

Policy 3.01 Development Administration

Directorate	Planning and Environment Group
Responsible Officer	Director

Scope

This policy assists the administration of development assessment in the Shire.

Purpose

- To facilitate efficient lodgment, assessment and determination of development applications under the provisions of *Environmental Planning & Assessment Act 1979*.

Definitions

Development Application – means an application for consent under Part 4 of the *Environmental Planning & Assessment Act 1979*.

Legislative requirements

Environmental Planning and Assessment Act 1979

Policy Statement

Bega Valley Shire Council will address the matter of 'Development Administration' by working towards the reduction in turnaround time for applications and certificates, whilst minimising red-tape where appropriate to the jurisdiction of Council.

Policy Version Control

Policy title	Development Administration
Policy No.:	3.01
Directorate	Planning and Environment Group
Outcome Area	Sustainable Living
Goal(s)	<ol style="list-style-type: none"> 1. Our air and water is pristine and our natural environment and rural landscapes are protected. 2. We are leaders in sustainable living and support innovative approaches to resource recovery and the production of renewable energy and food.
Responsible Officer	Director
Version	3
Adopted	
Next revision	May 2021

Related BVSC policies

Policy No.:	Title
3.02	Environmental Management
3.05	Environmental Sustainability for Council Operations
3.07	Climate Change

Note: Policy details may change prior to review date due to legislative changes. For the most up-to-date version please refer to Council's website
www.begavalley.nsw.gov.au

Policy 3.02 Environmental Management

Directorate	Planning and Environment Group
Responsible Officer	Manager Environmental Services

Scope

This policy defines Council's commitment to protect the Shire's natural environment through best practice planning processes, internal activities, land and asset management, and public education.

Purpose

- To actively and responsibly manage the Shire's natural environment to maintain its quality and effectively manage environmental impact rehabilitate degraded areas and enhance biodiversity.

Definitions

Nil

Legislative requirements

Local Government Act 1993

Protection of the Environment Operations Act 1997

*Environmental Planning and Assessment Act 1979**Biodiversity Conservation Act 2016**Biosecurity Act 2015*

Policy Statement

Bega Valley Shire Council will actively and responsibly undertake 'Environmental Management' in a systematic manner by:

- Complying with relevant environmental law and regulations and by adhering to applicable codes of practices and Guidelines.
- Developing, implementing, monitoring and reviewing procedures that help maintain, manage and enhance the environment as a key asset of the shire.
- Leading by example and supporting action for sustainability by reducing wherever possible the use of resources.
- Ensuring the adequate resourcing of environmental management initiatives complemented by the ongoing Environment Levy.
- Monitoring, evaluating and reported on environmental outcomes and performance via the Annual Report and State of Environment Report.
- Managing for clean and healthy waterways, beaches and wetlands with healthy marine life and cleaner stormwater run-off through integrated water cycle management that recognises the inter-relationships between water, wastewater and the receiving natural systems.
- Committing to a low waste future by implementing the principles of best practice disposal: 'avoid, reduce, reuse, and recycle'.
- Establishing an understanding and acceptance of environmental best practice throughout Council, agencies and the community through environmental education and capacity building including:

- a. Provision of training for staff on environmental best practice and implementation of work practices that meet or exceed statutory requirements,
- b. Including environmental requirements in the procurement process and ensuring contractors are complying with relevant environmental legislation.
- Engaging and working with the community as a key partner with government and relevant agencies in planning, biodiversity conservation and management and to encourage participation in activities that improve the natural environment.
- Recognising and representing Aboriginal peoples' spiritual and cultural values and associations in our conservation of remnant landscapes and natural systems.

Policy Version Control

Policy title	Environmental Management
Policy No.:	3.02
Directorate	Planning and Environment Group
Outcome Area	Sustainable Living
Goal(s)	<ol style="list-style-type: none"> Our air and water is pristine and our natural environment and rural landscapes are protected. We are leaders in sustainable living and support innovative approaches to resource recovery and the production of renewable energy and food.
Responsible Officer	Manager Environmental Services
Version	2
Adopted	
Next revision	May 2021

Related BVSC policies

Policy No.:	Title
3.01	Development Administration
3.03	Soil and Water Management
3.04	Biosecurity & Weed Management
3.05	Environmental Sustainability for Council Operations
3.06	Pesticide Use
3.07	Climate Control
5.01	Asset Management
1.08	Public Reserve Management

Policy 3.03 Soil and Water Management

Directorate	Planning and Environment Group
Responsible Officer	Director

Scope:

Soil and water management issues such as erosion and sedimentation are one of the most pressing environmental concerns in the Bega Valley Shire. Land use management primarily rests with Bega Valley Shire Council supported by the NSW Environment Protection Authority. Other government agencies, LandCare and other community groups are also important stakeholders.

This Policy and the supporting Guideline, as well as Council's adopted development conditions, have been developed to comply with statutory requirements and best practice and are based on the principles contained in the *NSW Managing Urban Stormwater Guidelines - "Soils and Construction Vol. 1 (2004) & Vol.2 (2008)"*.

Purpose

- To facilitate the reduction of soil erosion and sedimentation in all catchments resulting from the disturbance of the soil surface and changes in the flow of water associated principally with building and construction works, changes in land use and urban development.
- To respond to the values and expectations of the community with respect the principles of soil and water management.

Definitions

Nil

Legislative requirements

Local Government Act 1993

Protection of the Environment Operations Act 1997

Policy Statement

Bega Valley Shire Council will address the matter of 'Soil and Water Management' in a systematic manner by:

- Addressing soil and water management' issues such as erosion and sedimentation.
- Monitoring all land disturbance activities, including Council's own operations, and managing them in accordance with legislative requirements and best practice so as to protect the environment from harm associated with erosion and sedimentation.

Policy Version Control

Policy title	Soil and Water Management
Policy No.:	3.03
Directorate	Planning and Environment Group
Outcome Area	Liveable Places
Goal(s)	<ol style="list-style-type: none"> Our air and water is pristine and our natural environment and rural landscapes are protected. We are leaders in sustainable living and support innovative approaches to resource recovery and the production of renewable energy and food.
Responsible Officer	Director
Version	2
Adopted	
Next revision	May 2021

Related BSVC policies

Policy No.:	Title
3.02	Environment Management
3.05	Environmental Sustainability for Council Operations.

Note: Policy details may change prior to review date due to legislative changes. For the most up-to-date version please refer to Council's website
www.begavalley.nsw.gov.au

Policy 3.04 Biosecurity & Weed Management

Directorate	Planning and Environment Group
Responsible Officer	Manager Environmental Services

Scope

Weed management is an essential biosecurity activity on all land within the Bega Valley Shire. Council is directly responsible for weed management and weed control on all roadside areas, public reserves, Council owned lands, and land under Council control. Council is also required under the *Biosecurity Act 2015* to ensure that private and Crown landholders are taking reasonable and effective measures to manage biosecurity risk associated with weeds.

Purpose

- Effectively manage biosecurity risk associated with weeds on all land tenure.

Definitions

Nil

Legislative requirements

Biosecurity Act 2015

Policy Statement

Bega Valley Shire Council will systematically address biosecurity risk associated with weed management by:

- Developing and implementing programs to actively control and regulate weeds on public lands including high risk pathways and sites.
- Ensuring land owners and occupiers manage the biosecurity risk posed by weeds in accordance with the requirements of the *Biosecurity Act 2015* and that management actions are undertaken in an environmentally responsible manner especially in or near waterways.
- Ensuring weed management is an integral part of the establishment and maintenance of Council assets and facilities.
- Providing education and awareness programs to encourage landholders and occupiers to better manage biosecurity risk caused by weeds and to increase awareness of the general biosecurity duty required by the *Biosecurity Act 2015*.

Policy Version Control

Policy title	Weed Management
Policy No.:	3.04
Directorate	Planning and Environment Group
Outcome Action	Sustainable Living
Goal(s)	<ol style="list-style-type: none"> 1. Our air and water is pristine and our natural environment and rural landscapes are protected. 2. We are leaders in sustainable living and supporting innovative approaches to resource recovery and the production of renewable energy and food.
Responsible Officer	Manager Environmental Services
Version	2
Adopted	
Next revision	May 2021

Related BVSC policies

Policy No.:	Title
3.02	Environment Management
3.06	Pesticide Use
4.03	Public Regulation
4.05	Enforcement and Compliance

Note: Policy details may change prior to review date due to legislative changes. For the most up-to-date version please refer to Council's website www.begavalley.nsw.gov.au

Policy 3.05 Environmental sustainability for Council Operations

Directorate	Planning and Environment Group
Responsible Officer	Manager Environmental Services

Scope

Council delivers a great variety of services and functions. Council decisions and activities have the potential to significantly impact the local and regional environment now and for future generations. This policy outlines the principles implemented to facilitate and enhance the environmental sustainability practices of all Council operations and services.

Purpose

- To display strong leadership to the community through the implementation of sustainability initiatives.
- To reduce the environmental impact of Council's operations and activities.
- To integrate the principles of sustainability into all Council functions and activities so as to achieve a healthy, clean and sustainable environment.
- To reduce financial costs associated with resource consumption across Council's many assets and activities.

Definitions

Sustainability

To live within the limits of what the environment can provide, understanding the many interconnections between the economy society and the environment.

Ecological Sustainable Development (ESD)

ESD is defined as development that uses, conserves and enhances our natural resources so that ecological processes, and in turn the quality of life now and into the future, can be maintained.

Legislative requirements

Local Government Act 1993

Policy Statement

Bega Valley Shire Council will systematically address the environmental sustainability of Council operations and activities by:

- Applying the principles of sustainability to all decision making, functions and activities.
- Reviewing all policies, processes and procedures to facilitate capacity to deliver triple bottom line performance and improvement across Council operations.

- Underpinning its commitment to sustainability through the application of the principles adopted by all levels of government in the National ESD Strategy. These are:
 - c. Conservation of biological diversity and ecological integrity – Council will maintain and where possible enhance the range of native plants, animals and their habitats to protect the health of our local environment.
 - d. Precautionary principle – Council will actively manage environmental risks.
 - e. Inter-generational equity – Council will ensure that the health diversity and productivity of our environment is maintained and / or enhanced for future generations
 - f. Integrated decision making – Council will ensure that short and long term economic, social and environmental considerations are integrated into all decision making.
- Improved valuation and pricing of environmental resources – Council will ensure that environmental factors are considered in asset management and service provision and will also ensure the principle of “polluter pays” will apply where the costs of containment, abatement or avoidance of pollution or waste are paid by the polluter.

Policy Version Control

Policy title	Weed Management
Policy No.:	3.05
Directorate	Planning and Environment Group
Outcome Action	Sustainable Living
Goal(s)	<ol style="list-style-type: none"> Our air and water is pristine and our natural environment and rural landscapes are protected. We are leaders in sustainable living and supporting innovative approaches to resource recovery and the production of renewable energy and food.
Responsible Officer	Manager Environmental Services
Version	2
Adopted	
Next revision	May 2021

Related BVSC policies

Policy No.:	Title
3.01	Development Administration
3.02	Environment Management
3.07	Climate Change
4.03	Public Regulation
4.05	Enforcement and Compliance
4.10	Lands under Council jurisdiction

Note: Policy details may change prior to review date due to legislative changes. For the most up-to-date version please refer to Council's website
www.begavalley.nsw.gov.au

Policy 3.06 Pesticide Use

Directorate	Planning and Environment Group
Responsible Officer	Manager Environmental Services

Scope

This policy applies to the management and application of pesticides by Council in the Bega Valley Shire to ensure compliance with the requirements of the *Pesticides Act 1999* and *Regulation 2009*.

Purpose

- To minimise the environmental health impacts of pesticide use in the Bega Valley Shire.
- To inform the community of pesticide use by Bega Valley Shire Council so they can minimise any exposure.

Definitions

Pesticides are defined in the *Pesticides Act 1999* and include herbicides and other agricultural chemical products.

Legislative requirements

Pesticides Act and Regulation 1999

Policy Statement

Council will manage 'Pesticide Use' on Council owned or managed lands in an integrated and systematic manner by:

- Always applying pesticides in accordance with the legislative requirements and in full compliance with current best practice.
- Ensuring the use of pesticides by Council staff and contractors is undertaken in accordance with the Bega Valley Shire Council Pesticide Use Notification Plan.
- Taking such steps as are appropriate to ensure pesticides are applied in a safe, responsible manner.

Policy Version Control

Policy title	Pesticide Use
Policy No.:	3.06
Directorate	Planning and Environment Group
Outcome Area	Sustainable Living
Goal(s)	<ol style="list-style-type: none"> Our air and water is pristine and our natural environment and rural landscapes are protected. We are leaders in sustainable living and support innovative approaches to resource recovery and the production of renewable energy and food.
Responsible Officer	Manager Environmental Services Manager
Version	2
Adopted	
Next revision	May 2021

Related BVSC policies

Policy No.:	Title
3.02	Environment Management
3.04	Biodiversity and Weed Management

Note: Policy details may change prior to review date due to legislative changes. For the most up-to-date version please refer to Council's website
www.begavalley.nsw.gov.au

Policy 3.07 Climate Change

Directorate	Planning and Environment Group
Responsible Officer	Manager Environmental Services

Scope

Bega Valley Shire Council (BVSC) has a leadership role in mitigating, adapting and planning for climate change and in doing so aims to provide guidance and inspiration for the broader community. Council acknowledges that early action to address climate change will be less costly than delaying action and will improve outcomes. Early action will allow Council to more effectively adapt to changing environmental, social and economic conditions and create a more sustainable and resilient local community.

Purpose

- To provide a strategic framework that is consistent with a whole of government and whole of Council approach, which assists Council and the community to effectively prepare for and respond to the impacts of climate change.
- To ensure the purpose and policy statements of the Climate Change Policy are reflected and incorporated into planning and decision making processes and the operations of Council.
- To guide the development of adaptation and mitigation actions and strategies as a sustainable response to climate change that will also inform Council's planning processes, internal activities, land and asset management and stakeholder engagement activities. All such adaptation and mitigation strategies and actions will support the known environmental, economic, social and cultural values of the local community.

Definitions

Nil

Legislative requirements

Local Government Act 1993

Environmental Planning & Assessment Act 1979

Coastal Management Act (2016) Proposed

Policy Statement

Bega Valley Shire Council will address the matter of 'Climate Change' in a systematic manner by:

- Recognising the leadership role of Local Government to help reduce greenhouse gas emissions and effectively managing climate change impacts at a local level. This is specifically related to its statutory responsibilities in land use and environmental planning, environment protection and natural resource management.
- Advocate for climate change action and responses that support the local government sector and the communities it represents
- Considering climate change and potential impacts in all aspects of Council's activities and operations with appropriate actions to be included in Council's action/management plan and climate change programs.

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- These actions will also be based upon the legal requirements, relevant government guidelines, the unique role of local government and advice from Council's insurer.
 - Looking to partner locally, regionally and more broadly on projects, research and funding which brings further understanding and value to Council's responsibilities and to the community's needs.
 - Measuring and reporting greenhouse gas emissions and set appropriate targets to reduce them whilst also supporting actions that lead to an increased understanding of climate change and its impacts.
 - Working actively in the local region to adapt to climate change by incorporating climate change considerations in asset and hazard management and the management of the Shire's natural landscapes and ecology.
 - Looking for economic opportunities from climate change mitigation and adaptation and seek to build a resilient economy which supports sustainable and strong communities.
 - Engaging with Government incentives and programs to assist carbon neutral development within the Shire.

Policy Version Control

Policy title	Climate Change
Policy No.:	3.07
Directorate	Planning and Environment Group
Outcome Area	Sustainable Living
Goal(s)	<ol style="list-style-type: none"> Our air and water is pristine and our natural environment and rural landscapes are protected. We are leaders in sustainable living and support innovative approaches to resource recovery and the production of renewable energy and food.
Responsible Officer	Manager Environmental Services
Version	2
Adopted	
Next revision	May 2021

Related BVSC policies

Policy No.:	Title
3.01	Development Administration
3.02	Environment Management
3.03	Soil and Water Management
4.03	Public Regulation
4.05	Enforcement and Compliance

Note: Policy details may change prior to review date due to legislative changes. For the most up-to-date version please refer to Council's website
www.begavalley.nsw.gov.au

Policy 3.08 Asbestos Management

Directorate	Planning and Environment Group
Responsible Officer	Manager Health, Building and Compliance

Scope

This policy prescribes the processes implemented by Council to safely handle, remove and transport materials containing asbestos.

Purpose

- To ensure safe handling, removal and transport of materials containing asbestos.
- To promote community awareness of dangers of asbestos and the safe and correct methods for removal, transport and disposal.
- To set out procedures for reporting and investigation of illegal asbestos waste storage and dumping.
- To ensure a consistent approach of asbestos management is applied throughout the Bega Valley Shire local government area.

