

## Policy 3.09 Dedication of Public Land

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

### Table of Contents

1	Introduction	2
1.1	Scope	2
1.2	Purpose	2
1.3	Definitions	2
2	Legislation	2
3	Implementation	3
3.1	Policy Statement	3
4	Supporting documents	3
4.1.1	BVSC Procedures that relate to this Policy	3
4.1.2	BVSC Policies that Relate to this Policy	3

### Record of Administrative Amendments

<u>Amendment Version No.:</u>	<u>Description of Administrative Amendment</u>	<u>Date Reviewed</u>
<a href="#">2.2</a>	<a href="#">Version placed on public exhibition (D25/37304)</a>	<a href="#">May 2025</a>
<a href="#">2.1</a>	<a href="#">Review of policy in accordance with Section 165 of the <i>Local Government Act 1993</i></a> <a href="#">Workshopped by Councillors on 2 April 2025</a>	<a href="#">March 2025</a>
<a href="#">2</a>	<a href="#">Adopted by Council (D22/71051)</a>	<a href="#">20/07/2025</a>

# 1 Introduction

## 1.1 Scope

This policy applies to the dedicating of private land to Council such as public roads, drainage reserves, maintained public open spaces, public open spaces, natural areas, cultural heritage, bikeways or shared pathways within the Bega Valley Shire Council Local Government area.

## 1.2 Purpose

- To provide clear guidance to the circumstances through which Council will accept dedication of public land.
- Outline the assessment process for decisions regarding Council's acceptance of refusal of land proposed to be dedicated as Public Land.
- Ensure the community is not burdened by the inappropriate dedication of land to Council and subsequent maintenance, asset management requirements, risk or liabilities that result from this dedication.
- Generally, as a result of subdivision or development of land, the developer may be required to, or seek to dedicate land to Council in the form of roads, drainage reserves or public open space to Council. This policy identifies the types of public land that Council will accept and the criteria that must be met for dedication to occur.
- Identify the circumstances when Council will accept land in lieu of a making a monetary contribution pursuant to Council's Section 94 Plan, as part of a voluntary planning agreement (VPA), or occasions where land may be dedicated to Council free of cost.

## 1.3 Definitions

Word or Terminology	Description
Public Road	Any road under the control of Council or is dedicated to Council by way of subdivision
Drainage Reserves	Any reserve created for the purpose of receiving, directing and controlling public drainage.
Maintained Public Open Space	Parks, playgrounds, sportsgrounds or maintained foreshore reserves.
Natural Assets	Bushland, riparian areas, wetlands, habitat corridors, open coast or estuarine foreshores
Cultural Heritage	High value cultural heritage sites as determined by Local Aboriginal Lands Council's and OEH
Bikeway or shared path connections	Any bikeway or shared pathway routes as identified by Council's Bicycle Strategy and Transport Asset Management Plan

# 2 Legislation

*Environmental Planning and Assessment Act (1979)*

## 3 Implementation

### 3.1 Policy Statement

The development of land that creates new residential lots through subdivision or other developments generating increased populations will contribute to an increased demand for public roads and public open space. This demand may be met by either the dedication of land to council or the payment of a monetary contribution for the embellishment of existing open space or the acquisition of other lands to meet strategic transport, community, environmental or recreational needs.

Bega Valley Shire Council will address the dedication of public land in a systematic manner by ensuring:

- All private land dedications are for essential infrastructure purposes or for high value, strategic environmental or recreational sites.
- The community is not unduly burdened by the dedication of private lands to Council.
- Maintenance of public lands is within Council's financial and operational capability.
- Increased recreational, environmental and community value of public open space.
- Functionality and useability of public open space.

## 4 Supporting documents

### 4.1.1 BVSC Procedures that relate to this Policy

Procedure No.:	Procedure Name	External or Internal Procedure
	There are no procedures that <del>sit under</del> <a href="#">relate to</a> this Policy	

### 4.1.2 BVSC Policies that Relate to this Policy

Policy No.:	Policy Name
	<a href="#">There are no other Policies that relate to this Policy.</a>

**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: