



Activity on Council Land Policy

Document Number	DCY-EC-POL- XXX
Responsibility	Economy & Community
Version Number	4.0
Effective Date	September 2012
Last Revised Date	January 2026
Minute Book Reference	C268
Next Review Date	January 2030
Applicable Legislation	Local Government Act 1999 (S200, 202)
Related Policies / Procedures	Council By-Laws Community Land Management Plans
Related Strategic Documents	DCY Strategic Community Plan: VISION 2030
DCY Strategic Community Plan: VISION 2030	3. Heritage & Culture 3.7 Place-Focused Planning 3.7.2 Council will increase its focus on partnering with community to develop placemaking strategies for townships. Initiatives may include more public art, activation of main streets, providing infrastructure and services that improve identity and amenity and identifying new opportunities for community connection through projects, events and activities. 4. Economy 4.6 Tourism & Visitor Services 4.6.4 Partner with community, businesses, peak bodies/associations and governments to establish 'off-season' attractors including events and festivals that capitalise on the Districts natural, physical and community assets.

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1. Objective

- 1.1. This policy is intended to be used where exclusive or non-exclusive use of Council Land is required and permissions sought for the short-term (i.e. no longer than 6 months, but typically one day events).

2. Scope

- 2.1. This policy relates to the use of Council Land where individuals, groups or companies wish to use Council Land for social gatherings, weddings, events, business ventures, filming or other activity

3. Definition

- 3.1. For the purpose of this policy:

“Administration”, means an employee of Council, or a volunteer or contractor appointed by an employee of Council.

“Activity/Use” means any good, service or activity provided for free or any fare, fee, rate or charge by any business, organisation, or private individual, including community groups.

“Authorised Person” means a person authorised by the CEO under Section 44 of the *Local Government Act 1999*.

“Community Land Management Plan” is a formal document to guide the long-term development, use, maintenance and protection of specific public lands (community lands) for resident benefit.

“Council” means the District Council of Yankalilla.

“Council Land” means any land owned by the Council, or under the care and control of the Council.

“Major Impact Events” means activity that is large scale due to:

- The size of area it occupies;
- The number of visitors the activity attracts;
- The number of days over which the activity occurs; and/or
- The activity restricts community access to the surrounding area and amenity.

“Medium Events” have more than 151 attendees and involves the use of substantial infrastructure and will require additional event planning to consider:

- Additional waste management requirements.
- Provision of adequate toilet facilities.
- Parking requirements for attendees.
- Vehicle or pedestrian traffic management.

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- Road closure requirements.
- Notification to nearby businesses and residents.

“Person” means a Natural Person or Body Corporate.

“Public Event” means any event or gathering in which the public is permitted to attend or be involved in.

“Small Events” are held on council land for less than 150 attendees and involves the use of minimal portable infrastructure such as:

- Infrastructure that can be manually carried to the event location without the aid of a vehicle, including tables, chairs and marquees no bigger than 3x3m in size.
- Infrastructure that can be safely secured with suitable weighting without the use of pegs, spikes or stakes.
- Infrastructure that does not require power.
- Portable barbeque (no public sales, catering for event attendees only).

“Substantial Infrastructure” includes, but is not limited to:

- Heavy or large infrastructure which needs to be delivered directly to the site by vehicle.
- Infrastructure which needs to be secured safely with pegs, spikes or stakes.
- Infrastructure that has a platform with a height greater than 3m.
- Infrastructure that requires power.
- Food is made available for sale to event attendees.

4. Policy Statement

4.1. Council is committed to the principle that Council Land is inherently for the use and benefit of District Council of Yankalilla residents and the wider community.

4.2. Council and Administration (by delegation) may authorise the temporary use of certain areas of Council Land for activities that are:

- 4.2.1. aligned with Council’s strategic direction and/or objectives;
- 4.2.2. supports community wellbeing and connection;
- 4.2.3. promotes entrepreneurial activity and innovation;
- 4.2.4. supports the local economy; and/or
- 4.2.5. attracts visitors to the district.

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5. Policy

5.1. Applications

5.1.1. All applications will be assessed, by Administration on behalf of Council, to determine their impact according to following criteria:

5.1.2. Nature of the activity;

5.1.2.1. Appropriateness of the activity for the location identified;

5.1.2.2. Scale of operation, including its duration;

5.1.2.3. The frequency and type of other events during the period of the proposed activity;

5.1.2.4. Impact on the environment;

5.1.2.5. Impact on the public land; and

5.1.2.6. Impact on the community, including but not limited to noise and traffic.

5.1.3. Approval for all activities considered 'Major Impact' will require full Council approval with charges to be determined at Council's discretion.