Definitions

Nil

Legislative requirements

Work Health and Safety Regulation 2011

Policy Statement

Bega Valley Shire Council will address the matter of 'Asbestos Management' in a systematic manner by:

- Adhering to its obligations under the *Work Health and Safety Regulation 2011* to ensure that asbestos within the land under jurisdiction of Bega Valley Shire Council is appropriately managed and controlled to ensure adequate safety measures are undertaken in regard to asbestos.
- Actively regulating the local building and development industries to ensure the safe handling and disposal of asbestos products.
- Including specific strategies to protect the community and staff against the health risks associated with asbestos.
- Promoting safe handling and disposal methods for asbestos products within the Bega Valley Shire.
- Ensuring Council compliance with the related procedures and guidelines associated with this policy.

Policy Version Control

Policy title	Asbestos Management
Policy No.:	3.08
Department	Planning and Environment Group
Outcome Area	Sustainable Living
Goal(s)	<ol style="list-style-type: none"> Our air and water is pristine and our natural environment and rural landscapes are protected. We are leaders in sustainable living and support innovative approaches to resource recovery and the production of renewable energy and food.
Responsible Officer	Manager Health, Building and Compliance
Version	2
Adopted	
Next revision	May 2021

Related BVSC policies

Policy No.:	Title
3.01	Development Administration
3.10	Waste Services
4.03	Public Regulation
5.01	Asset Management
6.05	Work Health and Safety

Note: Policy details may change prior to review date due to legislative changes. For the most up-to-date version please refer to Council's website
www.begavalley.nsw.gov.au

Policy 3.09 Dedication of Public Land

Directorate	Planning and Environment
Responsible Officer	Director Planning and Environment

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.

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 or 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.

Definitions

Term	Definition
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

Legislative requirements

Environmental Planning and Assessment Act (1979)

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.

Policy Version Control

Policy title	
Policy No.:	3.09
Directorate	Planning and Environment Group
Outcome Area	Sustainable Living
Goal(s)	<ol style="list-style-type: none"> 1. Our air and water is pristine and our natural environment and rural landscapes are protected. 2. We are leaders in sustainable living and support innovative approaches to resource recovery and the production of renewable energy and food.
Responsible Officer	Director
Version	1
Adopted	
Next revision	May 2021

Note: Policy details may change prior to review date due to legislative changes. For the most up-to-date version please refer to Council's website
www.begavalley.nsw.gov.au

Policy 3.10 Waste Services

Directorate	Transport and Utilities Group
Responsible Officer	Manager Waste Services

Scope

This policy expresses the aspiration of the Bega Valley Community to have systems of solid waste management that are efficient, environmentally sustainable and deliver social benefits.

Purpose

- To minimise impacts from past, future and current waste generation by implementing waste infrastructure and services that recognise the needs of the community now and in the future, are environmentally and economically responsible and reduce the amount of waste being disposed of to landfill.

Definitions

Nil

Legislative requirements

Environmental Planning and Assessment Act 1979

Protection of the Environment Operations Act 1997

Waste Avoidance and Resource Recovery Act 2001

Protection of the Environment Operations (Waste) Regulation 20014

Policy Statement

Bega Valley Shire Council will deliver 'Waste Services' in a systematic manner by:

- Working towards progressive reductions in the volume of waste being disposed of to landfill.
- Reducing the potential impact from the previous generation of waste through the rehabilitation and management of closed landfills.
- Controlling and reducing the potential impact from current waste generation through continuous improvement of waste activities and facilities, and developing local economic opportunities in the waste management sector.
- Reducing the impact from future waste generation through waste minimisation, strategic planning of waste management assets and services, and community engagement programmes.

Policy Version Control

Policy title	Waste Services
Policy No.:	3.10
Directorate	Transport and Utilities Group
Outcome Area	Sustainable Living
Goal(s)	<ol style="list-style-type: none">1. Our air and water is pristine and our natural environment and rural landscapes are protected.2. We are leaders in sustainable living and support innovative approaches to resource recovery and the production of renewable energy and food.
Responsible Officer	Manager Waste Services
Version	3
Adopted	
Next revision	May 2021

Related BVSC policies

Policy No.:	Title
3.02	Environment Management

Note: Policy details may change prior to review date due to legislative changes. For the most up-to-date version please refer to Council's website www.begavalley.nsw.gov.au