a genuine emergency; or
  - 5.6.5.2 to a vulnerable person being assisted by the vulnerable person's caregiver, parent or guardian; or
  - 5.6.5.3 to a person that is intersex, transgender or gender diverse; or
  - 5.6.5.4 to a person with a disability; or
  - 5.6.5.5 to a person assisting a person with a disability;

## Part 3 – Miscellaneous

### 6. Directions

A person must comply with any reasonable direction or request from an Authorised Person relating to:

- 6.1 that person's use of the Road;
- 6.2 that person's conduct and behaviour on the Road;
- 6.3 that person's safety on the Road;
- 6.4 the safety and enjoyment of the Road by other persons.

### 7. Removal of Animals and Persons

- 7.1 If any animal is found on any part of a Road in breach of a by-law:
  - 7.1.1 any person in charge of the animal must immediately remove it from that part of the Road on the request of an Authorised Person; and
  - 7.1.2 an Authorised Person of the Council may remove the animal if a person fails to comply with the request, or if no person is in charge of the animal.

7.2 A person who is committing or has committed a breach of this by-law must immediately comply with a direction of an Authorised Person to leave that part of the Road.

7.3 Any Authorised Person may remove any person from a Road who is found committing a breach of a by-law, but must not use force in doing so.

**8. Removal of Objects**

If any goods, materials, object or substance has been left on a Road in breach of this by-law an Authorised Person or their agent may remove the item and dispose of it in a manner that Authorised Person thinks fit and may recover the costs of so doing from the person responsible as a debt.

**9. Exemptions**

The restrictions in this by-law do not apply to any Police Officer, Council Officer or employee acting in the course and within the scope of that person’s normal duties, or to a Contractor while performing work for the Council and while acting under the supervision of a Council Officer, or an Emergency Worker when driving an Emergency Vehicle in an emergency situation.

**10. Application of Paragraph**

Subparagraph 4.10 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with Section 246(3)(e) of the *Local Government Act 1999*.

**11. Revocation**

Council’s *By-law No. 4 – Roads*, published in the *Gazette* on 23 August 2018, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the Corporation of the City of Adelaide held on the \_\_\_\_\_ day of \_\_\_\_\_ 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

.....  
Michael Sedgman  
Chief Executive Officer

**CORPORATION OF THE CITY OF ADELAIDE**

*By-law made under the Local Government Act 1999*

**WASTE MANAGEMENT BY-LAW 2024****By-law No. 5 of 2024**

*To regulate and control the removal of domestic and commercial waste from premises.*

**Part 1 – Preliminary****1. Short Title**

This by-law may be cited as the *Waste Management By-law 2024*.

**2. Commencement**

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the Act.

**3. Definitions**

In this by-law:

- 3.1 **Commercial and Industrial Waste (General)** has the same meaning as in the Environment Protection Authority Waste Guidelines;
- 3.2 **Commercial Cardboard** means non-contaminated cardboard generated by commercial premises but excludes Recyclables, contaminants such as wax boxes, milk cartons, boxes soiled by food, paints or oils, plastic or polystyrene;
- 3.3 **Bin** includes without limitation any Domestic Waste Bin, Green Organics Bin or Recyclables Bin provided by the Council or some other Bin provided for the purposes of a private or commercial waste collection;
- 3.4 **Domestic Waste** means any kind of domestic waste including putrescibles generated from residences, but excludes liquids, metals (other than food containers), building materials, stones, bricks, soil, lead acid batteries, any dangerous or toxic waste, Commercial and industrial Waste (General), Listed Waste, Hazardous Waste or Radioactive Waste;
- 3.5 **Domestic Waste Bin** means a Bin provided or designated by the Council for the reception of Domestic Waste (maximum weight 60 kg);
- 3.6 **Footpath Area** means:



- 3.6.1 that part of the Road between the boundary of the Road and the edge of the carriageway of the Road on the same side as that boundary; or
- 3.6.2 a footway, laneway or other place made or constructed for the use of pedestrians and not for the use of Vehicles;
- 3.7 **Green Organics** means any clean organic matter consisting of lawn clippings, plants, vegetables, leaves, prunings, horse manure or other materials for which permission has been given by the Council but excludes any item larger than 15 cm in diameter, Domestic Waste, Commercial and Industrial Waste (General), Listed Waste, Hazardous Waste or Radioactive Waste;
- 3.8 **Green Organics Bin** means a Bin provided or designated by the Council for the reception of Green Organics (maximum weight 70 kg);
- 3.9 **Hard Waste** means solid waste arising from domestic premises which is not suitable for collection using a kerbside bin system and includes any internal and external household items, but excludes any Domestic Waste, Commercial and Industrial Waste (General), Listed Waste, Hazardous Waste, Radioactive Waste or waste that is not deemed suitable for collection by the Council;
- 3.10 **Hazardous Waste** has the same meaning as in the Environment Protection Authority Waste Guidelines;
- 3.11 **Listed Waste** has the same meaning as in the Environment Protection Authority Waste Guidelines;
- 3.12 **Private Thoroughfare** means a private street, road, lane, footway, alley, court or thoroughfare that the public is allowed to use and have access to;
- 3.13 **Radioactive Waste** has the same meaning as in the Environment Protection Authority Waste Guidelines;
- 3.14 **Recyclables** means newspapers, magazines, clean paper and cardboard, clean plastic containers of a type specified by the Council, clean tins and cans, clean glass and clean milk and juice containers and other materials for which permission has been given by the Council;
- 3.15 **Recyclables Bin** means a Bin provided or designated by the Council for the reception of Recyclables;
- 3.16 **Road** has the same meaning as in the *Local Government Act 1999*.

## Part 2 – Management of Waste System

### 4. Provision of Bins

- 4.1 Every occupier of premises must keep Bins designated by the Council on the premises, other than for the purpose of facilitating the relevant kerbside collection service.
- 4.2 Bins must be kept clean.
- 4.3 Bins which are placed on a Footpath Area or a Road must be kept closed at all times.

- 4.4 Bins placed on a Footpath Area or a Road must be labelled with the address of the premises or business name to which they relate.

## 5. Management of Kerbside Collection Services

### 5.1 Domestic Waste

An occupier of premises must ensure that the Domestic Waste Bin only contains Domestic Waste.

### 5.2 Recyclables

An occupier of premises must ensure that the Recyclables Bin only contains Recyclables.

### 5.3 Green Organics

An occupier of premises must ensure that the Green Organics Bin only contains Green Organics.

### 5.4 Damage

- 5.4.1 An occupier of premises must ensure that each Bin is maintained so that it is not damaged or worn to the extent that:

5.4.1.1 it is not robust or watertight;

5.4.1.2 it is unable to be moved on its wheels (if any) efficiently;

5.4.1.3 the lid does not seal on the Bin when closed; or

5.4.1.4 its efficiency or use is otherwise impaired.

- 5.4.2 If a Bin provided by the Council presented for collection is, in the opinion of the Council or the operator of the relevant kerbside collection service, damaged or worn so as to make removal of the contents impracticable, the kerbside collection service will not be provided unless and until the damage or wear is rectified.

### 5.5 Collection Services

- 5.5.1 An occupier of premises must facilitate the collection and removal of household waste, commercial waste, Recyclables and Green Organics from their premises by placing the relevant Bin in accordance with subparagraph 5.5.2 of this by-law on the day of or the night before (and not before these times) the scheduled collection day.

- 5.5.2 An occupier of premises must ensure that the Bin containing the relevant kind of material is placed out for collection:

5.5.2.1 on the Footpath Area in front of and on the same side as the premises, abutting the edge of (but not on) the carriageway and positioned so that the side of the Bin on which the hinges of the lid are situated faces the premises; or

- 5.5.2.2 in another position as approved or directed by the Council; and
- 5.5.2.3 not under the overhanging branches of street trees; and
- 5.5.2.4 not so as to impede the passage of pedestrian or other traffic.
- 5.5.3 An occupier of:
  - 5.5.3.1 commercial premises must remove the Bin from the Footpath Area and Road:
    - (a) within one hour of the collection, if the collection has occurred during business hours; or
    - (b) by 9:00am on the day of collection, if the collection has occurred outside of business hours;
  - 5.5.3.2 premises other than commercial premises must remove the Bin from the Footpath Area and Road on the same day that the collection has taken place.
- 5.5.4 An occupier of premises must facilitate the collection and removal of Hard Waste from their premises by placing the Hard Waste out for collection:
  - 5.5.4.1 on the day of or the night before (and not before these times) the scheduled collection day;
  - 5.5.4.2 on the Footpath Area in front of and on the same side as the premises, abutting the edge of (but not on) the carriageway, or in another position as approved or permitted by the Council; and
  - 5.5.4.3 not so as to impede the passage of pedestrian traffic.

## 5.6 Commercial Cardboard

Where the Council makes available a Commercial Cardboard kerbside collection service an occupier of commercial premises:

- 5.6.1 must ensure that any Commercial Cardboard presented for collection is flattened, bundled and stacked;
- 5.6.2 who presents Commercial Cardboard for collection must ensure that:
  - 5.6.2.1 any Commercial Cardboard which is bundled is tied with string or nylon and not with wire, cable or similar materials; or
  - 5.6.2.2 any Commercial Cardboard which is not bundled is placed in another cardboard box; and

5.6.2.3 is placed on the Footpath Area or the Road at the collection point designated by the Council no earlier than 3:00pm and no later than 6:00pm on the collection day; and

5.6.3 must ensure that any Commercial Cardboard presented for collection is not placed on a Footpath Area or the Road so as to impede the passage of pedestrian or other traffic.

**Part 3 – Enforcement**

**6. Interference with Waste Bins**

A person must not remove, disburse or interfere with any waste that has been placed on a Footpath Area or a Road.

**7. Private Thoroughfare**

The owner or occupier of a Private Thoroughfare shall keep the thoroughfare clean and free of refuse, rubbish and waste material.

**Part 4 - Miscellaneous**

**8. Revocation**

Council's *By-law No. 5 – Waste Management*, published in the *Gazette* on 23 August 2018, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the Corporation of the City of Adelaide held on the \_\_\_\_\_ day of \_\_\_\_\_ 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

.....  
Michael Sedgman  
Chief Executive Officer

**CORPORATION OF THE CITY OF ADELAIDE**

*By-law made under the Local Government Act 1999 and the City of Adelaide Act 1998*

**RUNDLE MALL BY-LAW 2024****By-law No. 6 of 2024**

*For the management of Rundle Mall.*

**Part 1 – Preliminary****1. Short Title**

This by-law may be cited as the *Rundle Mall By-law 2024*.

**2. Commencement**

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

**3. Definitions**

In this by-law:

- 3.1 **Authorised Person** has the same meaning as in the *Local Government Act 1999*;
- 3.2 **Building** includes any structure and/or fixture of any kind whether for human habitation or not;
- 3.3 **E-Cigarette** means:
- 3.3.1 a device that is designed to generate or release an aerosol or vapour for inhalation by its user in a manner similar to the inhalation of smoke from an ignited tobacco product; or
- 3.3.2 a device of a kind resolved by the Council and notified by notice in the *Gazette* to be an E-Cigarette;
- 3.4 **Emergency Worker** has the same meaning as in the *Australian Road Rules* and the *Road Traffic (Road Rules) Ancillary and Miscellaneous Provisions Regulations 2014*;
- 3.5 **Model Aircraft** includes a drone;

- 3.6 **Permission** means the permission of the Council, or such other person as the Council may by resolution authorise for that purpose, given in writing prior to the act, event or activity to which it relates;
- 3.7 **Smoke** means:
- 3.7.1 in relation to a Tobacco Product, smoke, hold, or otherwise have control over, an ignited Tobacco Product; or
- 3.7.2 in relation to an E-Cigarette, to inhale from, hold or otherwise have control over, an E-Cigarette that is in use;
- 3.8 **Tobacco Product** has the same meaning as in the *Tobacco Products Regulation Act 1997*;
- 3.9 **Wheeled Recreational Device** has the same meaning as in the *Road Traffic Act 1961*.

## Part 2 – Management of Rundle Mall

### 4. Activities Requiring Permission

A person must not without Permission in Rundle Mall or in the vicinity of Rundle Mall:

- 4.1 **Amplification**
- use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound;
- 4.2 **Athletic and Ball Sports and Games**
- 4.2.1 promote, organise or take part in any athletic sport, ball sport or game;
- 4.2.2 play or practice any game which is likely to cause damage to Rundle Mall or any fixtures or fittings thereon;
- 4.3 **Burials and Memorials**
- 4.3.1 spread the ashes of any human or animal remains;
- 4.3.2 erect any memorial;
- 4.4 **Erection of Structures**
- 4.4.1 erect a fence or hoarding;
- 4.4.2 erect, place, use or allow to remain:
- 4.4.2.1 a ladder, step-ladder, trestle, stage, scaffolding, planter box, crate or any item used as a platform; or
- 4.4.2.2 any other equipment, appliance, object or material likely to cause an obstruction or danger to any person;

4.4.3 park, place, use or allow to remain a mobile crane, scissor lift, elevated platform vehicle or cherry picker;

4.5 **Fireworks**

use, discharge or explode any fireworks;

4.6 **Model Aircraft and Cars**

fly or operate a Model Aircraft or model/remote control car;

4.7 **Organised Ceremonies and Events etc**

hold, conduct or participate in a funeral, marriage ceremony, picnic, or other like event or entertainment;

4.8 **Overhanging Articles**

suspend or hang any article or thing from any Building, verandah, pergola, post or other structure;

4.9 **Rubbish and Rubbish Dumps**

remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging etc) that has been discarded in a Council bin;

4.10 **Touting for Business**

tout for business.

5. **Prohibited Activities**

A person must not in Rundle Mall or in the vicinity of Rundle Mall:

5.1 **Birds**

feed any bird;

5.2 **Climbing**

climb on or over any fixture, fitting, plant, object or building;

5.3 **Damaging or Defacing Property**

5.3.1 deface, damage, paint, write, cut names or make marks on any tree, rock, gate, fence, building, sign or other property of the Council;

5.3.2 attach any object, including an animal on a leash or a bike to any tree, gate, fence or other fixture other than a designated bicycle rack;

5.4 **Glass**

wilfully break any glass, china or other brittle material;

**5.5 Interference with Permitted Use**

interrupt, disrupt or interfere with any other person's use of the Rundle Mall which is permitted or for which Permission has been granted;

**5.6 Missiles**

throw, roll or discharge any stone, substance or missile to the danger of any person, property or animal;

**5.7 Public Conveniences**

in any public convenience:

5.7.1 smoke tobacco or any other substance;

5.7.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;

5.7.3 use it for a purpose for which it was not designed or constructed;

5.7.4 subject to clause 5.7.5, enter the public convenience unless the person is of the gender indicated in writing or on a sign located on the public convenience;

5.7.5 clause 5.7.4 does not apply –

5.7.5.1 in a genuine emergency; or

5.7.5.2 to a vulnerable person being assisted by the vulnerable person's caregiver, parent or guardian; or

5.7.5.3 to a person that is intersex, transgender or gender diverse;  
or

5.7.5.4 to a person with a disability; or

5.7.5.5 to a person assisting a person with a disability;

**5.8 Smoking**

Smoke in any area to which the Council has resolved this subparagraph shall apply;

**5.9 Wheeled Recreational Devices**

use a Wheeled Recreational Device.



## 6. Removal of Obstructions

If an object is obstructing any part of Rundle Mall then the Council may remove the object provided that this paragraph does not apply to any object that has been placed in Rundle Mall with the Permission of the Council or by some other lawful authority.

## Part 3 – Miscellaneous

### 7. Permits

Despite the Council's *Permits and Penalties By-law 2024*, where this by-law states that a person needs a 'permit' or 'Permission' to do a specified thing, then the following provisions apply:

- 7.1 The permit must be in writing.
- 7.2 The Council may:
  - 7.2.1 attach conditions to the permit;
  - 7.2.2 change or revoke a condition, by notice in writing; or
  - 7.2.3 add new conditions, by notice in writing.
- 7.3 A person who holds a permit must comply with every condition attached to it. Failure to do so constitutes a breach of this by-law.
- 7.4 The Council may revoke a permit, by notice in writing, if:
  - 7.4.1 the holder of the permit fails to comply with a condition attached to it; or
  - 7.4.2 the permit is of a continuing nature, and the Council has reasonable grounds for revoking it.
- 7.5 The Council may, by resolution, fix, vary or revoke fees or charges for the granting of a permit to do a specified thing.
- 7.6 For the avoidance of doubt, where Permission is required under this by-law, that Permission is granted under this paragraph 7 and the Council's *Permits and Penalties By-law 2024* shall not apply for the purposes of that Permission.

### 8. Offences and Penalties

- 8.1 Despite the Council's *Permits and Penalties By-law 2024*:
  - 8.1.1 A person who contravenes, or fails to comply with any by-law of the Council is guilty of an offence and is liable to a maximum penalty being the maximum penalty referred to in the *City of Adelaide Act 1998*, which may be fixed for offences against a by-law;
  - 8.1.2 A person who is found guilty of an offence against any by-law of the Council in respect of a continuing act or omission is liable, in addition to the penalty otherwise applicable, to a further penalty being the

maximum amount referred to in the *Local Government Act 1999* which may be fixed for offences of a continuing nature against a by-law.

8.2 For the avoidance of doubt, where a penalty is imposed for an offence against this by-law, that penalty is imposed under this paragraph 8 and the Council's *Permits and Penalties By-law 2024* shall not apply for the purposes of that penalty.

**9. Application of Paragraphs**

Paragraph 5.8 of this by-law shall apply only in such part or parts of the area of the Council as the Council may by resolution determine in accordance with Section 246(3)(e) of the *Local Government Act 1999*.

**10. Exemptions**

The restrictions in this by-law do not apply to any police officer, emergency worker, Council Officer or employee of the Council acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council.

**11. Revocation**

Council's *By-law No. 6 – Rundle Mall*, published in the *Gazette* on 23 August 2018, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the Corporation of the City of Adelaide held on the \_\_\_\_\_ day of \_\_\_\_\_ 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

.....  
Michael Sedgman  
Chief Executive Officer

**CORPORATION OF THE CITY OF ADELAIDE**

*By-law made under the Local Government Act 1999 and the Dog and Cat Management Act 1995*

**DOGS BY-LAW 2024****By-law No. 7 of 2024**

*To limit the number of dogs that can be kept on premises and to provide for the control and management of dogs in the Councils area.*

**Part 1 – Preliminary****1. Short Title**

This by-law may be cited as the *Dogs By-law 2024*.

**2. Commencement**

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

**3. Definitions**

In this by-law:

- 3.1 **Approved Kennel Establishment** means a building, structure, premises or area approved by the relevant authority pursuant to the *Planning, Development and Infrastructure Act 2016* or otherwise lawfully established for the keeping of Dogs on a temporary or permanent basis;
- 3.2 **Assistance Dog** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.3 **Control**, in relation to a Dog, includes the person having ownership, possession or charge of, or authority over, the Dog;
- 3.4 **Dangerous Dog** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.5 **Dog** means an animal of the species *canis familiaris* that is over three months of age or has lost its juvenile canines, but does not include a dingo or cross of a dingo;
- 3.6 **Effective Control** means a person exercising effective control of a Dog either:
- 3.6.1 by means of a physical restraint;

- 3.6.2 by command, the Dog being in close proximity to the person, and the person being able to see the Dog at all times;
- 3.7 **Local Government Land** has the same meaning as in the *Local Government Act 1999*;
- 3.8 **Park** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.9 **Play space** means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play, or within 5 metres of such devices if there is no enclosed area;
- 3.10 **Premises** includes land and a part of any premises or land whether used or occupied for domestic or nondomestic purposes except an Approved Kennel Establishment;
- 3.11 **Prescribed Breed** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.12 **Public Place** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.13 **Small Dwelling** means a self-contained dwelling commonly known as an apartment, flat, service flat, home unit or the like.

## Part 2 – Dog Management and Control

### 4. Limit on Dog Numbers

A person must not, without the Council's permission, keep:

- 4.1 more than one Dog in a Small Dwelling;
- 4.2 more than two Dogs on any Premises other than a Small Dwelling.

### 5. Exemptions

The limits set out in paragraph 4 of this by-law do not apply:

- 5.1 to an Approved Kennel Establishment operating in accordance with all required approvals and consents; or
- 5.2 to any business involving Dogs which is registered in accordance with the *Dog and Cat Management Act 1995*; or
- 5.3 if the Council has exempted any Premises from compliance with paragraph 4 of this by-law by the granting of an exemption.

### 6. Dog Free Areas

- 6.1 A person must not allow a Dog in that person's Control to be in, or remain in a Dog Free Area.
- 6.2 For the purposes of this paragraph, a **Dog Free Area** is any:

6.2.1 Local Government Land; or

6.2.2 Public Place,

to which the Council has resolved this paragraph applies.

6.3 The restrictions in subparagraph 6.1 do not apply to any Assistance Dog.

## 7. Dogs on Leashes

7.1 A person must not allow a Dog under that person's Control to be in, or remain in, a Dog on Leash Area unless the Dog is secured by a strong leash not exceeding two metres in length which is either:

7.1.1 tethered securely to a fixed object capable of securing the Dog; or

7.1.2 held by a person capable of controlling the Dog and preventing it from being a nuisance or a danger to other persons.

7.2 For the purposes of this paragraph, a **Dog on Leash Area** is any:

7.2.1 Local Government Land or Public Place to which the Council has resolved that this paragraph applies;

7.2.2 Park when organised sport is being played; or

7.2.3 enclosed Play space or if a Play space is not enclosed land within five metres of Play space equipment.

## 8. Dog Exercise Areas

8.1 Subject to paragraphs 6, 7 and 8.4, a person may enter any Dog Exercise Area for the purpose of exercising a Dog under his or her control.

8.2 For the purposes of this paragraph, a **Dog Exercise Area** is any:

8.2.1 Park; or

8.2.2 Local Government Land that the Council has resolved is a Dog Exercise Area.

8.3 A person must ensure that any Dog under their control remains under Effective Control while the Dog is in a Dog Exercise Area.

8.4 A person must not cause, suffer or permit any Dog of a Prescribed Breed or a Dangerous Dog under that person's control, charge or authority to be or remain in a Dog Exercise Area.

## Part 3 – Miscellaneous

### 9. Application of Paragraphs

9.1 The Council may from time to time, by resolution, identify Local Government Land as a Dog Exercise Area in accordance with subparagraph 8.2.2 of this by-law.

9.2 Paragraphs 6 and 7.2.1 of this by-law shall apply only in such portion or portions of the Councils area as the Council may by resolution direct from time to time in accordance with Section 246(3)(e) of the *Local Government Act 1999*.

9.3 Where the Council makes a resolution under either of subparagraphs 9.1 or 9.2, the Council’s Chief Executive Officer must ensure that:

9.3.1 the area is denoted by signs erected by the Council; and

9.3.2 information is provided to the public on the Council’s website and in any other manner determined by the Council’s Chief Executive Officer.

**10. Revocation**

Council’s *By-law No. 7 – Dogs*, published in the *Gazette* on 23 August 2018, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the Corporation of the City of Adelaide held on the \_\_\_\_\_ day of \_\_\_\_\_ 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

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Michael Sedgman  
Chief Executive Officer

**CORPORATION OF THE CITY OF ADELAIDE**

*By-law made under the Local Government Act 1999 and the Dog and Cat Management Act 1995*

**CATS BY-LAW 2024****By-law No. 8 of 2024**

*To provide for the control and management of cats in the Council's area.*

**Part 1 – Preliminary****1. Short Title**

This by-law may be cited as the *Cats By-law 2024*.

**2. Commencement**

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

**3. Definitions**

In this by-law:

- 3.1 **Approved Kennel Establishment** means a building, structure, premises or area approved by the relevant authority pursuant to the *Planning, Development and Infrastructure Act 2016*, or otherwise lawfully established for the keeping of cats on a temporary or permanent basis;
- 3.2 **Cat** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.3 **Keep** includes the provision of food or shelter;
- 3.4 **Premises** includes land and a part of any premises or land whether used or occupied for domestic or nondomestic purposes except an Approved Kennel Establishment.

**Part 2 – Cat Management and Control****4. Limit on Cat Numbers**

- 4.1 A person must not on any Premises, without the Council's permission, keep more than two Cats over three months in age.
- 4.2 The limit in subparagraph 4.1 of this by-law does not apply:
  - 4.2.1 to an Approved Kennel Establishment; or

- 4.2.2 to pet shops approved by the relevant authority pursuant to the *Planning, Development and Infrastructure Act 2016* or otherwise lawfully established; or
- 4.2.3 to a veterinary practice approved by the relevant authority pursuant to the *Planning, Development and Infrastructure Act 2016*, or otherwise lawfully established; or
- 4.2.4 to premises of a person who carries on a business as a cat breeder provided that the person is lawfully operating such business in accordance with all relevant approvals and any conditions reasonably imposed by the Council; or
- 4.2.5 where:
  - 4.2.5.1 the Council is satisfied that no insanitary condition is being caused by Cats being kept on the Premises; and
  - 4.2.5.2 the Council is satisfied that no nuisance is being caused to any neighbour by reason of odour from cat urine or by reason of any of the Cats wandering from the Premises; and
  - 4.2.5.3 all Cats over the age of three months (or such later age as is considered appropriate and advised in writing by a veterinary surgeon) kept on the Premises are desexed.

## 5. Notices

- 5.1 The Council may serve a notice on the occupier of Premises or the owner of a cat requiring specific action to be taken to ensure compliance with this by-law.
- 5.2 The person to whom a notice is given pursuant to this by-law must comply with the requirements of the notice.
- 5.3 If the person to whom a notice is given fails to comply with the requirements of the notice, the Council may then carry out the requirements of the notice and recover its costs from that person.

## Part 3 – Miscellaneous

### 6. Revocation

Council's *By-law No. 8 – Cats*, published in the *Gazette* on 23 August 2018, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the Corporation of the City of Adelaide held on the \_\_\_\_\_ day of \_\_\_\_\_ 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

.....  
 Michael Sedgman  
 Chief Executive Officer



**CORPORATION OF THE CITY OF ADELAIDE**

*By-law made under the Local Government Act 1999*

**LODGING HOUSES BY-LAW 2024****By-law No. 9 of 2024**

*For the controlling, licensing, inspecting and regulating of lodging houses.*

**Part 1 - Preliminary****1. Short title**

This by-law may be cited as the *Lodging Houses By-law 2024*.

**2. Commencement**

This by-law will come into operation four months after the day on which it is published in the Gazette in accordance with Section 249(5) of the *Local Government Act 1999*.

**3. Definitions**

3.1 **Authorised Person** means a person appointed by Council as an authorised person or officer under the *Local Government Act 1999*, the *Planning Development and Infrastructure Act 2016* or the *South Australian Public Health Act 2011*;

3.2 **Building** has the same meaning as in the *Planning Development and Infrastructure Act 2016*;

3.3 **Licence** means a licence issued under this by-law;

3.4 **Lodging House** includes any building or part thereof of a building providing accommodation where the occupants share facilities (toilets, ablutions and kitchens) for individual use, but shall not include any building which comes within the definition of unit nor any motel, hotel, health care facility or any premises licenced under the *Supported Residential Facilities Act 1992*;

3.5 **Long Term Accommodation** means where lodgings are provided for ten or more consecutive days;

3.6 **Short Term Accommodation** means where lodgings are provided for less than ten consecutive days;

3.7 **Proprietor** in relation to a Lodging House means the owner of the undertaking carried on at the Lodging House;

- 3.8 **Unit** includes any self-contained suite of rooms designed, intended or adopted, for separate occupation including bathroom and sanitary conveniences provided for that occupation;

#### 4. **Licences**

- 4.1 A person must not let any building for lodgings or for the purpose of board or lodging without a Licence.
- 4.2 A Licence may be issued at the discretion of the Council, or such other person authorised by resolution of the Council for that purpose, and entitles the holder to conduct the business of a Lodging House at the Building specified in the Licence and on the conditions set out in the Licence.

#### 5. **Licence Application Requirements**

- 5.1 Any person who wishes to operate a Lodging House, or renew the Licence of an existing Lodging House, must make application to the Council.
- 5.2 A fire safety survey of the Lodging House shall be undertaken:
- 5.2.1 prior to the issuing of a Licence pursuant to this by-law; and
  - 5.2.2 each year that the Lodging House is Licensed under this by-law, in order to determine the current fire safety standard of the Lodging House.
- 5.3 Subject to subparagraph 5.5, every application for renewal of a Licence of a Lodging House must, subject to any determination to the contrary by the Council, or such other person as the Council may authorise by resolution for that purpose, be delivered to the Council on or before 30 September in each year.
- 5.4 Subject to subparagraph 5.5, a Lodging House Licence expires on 31 October in each year.
- 5.5 The Council, or such other person as the Council may authorise by resolution for that purpose, may, if in its discretion it sees fit, renew a Licence for a period not exceeding two years.

#### 6. **Fees**

A person licensed under this by-law must pay to the Council an annual Licence fee fixed by the Council, payable upon the granting of an application for Licence or renewal of existing Licence.

#### 7. **Licence Conditions, Revocation and Suspension**

- 7.1 A Lodging House Licence is subject to the conditions set out in the Licence and as the Council, or such other person authorised by resolution of the Council for that purpose, deems appropriate.
- 7.2 Conditions may be imposed, varied or deleted from such Licence by the Council, or such other person authorised by resolution of the Council for that purpose, at any time by notice in writing to the Licence holder.

- 7.3 A Licence holder must at all times comply with Licence conditions.
- 7.4 The Council, or such other person authorised by resolution of the Council for that purpose, may at any time, by notice in writing, revoke or suspend a Licence:
- 7.4.1 if the Council considers that the building in respect of which the Licence holder is licensed is, by reason of its condition, unsuitable to continue to be used as a Lodging House including, but not limited to the fire safety of the premises;
  - 7.4.2 if the Council has reasonable cause to believe that the Licence holder has committed an offence against this by-law, the *Local Government Act 1999*, the *South Australian Public Health Act 2011*, the *Food Act 2001*, the *Planning, Development and Infrastructure Act 2016* or the *Supported Residential Facilities Act 1992*;
  - 7.4.3 if the Council considers that the Licence holder is unsuitable to continue as the proprietor of the Lodging House;
  - 7.4.4 if the Licence holder breaches a condition of the Licence; or
  - 7.4.5 for any other reason the Council may deem necessary.

## 8. Alterations

A person must not, without the permission of the Council or an Authorised Person:

- 8.1 add to or alter any Lodging House; or
- 8.2 use any part of a Lodging House in any other manner contrary to its permitted use or the terms of the Licence.

## 9. Inspections

- 9.1 An Authorised Person may at any reasonable time enter and inspect a Lodging House for the purposes of undertaking an inspection of the Lodging House.
- 9.2 The proprietor of a Lodging House or any person in a Lodging House must not hinder or obstruct any Authorised Person either alone or in the company of another person for the purposes of making an inspection of a Lodging House.
- 9.3 Every lodger must allow access to their room to any Authorised Person of the Council for the purposes of inspecting the room.

**Part 2 – Miscellaneous**

**10. Revocation**

Council's *By-law No.9 – Lodging Houses*, published in the *Gazette* on 23 August 2018, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the Corporation of the City of Adelaide held on the                    day of                    2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

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Michael Sedgman  
Chief Executive Officer

**CORPORATION OF THE CITY OF ADELAIDE**  
**PERMITS AND PENALTIES BY-LAW 2024**  
**REASONS, OBJECTIVES AND IMPLEMENTATION**  
**REPORT TO LEGISLATIVE REVIEW COMMITTEE**

**REASONS**

The Council's by-laws have been prepared taking into account the Council's current needs, community views and changes that have been made to the law.

This by-law assists in the interpretation of the Council's other by-laws. It sets up a permit system to avoid repetition of words in by-laws. It also makes provision for offences and penalties including continuing offences and penalties. It is desirable and useful to have this by-law.

**OBJECTIVES**

To set up a permit system for use in any by-law as required, to provide for offences and penalties and to indicate the Council's intentions with respect to the construction of its by-laws.

**CLAUSES**

- Clause 1: Creates the short title for the by-law namely *Permits and Penalties By-law 2024*.
- Clause 2: Creates a commencement date for the by-law, namely four months after the day on which it is published in the Gazette.
- Clause 3: Defines the terms 'approved form', 'authorised person', 'the Council', 'drive', 'driver', 'food business', 'local government land', 'owner', 'permission', 'person', 'premises', 'prescribed offence', 'proprietor', 'road', 'vehicle' and 'writing'.
- Clause 4: This clause provides that when a by-law of the Council states that a person needs a permit or permission, such application must be in writing. The Council may provide the permit for a particular term, attach conditions, change or revoke a condition or add new conditions to the permit. There is a positive obligation on a person who holds a permit to comply with every condition and that failure to do so constitutes a breach of the by-law.

This clause allows the Council to revoke a permit in writing if the permit holder fails to comply with a condition or if the permit is of a continuing nature and the Council has reasonable grounds for revoking it.

The Council may, by resolution, fix, vary or revoke fees or charges for the granting of a permit.

Clause 5: Provides for offences and penalties for contravention or failure to comply with any by-law of the Council.

Clause 6: Provides that if a vehicle is involved in a prescribed offence, the owner of the vehicle is guilty of the offence and liable to the same penalty as is prescribed for the principal offence and the expiation fee that is fixed for the principal offence will apply.

The owner and driver of the vehicle are not liable through the operation of this paragraph to be convicted of an offence arising out of the same circumstances.

Provides that an expiation notice must be accompanied with a notice in writing to the owner to provide the Council with a statutory declaration.

Provides that before proceedings are commenced against the owner of a vehicle, the Council must send the owner a notice setting out the particulars of the offence and inviting the owner to complete the statutory declaration. This subparagraph does not apply where an owner has elected to be prosecuted or proceedings have been commenced against the owner who has been named in the statutory declaration as the driver.

Provides that it is a defence in proceedings against this paragraph to show that as a consequence of some unlawful act the vehicle was not in the possession or control of the owner. This subparagraph does not apply if the owner of the vehicle made the declaration knowing it to be false in a material particular.

Provides that where an expiation notice is given to, or proceedings are commenced, a person named as the alleged driver in a statutory declaration, the notice or summons must be accompanied by a notice setting out particulars of the relevant statutory declaration. The particulars must not include the address of the person who provided the statutory declaration.

Clause 7: Provides that the owner of a food business will be given a food business notification confirmation for an application pursuant to Section 86 of the *Food Act 2001*. Clause 7 creates an obligation upon that proprietor to keep a copy of that food business notification confirmation displayed in a prominent position at the premises.

Clause 8: Provides for nine evidentiary aids in proceedings against a prescribed offence.

Clause 9: States that every by-law of the Council shall be subject to any Act of Parliament and regulations made thereunder.

Clause 10: Revokes Council's previous *Permits and Penalties By-law*, published in the Gazette on 23 August 2018.

## **IMPLEMENTATION**

Not applicable to this by-law.

## **NATIONAL COMPETITION POLICY**

The Council has considered and assessed the aims and objectives of this by-law and is satisfied that this by-law on its own will not restrict competition.

## **CONSULTATION**

The by-law was advertised for public comment in accordance with Section 249 of the *Local Government Act 1999*. The Council received one comment, summarised below.

<b>Item</b>	<b>Submission / Comment</b>	<b>Name of person (de-identified), or entity, that raised the concern</b>	<b>Action taken by the Council in response to the concern</b>
1.	Allow food trucks to operate without a permit in specific areas.	Respondent 12.	Comment noted. No action required.

This by-law has not been submitted to any other person for comment.

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 Michael Sedgman  
 Chief Executive Officer

**CORPORATION OF THE CITY OF ADELAIDE**  
**MOVEABLE SIGNS BY-LAW 2024**  
**REASONS, OBJECTIVES AND IMPLEMENTATION**  
**REPORT TO LEGISLATIVE REVIEW COMMITTEE**

**REASONS**

This by-law is being made as part of the overall review of the Council's by-laws.

**OBJECTIVES**

To set standards for moveable signs on roads, to provide conditions for the design, construction, appearance and placement of such signs, to protect public safety and to protect or enhance the amenity of the area of the Council.

**CLAUSES**

- Clause 1: Creates the short title for the by-law namely *Moveable Signs By-law 2024*.
- Clause 2: Creates a commencement date for the by-law, namely four months after the day on which it is published in the Gazette.
- Clause 3: Defines the terms 'authorised person', 'banner', 'boundary', 'business', 'business premises', 'ceremonial street', 'footpath area', 'local government land', 'moveable sign', 'road', 'road related area' and 'vehicle'.
- Clause 4: Sets out restrictions relating to the design and construction of any moveable sign.
- Clause 5: Sets out restrictions relating to the appearance of moveable signs on a road.
- Clause 6: Sets out the requirements for the placement of moveable signs.
- Clause 7: Sets out further restrictions regarding moveable signs displayed on a public street or road, including the nature of the material contained in the moveable sign, the number of moveable signs per business, the times during which moveable signs may be displayed and the positioning and display of moveable signs.
- Clause 8: Sets out a requirement to obtain permission of the Council to display or cause to be displayed a moveable sign on any local government land or resting on or attached to a vehicle on any local government land, other than where the sign is attached to a licensed taxi or bus, on or attached to a vehicle belonging to any Council and which has been placed on or attached to the vehicle with the consent of the Council to which the vehicle belongs on or attached to a vehicle which only has a sign or signs painted on or glued to it the main purpose of



which is to identify it as belonging to a business or comprising a sunscreen on a vehicle, where any message or trade name or mark on the sunscreen does not advertise a business being carried on in the vicinity of the place the vehicle.

Clause 9: Sets out the requirements relating to banners.

Clause 10: Sets out the exemptions relating to the advertising of garage sales, where permission is granted for the placement of a moveable sign, when placed on a road pursuant to an authorisation under the *Local Government Act 1999* or another Act, open inspection signs for real estate or related to a State or Commonwealth election during certain times or a referendum.

Clause 11: Sets out the circumstances in which an authorised person of the Council can direct the removal of a non-complying moveable sign and the circumstances under which the authorised person may remove the non-complying sign themselves.

Clause 12: Sets out the circumstances in which an authorised person of the Council can direct the relocation or removal of a complying moveable sign.

Clause 13: Revokes Council's previous *Moveable Signs By-law* published in the Gazette on 23 August 2018.

### **IMPLEMENTATION**

The by-law will be policed by inspection, the issue of warnings, expiation notices or by prosecution if necessary.

### **NATIONAL COMPETITION POLICY**

The Council has considered and assessed the aims and objectives of this by-law and is satisfied that where competition may be restricted as a result of 'permission' being required from the Council for certain activities, the benefit to the community outweighs the cost and there is no alternative means open to the Council to control those activities.

### **SUBMISSIONS**

The by-law was advertised for public comment in accordance with Section 249 of the *Local Government Act 1999*. The Council received six comments, summarised below.

<b>Item</b>	<b>Submission / Comment</b>	<b>Name of person (de-identified), or entity, that raised the concern</b>	<b>Action taken by the Council in response to the concern</b>
1.	Questions definitions relating to Ceremonial Road, King William Street and North Terrace.	Respondent 2	Comment noted. No action required.
2.	Enquiry about the absence of pro-active monitoring details and	Respondent 2	Comment noted. No action required.

Item	Submission / Comment	Name of person (de-identified), or entity, that raised the concern	Action taken by the Council in response to the concern
	clarification on whether the authorised officer is simply being reactive.		
3.	Enquiry of the existence of a three strikes and you are out policy for repeat non-compliance.	Respondent 2	Comment noted. No action required.
4.	Concern about the lack of enforcement and penalties for non-compliant A-frame placements leading to repeat offences.	Respondent 2	Comment noted. No action required.
5.	Concern about A-frame placement at intersections where pedestrian congestion occurs, with the 1.8m distance from the corner being insufficient.	Respondent 2	Comment noted. No action required.
6.	Observation about bus zones becoming crowded and queues exceeding the marked zone length.	Respondent 2	Comment noted. No action required.

This by-law has not been submitted to any other person for comment.

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 Michael Sedgman  
 Chief Executive Officer

**CORPORATION OF THE CITY OF ADELAIDE**  
**LOCAL GOVERNMENT LAND BY-LAW 2024**  
**REASONS, OBJECTIVES AND IMPLEMENTATION**  
**REPORT TO LEGISLATIVE REVIEW COMMITTEE**

**REASONS**

This by-law is being made as part of the overall review of the Council's by-laws.

**OBJECTIVES**

To provide for the management and regulation of the use and access to all land vested in or under the control of the Council including the prohibition and regulation of particular activities on local government land.

**CLAUSES**

- Clause 1: Creates the short title for the by-law namely *Local Government Land By-law 2024*.
- Clause 2: Creates a commencement date for the by-law, namely four months after the day on which it is published in the Gazette.
- Clause 3: Defines the terms 'authorised person', 'boat', 'building', 'Central Market', 'e-cigarette', 'electoral matter', 'emergency vehicle', 'horse riding track', 'liquor', 'livestock', 'local government land', 'model aircraft', 'national soldiers memorial', 'offensive', 'playspace', 'public place', 'River Torrens', 'road', 'smoke', 'tobacco product', 'vehicle', 'waters' and 'wheeled recreational device'.
- Clause 4: Contains a number of activities which are prohibited on local government land in the absence of permission of the Council:

**Alteration to Local Government Land**

Prevents the alteration of local government land, including:

- altering the construction or arrangement of the land to permit or facilitate access from an adjacent property; or
- erecting or installing a structure (including pipes, wires, cables, pavers, fixtures, fittings and other objects) in, on, across, under or over the land; or
- changing or interfering with the construction, arrangement or materials of the land; or
- changing, interfering with or removing a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the land; or

- planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land.

### **Amplification**

Prevents the use of an amplifier or other mechanical or electrical device to amplify sound to the public.

### **Athletic and Ball Sports and Games**

Prevents the promotion or taking part in organised athletic sport where the Council has resolved that land applies.

### **Boats**

Prevents a person from hiring, or offering for hire, a boat, raft, pontoon or other watercraft, launching or retrieving those items to or from any waters, and propelling, floating or otherwise using any boat, raft, pontoon or other watercraft on any waters.

### **Boat Ramps**

Prevents the launch or retrieval of a boat from a boat ramp constructed for that purpose.

Prevents any vehicle to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat.

### **Bridge Jumping**

Prevents jumping or diving into any waters from any bridge or any other structure.

### **Burials and Memorials**

Prevents the burying of human or animal remains, spreading the ashes of same or erecting any memorial.

### **Business Use**

Prevents providing services for monetary consideration, including but not limited to, personal training services.

### **Camping and Tents**

Prevents camping or remaining overnight in the open, a building, a vehicle or otherwise and includes the erection of a tent or other structure.

### **Canvassing**

Prevents the conveyance of advertising, religious or other message to people except for the message that relates to a Commonwealth or State election and is conveyed during a period commencing at 5:00pm on the day before the issuing of the election.

The clause also exempts material related to local government elections in line with the *Local Government Act 1999* and the *Local Government (Elections) Act 1999* and referendums.

### **Closed Lands**

Prevents a person from entering or remaining on any part of the local government land:

- at any time during which the Council has declared that it shall be closed to the public, and which is indicated by a sign to that effect; or
- where the land is enclosed by fences, walls or gates and they have been closed and locked; or
- where admission charges are payable, without paying those charges,

### **Collections and Donations**

Prevents the collection of anything from any passer-by or ask for or receive or indicate that they desire a donation of money or any other thing.

### **Depositing Rubbish etc**

Prevents the deposit of any structure, goods, materials, earth, soil, clay, gravel, sand, timber, stones, pebbles or any other matter or substance (including any liquid substance).

### **Distribution**

Prevents a person from distributing anything to any person except material that is related to a Commonwealth or State election, a local government election or a referendum.

### **Entertainment and Busking**

Prevents a person from singing or performing, etc, or playing a musical instrument for the purpose of entertaining and prevents conducting any concert, festival, show, public gathering, circus, meeting, performance or other similar activity.

### **Erection of Structures**

Prevents the erection of fences and hoarding that are made of barbed or razor wire and not easily visible at night. Also prevents the erection or placement or allowing to remain a ladder, trestle or other equipment likely to cause an obstruction or danger.

### **Fires**

Prevents a person from lighting a fire unless it is in a place provided by the Council, in a portable barbecue used in an area that is clear of flammable material for a distance of at least four metres, or in accordance with the *Fire and Emergency Services Act 2005*.

### **Fireworks**

Prevents the ignition or discharge of any fireworks.

### **Flora and Fauna**

Subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*, prevents a person from:

- damaging, picking, or interfering with any plant or flower;
- leading or driving any animal to stand on any flower bed or garden;
- depositing or removing soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;
- teasing, removing or causing harm to any animal or bird or the eggs or young of any animal or bird;
- picking or disturbing any fruit, nuts, berries or native seeds;
- disturbing or interfering with any burrow, nest or habitat of any animal or bird.
- using, possessing or having control of any device for the purpose of killing or capturing any animal or bird;
- burning any timber or dead wood.

### **Liquor**

Prevents a person from consuming, carrying, or being in possession or charge of any liquor on any local government land comprising parks or reserves to which the Council has resolved the subparagraph shall apply.

### **Livestock**

Prevents causing livestock to stray or be left unattended.

Prevents causing or allowing livestock to enter in any waters to which the Council has resolved this subparagraph shall apply.

Prevents leading or driving livestock except where the Council has set aside a track.

Prevents allowing livestock to damage any flower bed, garden, tree, lawn or other item or place.

Prevents the training of livestock.

### **Model Aircraft, Boats and Cars**

Prevents a person from flying or operating a model aircraft or drone aircraft, subject to the provisions of the *Civil Aviation Act 1988*.

Prevents a person from operating a model aircraft, boat or model/remote control car on local government land to which the Council has resolved the subparagraph applies.

### **Obstructions**

Prevents the obstruction of any path, footpath, track, gateway or other area or erecting over same any object including, but not limited to, planter box, hoarding, crane, cherry picker, elevated platform vehicle, scaffolding, stage,, ladder, trestle, appliance or other equipment.

### **Organised Ceremonies and Events etc**

Prevents the holding, conducting or participation in a funeral, marriage ceremony, game, picnic, other event or entertainment on any Local Government Land except where the number of persons attending the event or entertainment does not exceed 20.

### **Overhanging Articles**

Prevents a person from suspending or hanging an article or object from a building, veranda, pergola, post or other structure where it might present a nuisance or danger to a person using the land.

### **Playing Area**

Prevents a person from, on local government land:

- using or occupying a playing area in such a manner as to damage or is likely to damage the surface of the playing area or infrastructure (above and under ground level); or
- in a manner contrary to the purpose for which the playing area was intended to be used or occupied; or
- contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area.

### **Preaching and Canvassing**

Prevents a person from preaching, canvassing, haranguing, touting for business or conduct any survey or opinion poll except for State, Commonwealth and local government elections and referendums upon condition.

### **Public Exhibitions and Displays**

Prevents a person from allowing or causing any public exhibition or display or allow to be displayed any bills, advertisements including stickers and stencils to a building or structure except those items related to State, Commonwealth or local government elections and referendums.

**Riverbank**

Prevents the driving or propelling of a vehicle onto or from a riverbank other than by a ramp or thoroughfare constructed on the riverbank or provided by the Council for that purpose.

**Rubbish and Rubbish Dumps**

Prevents a person from interfering with, removing or taking away any rubbish that has been discarded at any rubbish dump on local government land and the removal, dispersal or interference with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a bin on any local government land, or placed on local government land for collection by the Council.

**Swimming**

Prevents a person swimming, bathing or washing in any waters to which this subparagraph applies.

**Trading**

Prevents a person from buying and selling or leasing goods and services including from vehicles, watercraft, aircraft, stall, stand, table, tray, carpet or other structure.

**Vehicles**

Prevents a person from driving or propelling any vehicle on local government land unless on an area or road that is constructed or set aside by the Council for that purpose.

Clause 5: Contains a number of activities which are prohibited on local government land:

**Birds**

Prohibits feeding any bird.

**Climbing**

Prohibits the climbing on or over any fixture, fitting, plant, object or building other than in a playground or other similar area that the Council has indicated by signage set aside for that purpose.

**Damaging or Defacing Property**

Prohibits damaging or defacing property by attaching to any object, including an animal on a leash or a bike to any tree, gate, fence or other fixture other than a designated bicycle rack.

**Fishing**

Prohibits the fishing in any waters to which the Council has resolved this subparagraph shall apply including from any bridge or other structure.



**Interference with Permitted Use**

Prohibits the interruption of another person's lawful use of local government land for which permission has been granted.

**Playing Games**

Prohibits the playing of a game which is likely to cause damage or endanger the safety or comfort of any person or where a sign indicates that the game is prohibited.

**Public Conveniences**

Prohibits the smoking of tobacco or other substance, depositing anything in a pan, urinal or drain or using it for a purpose for which it was not designed or constructed.

Prohibits entering public conveniences unless that person is of a gender indicated in writing or on a sign located at the public convenience. This subclause does not apply to:

- genuine emergencies;
- vulnerable person or their caregiver;
- to a person that is intersex, transgender or gender diverse;
- people with a disability or their caregiver.

**Repairs to Vehicles**

Prohibits the performance of work on vehicles with the exception of running repairs in the case of a breakdown.

**Smoking**

Prohibits the smoking in any building, or on any local government land to which the Council has resolved.

**Solicitation**

Prohibits the touting or soliciting of customers for the parking of vehicles or for any other commercial purpose whatsoever.

### **Use of Council Rubbish Bins**

Prevents a person from depositing any commercial waste or other rubbish emanating from commercial premises in any Council rubbish bin.

### **Use of Equipment**

Prohibits the use of any equipment or property belonging to the Council other than in manner and for the purpose for which it was designed.

### **Waste**

Prohibits the depositing in any receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.

### **Waters**

Prohibits the washing of clothes in, and/or add any substance to any waters.

### **Wheeled Recreational Devices**

Prohibits the use of a wheeled recreational device on any part of local government land to which the subparagraph applies.

Clause 6: Prohibits a person to do any of the following without permission in the Adelaide Central Market:

- bring into or allow any animal to remain except for assistance dogs;
- drive or use a forklift, failing to carry proof of qualification or failing to equip a forklift with amber flashing warning devices and an audible reversing warning device.

Clause 7: Prohibits a person from doing any of the following on a horse riding track:

- ride or gallop a horse;
- train a racehorse, trotting horse or quarter horse; or
- ride or drive a horse which is attached to a cart or vehicle.

Clause 8: Prohibits a person from doing any of the following on the National Soldiers Memorial including surrounding forecourts and gardens:

- affix any object or erect any fixture;
- sit or lie on any part of the building;
- lie or stand on any seat; or
- drive any vehicle, bicycle, small wheeled recreational vehicle including roller blades.

Clause 9: Requires a person to comply with any reasonable direction or request from an authorised person relating to the person's use, conduct, behaviour or safety on the land, or the safety and enjoyment of the land by other persons.

Clause 10: Provides that any animal found on local government land must be removed by a person in charge of the animal at the reasonable request of an authorised person, or an authorised person may remove the animal if the person fails to comply or no person is in charge of the animal. Provides an authorised person may direct any person who is committing, or has committed, a breach of the by-law to leave local government land.

Clause 11: If an object is obstructing local government land, then Council may remove the object with the exception of objects that have been placed with the permission of the Council or some other lawful authority.

Clause 12: Exempts Police officers, Council officers and employees or contractors performing works for the Council under the supervision of a Council officer and emergency workers performing emergency duties.

Clause 13: Enables the Council to specify by way of resolution the areas where certain parts of the by-law shall apply.

Clause 14: Revokes Council's previous *Local Government Land By-law* published in the Gazette on 23 August 2018.

### **IMPLEMENTATION**

The by-law will be policed by inspection, the issue of warnings, expiation notices or by prosecution if necessary.

### **NATIONAL COMPETITION POLICY**

The Council has considered and assessed the aims and objectives of this by-law and is satisfied that where competition may be restricted as a result of 'permission' being required from the Council for certain activities, the benefit to the community outweighs the cost and there is no alternative means open to the Council to control those activities.

### **SUBMISSIONS**

The by-law was advertised for public comment in accordance with Section 249 of the *Local Government Act 1999*. The Council received three comments, summarised below.

<b>Item</b>	<b>Submission / Comment</b>	<b>Name of person (de-identified), or entity, that raised the concern</b>	<b>Action taken by the Council in response to the concern</b>
1.	Fantastic to see gender inclusivity introduced into this by-law.	Respondent 1	Comments noted – no amendment.
2.	Single sex bathrooms only. Invalid bathrooms should be the only bathrooms persons of either sex can use.	Respondent 10	Comments noted – no amendment.
3.	Disagrees with gender neutral language contained within public conveniences allowing intersex persons into either facility.	Respondent 13	Comments noted – no amendment.

This by-law has not been submitted to any other person for comment.

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Michael Sedgman  
Chief Executive Officer

**CORPORATION OF THE CITY OF ADELAIDE**  
**ROADS BY-LAW 2024**  
**REASONS, OBJECTIVES AND IMPLEMENTATION**  
**REPORT TO LEGISLATIVE REVIEW COMMITTEE**

**REASONS**

This by-law is being made as part of the overall review of the Council's by-laws.

**OBJECTIVES**

To provide for the management of public roads in the Council's area.

**CLAUSES**

- Clause 1: Creates the short title for the by-law namely *Roads By-law 2024*.
- Clause 2: Creates a commencement date for the by-law, namely four months after the day on which it is published in the Gazette.
- Clause 3: Defines certain terms for the purposes of the by-law, namely 'authorised person', 'electoral matter', 'emergency vehicle', 'livestock', 'model aircraft', 'road', 'vehicle' and 'wheeled recreational device'.
- Clause 4: Contains a number of activities which are prohibited on a road in the absence of permission of the Council:

**Advertising**

Prevents displaying any sign other than a moveable sign which is displayed on a road in accordance with the Council's *Moveable Signs By-law 2024* and prevents the placement of goods, or the parking or standing of a vehicle on the road, for the purposes of soliciting business or offering or exposing goods for sale, except where a person is simply travelling along a road.

**Amplification**

Prevents the use of an amplifier or other device on a road, whether mechanical or electrical, for the purpose of amplifying sound.

**Bicycles**

Prevents a person from chaining, locking or affixing a bicycle to any pole, fence or other structure on a road where the bicycle may cause an obstruction or damage the structure, other than on a structure specifically designed and set aside by the Council for that purpose.

**Bridge Jumping**

Prevents a person from jumping or diving from any bridge or other structure.

**Distribute**

Prevents a person from distributing any hand bill, book, notice, leaflet or other printed matter to any passer-by except when the material relates to a Commonwealth or State election or local government election or referendum on condition.

**Donations**

Prevents a person from asking for, receiving or indicating that he or she desires a donation of money or any other thing or otherwise solicit for religious or charitable purposes.

**Fires and Fireworks**

Prevents the lighting of any fire except in a place provided for that purpose or use fireworks.

**Hatches**

Prevents the leaving of any hatch connected with adjacent premises unattended when open.

**Livestock**

Prevents leading any livestock except set aside by resolution for that purpose.

**Model Aircraft and Cars**

Prevents flying model aircraft, etc in areas the Council has resolve the subparagraph applies.

**Preaching and Canvassing**

Prevents a person from preaching, canvassing, haranguing or otherwise soliciting for religious purposes except on any road that the Council has determined to be exempt.

**Public Exhibitions and Displays**

Prevents a person from singing, busking or playing a musical instrument, or conducting or holding any concert, festival, show, circus, performance or other similar activity, or causing any public exhibitions or displays.

**Repairs to Vehicles**

Prevents the performance of work on any vehicle with the exception of running repairs in the case of a break down.

**Rubbish**

Prevents the removal or interference with rubbish that has been discarded in Council bins.

**Tents and Camping**

Prevents a person from camping or remaining overnight in the open, a building, a vehicle or otherwise or the erection of tents or other structures.

**Touting for Business**

Prevents a person from touting for business.

**Use of Council Rubbish Bins**

Prevents a person from depositing any commercial waste in Council rubbish bins.

**Venue Management**

Prevents a person allowing patrons to queue outside a venue.

**Wheeled Recreational Devices**

Prevents the use of wheeled recreation devices on a footpath.

Clause 5: Contains a number of activities which are prohibited on a road:

**Birds**

Prohibits feeding birds.

**Climbing**

Prohibits climbing on any fixture, fitting, plant, object or building.

**Damaging or Defacing Property**

Prohibits the attachment of any object to a tree, gate, fence or other fixture.

**Glass**

Prohibits wilfully breaking glass and other brittle material.

**Interference with Permitted Use**

Prohibits the interruption or interference with another person's use of a road which is permitted or for which permission has been granted.

**Public Conveniences**

Prohibits the smoking of tobacco or other substance, depositing anything in a pan, urinal or drain or using it for a purpose for which it was not designed or constructed.

Prohibits entering public conveniences unless that person is of a gender indicated in writing or on a sign located at the public convenience. This subclause does not apply to:

- genuine emergencies;
- vulnerable person or their caregiver;
- to a person that is intersex, transgender or gender diverse;
- people with a disability or their caregiver.

Clause 6: Requires a person to comply with any reasonable direction from an authorised person relating to the person's use, conduct, behaviour or safety on the road, or the safety and enjoyment of the road by other persons.

Clause 7: Requires a person to comply with any request from an authorised person to remove an animal found on a road in breach of the by-law. Empowers an authorised person to remove an animal if the person fails to comply with the request or if there is no one in charge of the animal.

Requires a person who is committing a breach of the by-law must comply with a direction of an authorised person to leave that part of the road and an authorised person may remove without force a person who is found in breach of the by-law.

Clause 8: If any goods, materials, object or substance has been left on a road in breach of this by-law an authorised person or their agent may remove the item and dispose of it in a manner that authorised person thinks fit and may recover the costs of so doing from the person responsible as a debt.

Clause 9: Exempts Police officers, Council officers and employees or contractors performing works for the Council under the supervision of a Council officer and emergency workers performing emergency duties.

Clause 10: Enables the Council to specify by way of resolution the areas where a certain part of the by-law shall apply.

Clause 11: Revokes Council's previous *Roads By-law* published in the Gazette on 23 August 2018.

### **IMPLEMENTATION**

The by-law will be policed by inspection, the issue of warnings, expiation notices or by prosecution if necessary.

### **NATIONAL COMPETITION POLICY**

The Council has considered and assessed the aims and objectives of this by-law and is satisfied that where competition may be restricted as a result of 'permission' being required from the Council for certain activities, the benefit to the community outweighs the cost and there is no alternative means open to the Council to control those activities.



## **SUBMISSIONS**

The by-law was advertised for public comment in accordance with Section 249 of the *Local Government Act 1999*. The Council received one comment, summarised below.

<b>Item</b>	<b>Submission / Comment</b>	<b>Name of person (de-identified), or entity, that raised the concern</b>	<b>Action taken by the Council in response to the concern</b>
1.	Recommendation to remove provision 4.5 'Distribute' and its subsections from draft By-law No 4, citing concerns over limiting the distribution of printed materials and free speech.	Respondent 3	Comment noted. No action required.

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 Michael Sedgman  
 Chief Executive Officer

**CORPORATION OF THE CITY OF ADELAIDE**  
**WASTE MANAGEMENT BY-LAW 2024**  
**REPORT TO LEGISLATIVE REVIEW COMMITTEE**  
**REASONS, OBJECTIVES AND IMPLEMENTATION**

**REASONS**

This by-law is being made as part of the overall review of the Council's by-laws.

**OBJECTIVES**

To regulate and control the removal of general (landfill) waste, co-mingled recycling and green organic recycling from premises, for the prevention and suppression of nuisances, and for regulating the management of property of the Council. It is desirable and useful to have this by-law.

**CLAUSES**

Clause 1: Creates the short title for the by-law namely *Waste Management By-law 2024*.

Clause 2: Creates a commencement date for the by-law, namely four months after the day on which it is published in the Gazette.

Clause 3: Defines certain terms for the purposes of the by-law, namely 'commercial and industrial waste (general)', 'commercial cardboard', 'bin', 'domestic waste', 'domestic waste bin', 'footpath area', 'green organics', 'green organics bin', 'hard waste', 'hazardous waste', 'listed waste', 'private thoroughfare', 'radioactive waste', 'recyclables', 'recyclables bin' and 'road'.

Clause 4: Provides that every occupier must keep bins on their premises except when facilitating kerbside collection services.

Provides that bins must be kept clean, closed and labelled with the address of the premises or business name to which they relate (whilst on the road).

Clause 5: Places obligations on the occupier of premises to ensure that the specific waste container only contains that type of waste.

Places obligations on the occupier in relation to the state and condition of the container.

Provides for the provision of a kerbside collection service and places certain obligations on the occupier of premises including the time of placing and location of placing the containers for collection and their subsequent removal after collection.

Provides for the collection of commercial cardboard on particular conditions.

Clause 6: Provides that a person must not remove, disburse or interfere with any waste that has been placed on a footpath area or a road.

Clause 7: Provides that the owner or occupier of a private thoroughfare shall keep the thoroughfare clean and free of refuse, rubbish and waste material.

Clause 8: Revokes Council's previous *Waste Management By-law* published in the Gazette on 23 August 2018.

### **IMPLEMENTATION**

The by-law will be policed by inspection, the issue of warnings, expiation notices and by prosecution if necessary.

### **NATIONAL COMPETITION POLICY**

The Council has considered and assessed the aims and objectives of this by-law and is satisfied that where competition may be restricted as a result of 'permission' being required from the Council for certain activities, the benefit to the community outweighs the cost and there is no alternative means open to the council to control those activities.

### **SUBMISSIONS**

The by-law was advertised for public comment in accordance with Section 249 of the *Local Government Act 1999*. The Council received four comments, summarised below.

<b>Item</b>	<b>Submission / Comment</b>	<b>Name of person (de-identified), or entity, that raised the concern</b>	<b>Action taken by the Council in response to the concern</b>
1.	Support for current changes with a request for mandatory waste services (organic, recycle, and landfill) for offices, based on square footage and tenant number, to enhance.	Respondent 4	Comment noted. No action required.
2.	Support for single-sex bathrooms; invalid bathrooms for either sex.	Respondent 10	Comment noted. No action required.
3.	Enforcement of rules needed, including timely fines for commercial bin removal.	Respondent 11	Comment noted. No action required.
4.	Ensure correct bins are provided for intended used.	Respondent 12	Comment noted. No action required.

This by-law has not been submitted to any other person for comment.

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 Michael Sedgman  
 Chief Executive Officer

**CORPORATION OF THE CITY OF ADELAIDE**

**RUNDLE MALL BY-LAW 2024**

**REPORT TO LEGISLATIVE REVIEW COMMITTEE**

**REASONS, OBJECTIVES AND IMPLEMENTATION**

**REASONS**

This by-law is being made as part of a review of the Council's by-laws and to ensure the proper management of Rundle Mall for the community.

**OBJECTIVES**

To provide for the management of, access to and use of Rundle Mall. The by-law replaces the Council's current model by-law for the management of pedestrian malls and supplements the provisions of Council's roads by-law in Rundle Mall.

**CLAUSES**

- Clause 1: Creates the short title for the by-law namely Rundle Mall By-law 2024.
- Clause 2: Creates a commencement date for the by-law, namely four months after the day on which it is published in the Gazette.
- Clause 3: Defines certain terms for the purposes of the by-law, namely 'authorised person', 'building', 'e-cigarette', 'emergency worker', 'model aircraft', 'permission', 'smoke', 'tobacco product' and 'wheeled recreational device'.
- Clause 4: Contains a number of activities which are prohibited in Rundle Mall in the absence of permission of the Council.

**Amplification**

Prevents a person from using an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound.

**Athletic and Ball Sports and Games**

Prevents a person from promoting, organising or taking part in any athletic sport, ball sport or game, or playing or practising any game which is likely to cause damage to Rundle Mall or any fixtures or fittings.

**Burials and Memorials**

Prevents a person from spreading the ashes of any human or animal remains or erecting any memorial in Rundle Mall.

### **Erection of Structures**

Prevents a person from:

- erecting a fence or hoarding; or
- erecting, placing, using or allowing to remain a ladder or trestle or any other equipment or material likely to cause an obstruction or danger to any person in Rundle Mall; or
- parking, placing, using or allowing to remain a mobile crane, scissor lift, elevated platform vehicle or cherry picker.

### **Fireworks**

Prevents a person from using, discharging or exploding any fireworks.

### **Model Aircraft and Cars**

Prevents a person from flying or operating a model aircraft or model/remote control car.

### **Organised Ceremonies and Events Etc**

Prevents a person from holding, conducting or participating in a funeral, marriage ceremony, picnic or other event or entertainment.

### **Overhanging Articles**

Prevents a person from suspending or hanging any article or thing from any building, verandah, pergola, post or other structure.

### **Rubbish & Rubbish Dumps**

Prevents a person from removing, dispersing or otherwise interfering with any rubbish that has been discarded in a Council bin in Rundle Mall.

### **Touting for Business**

Prevents a person from touting for business.

Clause 5: Contains a number of activities which are prohibited in Rundle Mall:

#### **Birds**

Prohibits a person from feeding any bird.

#### **Climbing**

Prohibits a person from climbing on or over any fixture, fitting, plant, object or building.

#### **Damaging or Defacing Property**

Prohibits a person from:

- defacing, damaging, painting, writing, etc on any tree, rock, gate, building or other property of the Council; or
- attaching any object to any tree, gate, fence or other fixture other than a designated bicycle rack.

### **Glass**

Prohibits a person from willfully breaking any glass, china or other brittle material.

### **Interference with Permitted Use**

Prohibits a person from interrupting, disrupting or interfering with any other person's use of Rundle Mall which is permitted, or for which permission has been granted.

### **Missiles**

Prohibits a person from throwing, rolling or discharging any stone, substance or missile to the danger of any person, property or animal.

### **Public Conveniences**

Prohibits a person a person in any public convenience in Rundle Mall or the vicinity of Rundle Mall from:

- urinating other than in a urinal pan or defecating other than in a pan set apart for that purpose;
- depositing anything in a pan, urinal or drain which is likely to cause a blockage;
- using it for a purpose which it was not designed or constructed;
- entering any toilet that is set aside for the use of the opposite gender except when a child under the age of eight years is accompanied by an adult, or to provide assistance to a disabled person, or in the case of a genuine emergency;
- enter any public convenience unless the person of the gender indicated in writing or on a sign located on the public convenience with the exception of the following:
  - in a genuine emergency;
  - a vulnerable person or their caregiver;
  - a person that is intersex, transgender or gender diverse;
  - a person with a disability or their caregiver.

### **Smoking**

Prohibits a person from smoking tobacco, an e-cigarette or any other substance in certain areas.

### **Wheeled Recreational Devices**

Prohibits a person from using a wheeled recreation device in Rundle Mall.

- Clause 6: Permits the Council to remove any object that is obstructing any part of Rundle Mall provided it is not an object that has been placed in Rundle Mall with the permission of the Council or by some other lawful authority.
- Clause 7: Provides that for the purposes of this by-law, permission is granted under this clause and not the Council's *Permits and Penalties By-law 2024*. Provides that permission must be sought by written application to the Council in the designated form (if any) and accompanied by the fee (if any) prescribed by the Council. Permits the Council, or such other person as the Council may by resolution authorise, to attach such conditions to the grant of permission as it thinks fit, and to vary or revoke such conditions or impose new conditions by notice in writing to the permit holder. Requires any permit holder to comply with every condition imposed by Council or other authorised person and permits Council to suspend or revoke such grant or permission at any time by notice in writing to the permit holder.

Provides that permission granted pursuant to Council's *Permits and Penalties By-law 2024* shall not apply for the purposes of the permission granted pursuant to this paragraph 7.

- Clause 8: Provides that any person who breaches this by-law is guilty of an offence and is liable to the maximum penalty referred to in the *City of Adelaide Act 1998*. Also provides that any person who commits a breach of this by-law on a continuing nature shall be guilty of an offence, and in addition to any other penalty, shall be liable to a further penalty for every day on which the offence is continued.

Where a penalty is imposed for an offence against this by-law, the Council's *Permits and Penalties By-law 2024* shall not apply for the purpose of that penalty.

- Clause 9: Provides that subparagraph 5.8 (smoking) shall only apply in such portion or portion of the area as the Council by resolution directs.
- Clause 10: Exempts police officers, Council officers and employees acting in the course and within the scope of their duties, contractors while performing work for the Council and while acting under supervision of the Council officer, and emergency workers when driving an emergency vehicle in an emergency situation from application of the by-law.
- Clause 11: Revokes the model by-law for the management of pedestrian malls published in the gazette on 23 August 2018.

### **IMPLEMENTATION**

The by-law will be policed by inspection, the issue of warnings, expiation notices or by  
LRC Report By-law No 6 – Rundle Mall

prosecution if necessary.

### **NATIONAL COMPETITION POLICY**

The Council has considered and assessed the aims and objectives of this by-law and is satisfied that where competition may be restricted as a result of 'permission' being required from the Council for certain activities, the benefit to the community outweighs the cost and there is no alternative means open to the Council to control those activities.

### **SUBMISSIONS**

The by-law was advertised for public comment in accordance with Section 249 of the *Local Government Act 1999*. The Council received twelve comments, summarised below.

<b>Item</b>	<b>Submission / Comment</b>	<b>Name of person (de-identified), or entity, that raised the concern</b>	<b>Action taken by the Council in response to the concern</b>
1.	Opposition to the term 'interfere with' in 4.9, arguing it targets tidy individuals collecting refundable containers for financial support without causing harm.	Respondent 5	Comment noted. No action required.
2.	Concern about limited bird feeding options due to reduced vegetation in urban areas, highlighting the joy people find in feeding birds.	Respondent 6	Comment noted. No action required.
3.	Concern that new clause 5.7 may prohibit parents from taking young children of the opposite gender into public conveniences, suggesting children be identified as 'vulnerable persons' for.	Respondent 7	Comment noted. No action required.
4.	Replace 'is' with 'identifies as' in proposed clause 5.7.5.3 for clarity.	Respondent 7	Comment noted. No Action required.
5.	Appreciation for updates but concern over policing access to toilets.	Respondent 8	Comment noted. No Action required.
6.	Concerns about safety and policing in toilets, suggesting ungendered toilets for inclusivity.	Respondent 8	Comment noted. No Action required.
7.	Ensure protesting remains allowed for democratic free speech.	Respondent 8	Comment noted. No Action required.
8.	Confirm ball sports ban doesn't affect scouts' orienteering or kids' activities.	Respondent 8	Comment noted. No Action required.
9.	Reword by-law 5.7.5.3 to avoid distress to gender-diverse individuals, focusing on respectful behaviour.	Respondent 9	Comment noted. No Action required.
10	Support for single-sex bathrooms;	Respondent 10	Comment noted. No Action



Item	Submission / Comment	Name of person (de-identified), or entity, that raised the concern	Action taken by the Council in response to the concern
	invalid bathrooms for either sex.		required.
11.	Maintain prohibition of firearms for public safety.	Respondent 10	Comment noted. No Action required.
12.	Support for advertising to attract people back to the city.	Respondent 12	Comment noted. No Action required.

This by-law has not been submitted to any other person for comment.

.....  
Michael Sedgman  
Chief Executive Officer

**CORPORATION OF THE CITY OF ADELAIDE**

**DOGS BY-LAW 2024**

**REASONS, OBJECTIVES AND IMPLEMENTATION**

**REPORT TO THE LEGISLATIVE REVIEW COMMITTEE**

**REASONS**

This by-law has been prepared as part of the overall review of the Council's by-laws. The by-law replaces the Council's current by-law relating to dogs, taking into account the Council's current needs.

**OBJECTIVES**

To assist the Council in controlling and managing dogs within the Council's area and to limit the number of dogs that may be kept on premises. This by-law revokes Council's current dogs by-law.

**REFERRALS**

This by-law has been referred to the Dog and Cat Management Board pursuant to Section 90(5) of the *Dog and Cat Management Act 1995* and no recommendations were received.

**CLAUSES**

- Clause 1: Creates the short title for the by-law namely Dogs By-law 2024.
- Clause 2: Creates a commencement date for the by-law, namely four months after the day on which it is published in the Gazette.
- Clause 3: Defines certain terms for the purposes of the by-law, namely 'approved kennel establishment', 'assistance dog', 'control', 'dangerous dog', 'dog', 'effective control', 'local government land', 'park', 'play space', 'premises', 'prescribed breed', 'public place' and 'small dwelling'.
- Clause 4: Limits the number of dogs that may be kept without the Council's permission in a Small Dwelling and other Premises.
- Clause 5: Exempts certain premises from compliance with Clause 4.
- Clause 6: Prohibits a person from allowing a dog to be or remain on any local government land identified by the Council as a dog free area other than an Assistance Dog.
- Clause 7: Prohibits a person from allowing any dog to be or remain on any local government land identified by the Council as a dog on leash area unless the dog is restrained by a lead not exceeding two metres in length and securely tethered to a fixed object or held by a person capable of controlling the dog.
- Clause 8: Prohibits a person from, subject to clauses 6, 7 and 8.4 of the by-law, entering any part of local government land to exercise a dog unless that dog remains

under effective control and prohibits the entry of dangerous dogs and dogs of a prescribed breed into dog exercise areas.

Clause 9: Enables the Council to identify where clause 8.2.2 of the by-law applies and directs that clauses 6 and 7.2.1 of the by-law shall apply in such portions of the Council's area as the Council may by resolution direct in accordance with Section 246(3)(e) of the *Local Government Act 1999*. Compels the Council to provide information regarding these restrictions.

Clause 10: Revokes Council's previous By-law No. 7 – Dogs published in the Gazette on 23 August 2018.

### **IMPLEMENTATION**

The by-law will be policed by inspection, the issue of warnings, expiation notices and by prosecution if necessary.

### **NATIONAL COMPETITION POLICY**

The Council has considered and assessed the aims and objectives of this by-law and is satisfied that this by-law will not restrict competition.

### **SUBMISSIONS**

The by-law was advertised for public comment in accordance with Section 249 of the *Local Government Act 1999*. The Council received no comments.

This by-law has been submitted to the Dog and Cat Management Board for comment. The Board made no recommendations in relation to the by-law.

.....  
Michael Sedgman  
Chief Executive Officer

**CORPORATION OF THE CITY OF ADELAIDE**  
**CATS BY-LAW 2024**  
**REPORT TO LEGISLATIVE REVIEW COMMITTEE**  
**REASONS, OBJECTIVES AND IMPLEMENTATION**

**REASONS**

This by-law is being made as part of the overall review of the Council's by-laws and the upcoming expiry of those by-laws.

**OBJECTIVES**

To assist the Council in controlling and managing cats within the Council's area.

**REFERRAL**

This by-law has been referred to the Dog and Cat Management Board pursuant to Section 90(5) of the *Dog and Cat Management Act 1995* and no recommendations were received.

**CLAUSES**

- Clause 1: Creates the short title for the by-law namely *Cats By-law 2024*.
- Clause 2: Creates a commencement date for the by-law, namely four months after the day on which it is published in the Gazette.
- Clause 3: Defines the terms 'approved kennel establishment', 'cat', 'keep' and 'premises'.
- Clause 4: Limits the number of cats over the age of three months that a person may keep on any premises without the Council's permission. Provides that this limit does not apply to certain premises, including a cattery, pet shops and veterinary practices, or where an authorised person of the Council is satisfied no nuisance or insanitary condition is being caused by cats kept on the premises and all cats over the age of three months are desexed.
- Clause 5: The Council may serve notices on an occupier of a premises or the owner of a cat requiring specific action to be taken to ensure compliance with this by-law. The person must comply with the requirements of the notice and if they fail to do so, the Council may carry out the requirements of the notice and recover its costs from that person.
- Clause 6: Revokes Council's previous *Cats By-law* published in the Gazette on 23 August 2018.

**IMPLEMENTATION**

The by-law will be policed by inspection, the issue of warnings, expiation notices and by prosecution if necessary.

**NATIONAL COMPETITION POLICY**

The Council has considered and assessed the aims and objectives of this by-law and is satisfied that this by-law will not restrict competition.