5.1.4. All compliant activities considered 'Small' or 'Medium' will:

5.1.4.1. Be approved by Administration under Section 200 of the *Local Government Act 1999*, "use of community land for business purposes" or;

5.1.4.2. Be approved by Administration under Section 202 of the *Local Government Act 1999*, "alienation of community land by lease or license" and;

5.1.4.3. Will incur user charges as appropriate, determined by the Fees and Charges as set annually by Council.

5.1.5. Restrictions – activities that will not be approved

5.1.5.1. Activities which are illegal, or involving the promotion or advertising of tobacco, or gambling, or likely to promote violence;

5.1.5.2. Activities that do not meet the goals and objectives of the Council plan;

5.1.5.3. Activities that are deemed a significant detriment to the public accessing public space; or

5.1.5.4. Activities that may be significantly detrimental to the land and the environment.

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5.1.6. At the time of application, or any time thereafter, Council reserves the right to cancel, suspend or revoke any approved commercial use, or amend any associated conditions:

5.1.6.1. If nuisances, health or public safety issues/concerns emerge as a consequence of the associated activity use;

5.1.6.2. If fees payable are in arrears for 30 days, or proof of current public liability insurance is not provided or if any conditions of this policy or permit are breached; or

5.1.6.3. In case of changes in policy or legislation.

5.2. Public Notification

5.2.1. Should an application be approved and a permit issued, the applicant will be responsible for notifying any adjacent landowners of the activity and may be requested to place notice in local print or online media informing the general public of the event.

5.2.2. Council shall display a copy of all approvals on its website, until such time as the activity or event has ceased

5.3. Insurance

5.3.1. The permit holder shall provide public liability insurance indemnifying the Council with the minimum cover commensurate with the scale and type of the activity.

5.4. Reinstatement

5.4.1. The permit holder shall reinstate the area for which the permit was issued to the satisfaction of Council staff at the conclusion of the permit.

5.4.2. Council staff will inspect the Council Land prior to the scheduled activity/event to determine its condition and reinspect it as soon as practically possible following the activity to assess and determine if any damage has occurred.

5.5. Fees

5.5.1. The permit shall incur the fee as referenced in sections 5.1.2 and 5.1.3.3, prior to the permit being issued.

5.5.2. If required, a Bond of such amount as determined appropriate may be required.

5.5.3. The cost of any damage to infrastructure will be deducted from the bond.

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5.6. Issuing of Permits

- 5.6.1. Council will consider current activities and any existing permits for each location before approving an application and issuing a permit.
- 5.6.2. Pursuant to Section 44 of the *Local Government Act 1999*, Council delegate the power to issue permits under this policy to the Chief Executive Officer, who may sub-delegate to an Authorised Officer.
- 5.6.3. The Chief Executive Officer may place an application before Council for its consideration and decision.
- 5.6.4. All permits will be issued in writing with appropriate terms and conditions.

5.7. Intellectual Property

- 5.7.1. The use of Council Logo and Branding for the use of events requires prior approval from Council.
- 5.7.2. Commercial Events may be requested or required to acknowledge the Council and the District. If required, these entities will be supplied with approved assets to use exclusively for this purpose.

5.8. Compensation / Liability

- 5.8.1. Council will pay no compensation to adjacent property owners or businesses as a result of issuing a permit.

Council will not accept liability for any damages incurred as a result of a permit being issued.

6. Further Information

This policy will be available for inspection at the Council office listed below during ordinary business hours and provided to interested parties as per Council's Fees and Charges Register. Copies are available to be downloaded, free of charge, from Council's website: www.yankalilla.sa.gov.au/policies

District Council of Yankalilla
1 Charles Street
Yankalilla 5203

Phone: (08) 8558 0200

Fax: (08) 8558 2022

Email: council@yankalilla.sa.gov.au

Office hours: Monday to Friday, 9.00am to 5.00pm (except public holidays)

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7. Grievances

Any grievances in relation to this policy or its application should be forwarded in writing addressed to the Chief Executive Officer of Council.

8. Review Cycle

This document is subject to review in four (4) years from the date of adoption or more frequently if legislation or Council requires.

9. Document History

Date	Version	Council Resolution No.	Description of changes
September 2012	1.0	Not In Use	Adoption of Policy
September 2014	2.0	Not In Use	Review of Policy
September 2016	3.0	C16127	Review of Policy
January 2026	4.0	C268	Review of Policy Name change from Short-Term Use of Council Land to Activity on Council Land to be more reflective of contemporary application. Inclusion of sections 5.1 Applications and relevant sub-sections, References to community land replaced with Council Land Minor amendments to provide more clarification i.e. Intellectual Property, Notifications, Fees & Charges, Compensation/Liability. Additional definitions to provide clarity and specify the size of the event. Updated to current policy suite template with minor formatting corrections.

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