

Use of Council Parks, Gardens, Reserves and Open Space Policy

Approval Date	19/04/2021
Classification	Council Policy
Responsible Officer	Group Manager Assets & Infrastructure
Relevant Legislation	<i>Local Government Act 1999</i>
Related Policies	Nil
Related Corporate Documents	Community Land Management Plans
Associated Forms	Special Event Permit
Record Number	POL202148744
Council Resolution Number	CNC337/20-21
Last Reviewed 15/02/2021	Next Review 19/02/2024

1. Introduction	1
2. Purpose	1
3. Scope	1
4. Definitions	1
5. Policy Statement	1
6. Availability of Policy	3
7. Review	3



Policy

1. Introduction

- 1.1 The Town of Walkerville is an inner eastern Council jurisdiction which maintains a total of 43 parks, gardens, reserves and open spaces (totalling approximately 314,446m²) across the entire Township for the community.¹
- 1.2 Council is committed to providing equitable access to its parks, gardens, reserves and open spaces for both active and passive recreation, as well as occasional hire, and seeks to encourage interaction with these sites by all members of the community.

2. Purpose

- 2.1 The purpose of this policy is to promote access to, use of and engagement with parks, gardens, reserves and open spaces within the Town of Walkerville, and sets out the terms of reference for the exercise of Council's powers, assessment mechanisms and intervention rights for the management of Council Land in accordance with the Town of Walkerville's By-Laws, Community Land Management Plans, and Special Event Permit application conditions.

3. Scope

- 3.1 This policy and the provisions therein apply to all parks, reserves and open spaces within the Township.

4. Definitions

Act	Unless otherwise stated, means the <i>Local Government Act 1999</i> .
Council	Means the Corporation of the Town of Walkerville.
Community / Council Land	Means all roads, footpaths, buildings, land, reserves, open spaces and/or assets as owned by or under the care and control of the Council.

5. Policy Statement

- 5.1 To ensure all members of the community enjoy unrestricted use of parks, gardens, reserve and open spaces no part of a Council Land may be used for an organised function or event unless:
- 5.1.1 A Lease, Licence and/or Special Event Permit² has been approved authorising use of the land for a function or event; and/or

¹ Town of Walkerville Community Land Register, https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0027/752373/Community-Land-Register-and-Community-Land-Management-Plans-2020.pdf

² https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0028/317575/Special-Event-Permit.pdf

- 5.1.2 A special exemption is made by Council for a proposed activity or event when Council deems it to have significant community or environmental benefit.
- 5.2 Following the lodgement of an application and payment of any associated fees, any such approval to use a park, garden, reserve and/or open space will be subject to the following minimum conditions:
 - 5.2.1 Noise levels are kept to a minimum;
 - 5.2.2 Cars are not to be driven onto any Council park, garden or reserve under any circumstances;
 - 5.2.3 The park, garden and/or reserve must be left in the condition they were found in;
 - 5.2.4 Due to existing subterranean irrigation and infrastructure, the use of ground surface penetrating umbrellas and/or marquees is not permitted unless otherwise explicitly approved by Council in writing;
 - 5.2.4.1 In order to consider and support an applicant's request to erect a ground surface penetrating umbrella and/or marquee, Council may request a site map, additional information and/or have a staff member attend site on the day of the event/function (at the expense of the applicant) to ensure the umbrella or marquee is erected safely and in an appropriate location.
 - 5.2.5 The use of confetti or rice is prohibited during wedding ceremonies. Flower petals are however permitted for use.
 - 5.2.6 The consumption of alcohol for an organised event is not permitted on Council Land without prior application to and approval by Consumer and Business Services.
- 5.3 Council reserves the right to impose any further additional conditions/restrictions it so deems necessary to protect the amenity of the area and the interest of the community.
- 5.4 Groups seeking to use the Memorial Gardens for wedding ceremonies and/or photographs do so on the clear understanding that they do not have a right to exclude other persons from any part of the gardens.
- 5.5 Parties or wedding receptions are NOT permitted in the Memorial Gardens.

- 5.6 Opportunity to use the Memorial Gardens and Soldiers War Memorial Reserve (or any other nominated park, garden or reserve) on both Anzac Day and Remembrance Day each year will be restricted due to Council sponsored services.
- 5.7 General users of Council's parks, gardens and reserves are requested to minimise the nuisance and inconvenience to adjacent residents
- 5.8 Persons using any of Councils parks, gardens, reserves and /or open spaces do so at their own risk. The Council accepts no liability for loss, damage and injury whatsoever which may be brought or made or claimed against it or any of its servants or agents arising out of or in relation to the use of any of Councils Land.

6. Availability of Policy

- 6.1 This Policy will be available for inspection at Council's principal office during ordinary business hours and on Council's website www.walkerville.sa.gov.au
- 6.2 Copies will also be provided to interested members of the community upon request and payment of associated fees in accordance with Council's schedule of fees and charges.

7 Review

- 7.1 This Policy will be reviewed every three (3) years or otherwise as required.
- 7.2 Any queries or questions regarding this Policy should be directed to the Group Manager Assets and Infrastructure or by emailing walkerville@walkerville.sa.gov.au
- 7.3 Council may deviate from this policy by way of Council resolution.
- 7.4 Any complaints regarding a decision made in accordance with this policy may be directed to Council or to the Chief Executive Officer in accordance with section 270 of the *Local Government Act 1999*. The complaint will be considered under the Internal Review of Council's Decisions Policy.
- 7.5 Pursuant to section 270(7) of the *Local Government Act 1999*, a formal request for review does not prevent a complaint being made to the Licensing Authority and/or Ombudsman at any time.