**SUBMISSIONS**

The by-law was advertised for public comment in accordance with Section 249 of the *Local Government Act 1999*. The Council received one comment, summarised below.

<b>Item</b>	<b>Submission / Comment</b>	<b>Name of person (de-identified), or entity, that raised the concern</b>	<b>Action taken by the Council in response to the concern</b>
1.	Unsupportive of by-law generally.	Respondent 6	Comment noted. No action required.

This by-law has been submitted to the Dog and Cat Management Board for comment. The Board made no recommendations in relation to the by-law.

.....  
Michael Sedgman  
Chief Executive Officer

**CORPORATION OF THE CITY OF ADELAIDE**

**LODGING HOUSES BY-LAW 2024**

**REPORT TO LEGISLATIVE REVIEW COMMITTEE**

**REASONS, OBJECTIVES AND IMPLEMENTATION**

**REASONS**

This by-law has been prepared as part of the overall review of the Council's by-laws. This by-law replaces the Council's current by-law relating to Lodging Houses, taking into account the Council's current needs.

**OBJECTIVES**

To provide for the control, licensing, inspection and regulation of Lodging Houses in the Council's area. This by-law revokes the Council's current Lodging Houses by-law.

**CLAUSES**

- Clause 1: Creates the short title for the by-law namely *Lodging Houses By-law 2024*.
- Clause 2: Creates a commencement date for the by-law, namely four months after the day on which it is published in the Gazette.
- Clause 3: Defines certain terms for the purposes of the by-law, namely 'authorised person', 'building', 'licence', 'lodging house', 'long term accommodation', 'short term accommodation', 'proprietor' and 'unit'.
- Clause 4: Provides that a person must not let any building or lodgings without a Licence. Provides that a Licence may be issued at the discretion of the Council or another person authorised by the Council and entitles the holder to conduct the business of a Lodging House.
- Clause 5: Sets out the requirements for Licence applications.
- Clause 6: Provides a person licensed under this by-law must pay to the Council an annual Licence fee fixed by the Council payable upon the granting of an application for a Licence or renewal of an existing Licence.
- Clause 7: Provides that the Council may place a number of Licence conditions on the Licence and for the revocation and suspension of Licences.
- Clause 8: Provides that a person must not, without permission of the Council or an Authorised Person, add to or alter any Lodging House or use any part of Lodging House other than as specified by the Council.
- Clause 9: Provides that an Authorised Person may at any reasonable time enter and inspect a Lodging House. Provides that the Proprietor of a Lodging House must not hinder or obstruct any Authorised Person and provides every Lodger must

give access to his or her room to any Authorised Person for the purposes of the inspection.

Clause 9: Revokes Council's previous *By-law No. 9 – Lodging Houses* published in the Gazette on 23 August 2018.

### **IMPLEMENTATION**

The by-law will be policed by inspection, the issue of warnings, expiation notices or by prosecution if necessary.

### **NATIONAL COMPETITION POLICY**

The Council has considered and assessed the aims and objectives of this by-law and is satisfied that where competition may be restricted as a result of 'permission' being required from the Council for certain activities, the benefit to the community outweighs the cost and there is no alternative means open to the Council to control those activities.

### **SUBMISSIONS**

The by-law was advertised for public comment in accordance with Section 249 of the *Local Government Act 1999*. The Council received one comment, summarised below.

<b>Item</b>	<b>Submission / Comment</b>	<b>Name of person (de-identified), or entity, that raised the concern</b>	<b>Action taken by the Council in response to the concern</b>
1.	Support for single-sex bathrooms; invalid bathrooms for either sex.	Respondent 10	Comment noted. No action required.

.....  
Michael Sedgman  
Chief Executive Officer

## 2024/25 Q1 Quarterly Forward Procurement Report

Strategic Alignment - Our Corporation

Public

Tuesday, 20 August 2024

City Finance and Governance Committee

**Program Contact:**

Nicole Van Berkel, A/Manager Finance & Procurement

**Approving Officer:**

Anthony Spartalis, Acting Chief Operating Officer

## EXECUTIVE SUMMARY

In accordance with the Procurement Policy and Operating Guidelines, a Forward Procurement Report is presented to Council every quarter outlining significant planned procurement activities.

Significant procurements are defined as those with procurement expenditure estimated to be equal to or above \$2 million, excluding GST.

This report covers Quarter 1 of the 2024/2025 financial year.

All budgets have previously been approved by Council and no additional decision is sought. The report is provided for information purposes only.

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## RECOMMENDATION

The following recommendation will be presented to Council on 27 August 2024 for consideration

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL

That Council

1. Notes the Procurements set out in Attachment A to Item 7.3 on the Agenda for the meeting of City Finance and Governance Committee held on 20 August 2024, which will be released to the market during Quarter 1 of the 2024/2025 financial year.
-



## IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	<a href="#">Strategic Alignment – Our Corporation</a>
Policy	This report is prepared in accordance with the requirements of Council's Procurement Policy. Council's current delegations for procurement are outlined in the Procurement Policy and Procurement and Contract Approvals Operating Guideline.
Consultation	Programs were consulted with respect to significant procurement activity that is anticipated to occur in the first quarter of the 2024/25 financial year.
Resource	External Procurement Services will be engaged in line with Council's decision on procurements over \$2 million.
Risk / Legal / Legislative	Section 49 of the <i>Local Government Act 1999 (SA)</i> outlines the principles that Council will apply to procurement.
Opportunities	Not as a result of this report
24/25 Budget Allocation	All projects listed in Attachment A were approved as part of the 2024/25 Business Plan and Budget. Each has a budget expenditure estimated to be equal to or above \$2 million, excluding GST.
Proposed 25/26 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
24/25 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (e.g. maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

## DISCUSSION

1. The purpose of the Quarterly Forward Procurement Report is to provide further information and visibility to Council on major procurement and contracting activity.
2. The following is an extract from the Procurement Policy, adopted by Council on 14 December 2021:  
*“The Council will have regard to the following measures in ensuring probity, accountability and transparency”*  
*Council Members will be provided with a quarterly forward procurement plan for consideration, detailing tenders and subsequent contracts that have an estimated value of over \$2,000,000 (ex GST) or that are high risk and will require Council Member approval;*  
*Council Members will be requested to approve the award of all contracts that exceed \$2,000,000 (ex GST).”*
3. As such, a Quarterly Forward Procurement Report is provided to Council each quarter outlining planned procurement activities with an estimated spend over \$2,000,000.
4. This report covers Quarter 1 of the 2024/25 financial year.
5. The Procurements listed in **Attachment A** of this report will be released to the market during Quarter 1 of the 2024/25 financial year.
6. The Procurement Policy ([Link 1](#)) requires the provision of a forward procurement plan for expected expenditure over \$150,000 and making this publicly available on the City of Adelaide website. This report is prepared at the start of the financial year and represents an estimate of procurements based on the approved business plan and budget and upcoming expiring contracts. This is also available on the website.
7. Each of the budgets and projects have previously been approved by Council and no additional decision is sought. This report is provided for information purposes only.

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## DATA AND SUPPORTING INFORMATION

**Link 1** – [Procurement Policy](#)

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## ATTACHMENTS

**Attachment A** – Quarter 1 2024/2025 Forward Procurement Report

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- END OF REPORT -

# ATTACHMENT A

## Quarter 1 2024/25 Forward Procurement Report

Program	Description	Proposed Procurement Approach	Anticipated Qtr at Market	Budget	Comments
City Services	Unley Road Stormwater Culvert	Open Tender	Q1	\$2.1m	Market approach anticipated mid-late Q1.
City Services	Vincent Street and Vincent Place Improvements	Open Tender	Q1	\$2.117m	Market approach anticipated mid-late Q1.
AEDA	Experience Adelaide Centre	Open Tender	Q1	\$3.954m	Market approach will be in August 2024 with an evaluation process in September 2024. Requisite approvals will be sought from Council Q2.

## Exclusion of the Public

Tuesday, 20 August 2024

City Finance and  
Governance Committee

**Program Contact:**

Anthony Spartalis, Acting  
Chief Operating Officer

Public

**Approving Officer:**

Michael Sedgman, Chief  
Executive Officer

## EXECUTIVE SUMMARY

Section 90(2) of the *Local Government Act 1999 (SA)* (the Act), states that a Council may order that the public be excluded from attendance at a meeting if the Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.

It is the recommendation of the Chief Executive Officer that the public be excluded from this City Finance and Governance Committee meeting for the consideration of information and matters contained in the Agenda.

For the following Reports for Recommendation to Council seeking consideration in confidence

**10.1** Delegation to Award Contract [section 90(3) (b) and (d) of the Act]

The Order to Exclude for Item 10.1:

1. Identifies the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
2. Identifies the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
3. In addition, identifies for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.

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## ORDER TO EXCLUDE FOR ITEM 10.1

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (b) and (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the City Finance and Governance Committee dated 20 August 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 10.1 [Delegation to Award Contract] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to identify the proponent and to confer a commercial advantage on a person with whom the council is conducting business and prejudice the commercial position of the council, with the potential to confer a commercial advantage to a third party competitor of a person with whom the council is conducting business.

### Public Interest

The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may result in release of information prior to the finalisation of 'commercial in confidence' negotiation with the proponent and because the disclosure of Council's commercial position may severely prejudice Council's ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the City Finance and Governance Committee dated 20 August 2024 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 10.1 [Delegation to Award Contract] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) and (d) of the Act.
-

## DISCUSSION

1. Section 90(1) of the *Local Government Act 1999 (SA)* (the Act) directs that a meeting of Council must be conducted in a place open to the public.
2. Section 90(2) of the Act, states that a Council may order that the public be excluded from attendance at a meeting if Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.
3. Section 90(3) of the Act prescribes the information and matters that a Council may order that the public be excluded from.
4. Section 90(4) of the Act, advises that in considering whether an order should be made to exclude the public under section 90(2) of the Act, it is irrelevant that discussion of a matter in public may -
  - (a) *cause embarrassment to the council or council committee concerned, or to members or employees of the council; or*
  - (b) *cause a loss of confidence in the council or council committee; or*
  - (c) *involve discussion of a matter that is controversial within the council area; or*
  - (d) *make the council susceptible to adverse criticism.*
5. Section 90(7) of the Act requires that an order to exclude the public:
  - 5.1 Identify the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
  - 5.2 Identify the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
  - 5.3 In addition identify for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.
6. Section 83(5) of the Act has been utilised to identify in the Agenda and on the Report for the meeting, that the following report is submitted seeking consideration in confidence.
  - 6.1 Information contained in Item 10.1 – Delegation to Award Contract
    - 6.1.1 Is not subject to an existing Confidentiality Order.
    - 6.1.2 The grounds utilised to request consideration in confidence is section 90(3) (b) and (d) of the Act
      - (b) information the disclosure of which—
        - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
        - (ii) would, on balance, be contrary to the public interest
      - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which—
        - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
        - (ii) would, on balance, be contrary to the public interest;

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## ATTACHMENTS

Nil

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- END OF REPORT -

Document is Restricted