

## Policy 4.10 Land under Council Jurisdiction

<b>Directorate</b>	Assets and Operations
<b>Responsible Officer</b>	Director Assets and Operations

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Under Review

## 1.1 Introduction

### 1.1.1 Scope

This policy applies to all land, road or building assets owned or controlled by Bega Valley Shire Council.

### 1.1.2 Purpose

To ensure that public land is maintained and used safely for the amenity and benefit of the resident community, visitors and the environment.

## 1.2 Definitions

Word or Terminology	Description
Land	Any building or structure on, or improvement to, Land; or Any stratum of Land whether below or above ground; or A strata lot pursuant to relevant strata subdivision legislation.

## 1.3 Legislation

*Local Government Act 1993 (NSW)*

*Crown Land Management Act 2016 (NSW);*

*Valuation of Land Act 1916 (NSW);*

*Conveyancing Act 1919 (NSW);*

*Environmental Planning and Assessment Act 1979 (NSW);*

*Residential Tenancies Act, 1987; 2010 (NSW);*

*Land Acquisition (Just Terms Compensation) Act, 1991 (NSW);*

*Roads Act, 1993 (NSW);*

*Retail Lease Act, 1994 (NSW);*

*Aboriginal Land Rights Act 1983 (NSW);*

*Native Title Act 1993 (Cth);*

*Environment Protection and Biodiversity Conservation Act, 2000;1999 (Cth);*

*National Parks and Wildlife Conservation Act, 1975 (Cth);*

*Real Property Act 1919 (NSW);*

*Regulations under each of the above Acts and any other legislation applicable to the Policy.*

## 1.4 Implementation

### 1.4.1 Policy Statement

Bega Valley Shire Council will address the matter of 'Lands under Council jurisdiction' in a systematic manner by:

- To provide a policy framework through which Bega Valley Shire Council can consider its freehold and vested reserve land, buildings and roads and make decisions, using a systematic informed approach with respect to the management, retention, disposal, dedication or acquisition of such assets
- To ensure that decisions made in relation to the use of Bega Valley Shire Councils land and building assets guarantee maximum return to the Shire by either realising a commercial level of financial return or by fulfilling a community benefit aligned to the Bega Valley Community Strategic Plan
- To create greater revenue from current and potential land, property and facility holdings to reduce reliance on rates for income

- Implementing guidelines that document the range of activities or uses that are subject to an approval or consent of BVSC
- Obtaining appropriate rentals for the use of public land
- Applying the principles of consistency, transparency and accountability to the procedures relating to this Policy in order to ensure appropriate use and management of Council controlled land and buildings
- Ensuring that Civil Aviation Safety Authority (CASA) requirements are adhered to for persons wishing to land private helicopters on lands under Council's jurisdiction.
- Implementing procedures that prohibit or restrict smoking in certain outdoor public areas.

## 1.5 Supporting documents

### 1.5.1 BVSC Procedures that relate to this Policy

Procedure No.:	Procedure Name	External or Internal Procedure
4.10.03	Management of Leases and Licences	External
4.10.04	Rental assessment and rebate	External
4.10.05	Acquisition, dedication and disposal of land or interests in land	External
4.10.06	Road Naming	External
4.10.08	Road closure and private sale	External
4.10.09	Native Title Manager Guidelines	External

### 1.5.2 BVSC Policies that relate to this Policy

Policy No.:	Policy Name
1.05	Film and Video
1.06	Festivals and Events
2.02	Live, Work, Invest
3.01	Development Administration
4.03	Public regulation

**Note:** Policy details may change from time to time. To ensure you are viewing the most recent version please view Council's adopted Policies and Procedures on Council website: