



ATTACHMENTS

Tuesday, 20 October 2020

UNDER SEPARATE COVER

Ordinary Council Meeting

Table of Contents

6.1	Minutes Ordinary Meeting held on 15 September 2020	
	Attachment 1 Unconfirmed Ordinary Minutes 15 September 2020	4
17.5	Queen Elizabeth Park Draft Master Plan	
	Attachment 1 Queen Elizabeth Park Master Plan	22
	Attachment 2 Submission from Parkrun	30
17.6	Amended Community Participation Plan - Post Exhibition Report	
	Attachment 1 Draft Community Participation Plan	32
18.1	Review of Related Party Disclosure Policy	
	Attachment 1 Draft Related Party Disclosure Policy	92



MINUTES

Ordinary Council Meeting 15 September 2020

ORDINARY COUNCIL MEETING MINUTES

15 SEPTEMBER 2020

ORDER OF BUSINESS

1	ACKNOWLEDGEMENT OF COUNTRY	4
2	PRAYER.....	4
3	PUBLIC ACCESS AND QUESTION TIME	4
4	APOLOGIES	4
5	MAYORAL MINUTES.....	4
	Nil	
6	CONFIRMATION OF MINUTES	5
6.1	Minutes Ordinary Meeting held on 18 August 2020	5
7	MATTERS ARISING OUT OF THE MINUTES	5
8	DECLARATION OF INTERESTS	5
9	PETITIONS.....	6
	Nil	
10	NOTICE OF MOTION	6
	Nil	
11	MAYOR'S REPORT	6
11.1	Mayor Attendances 11 August - 7 September 2020	6
12	DELEGATE'S REPORTS	6
12.1	Delegates' Report Submitted to September 2020 Ordinary Meeting.....	6
13	MATTERS DETERMINED WITHOUT DEBATE	6
13.1	Matters to be Determined Without Debate.....	6
14	GENERAL MANAGER'S REPORTS	7
14.1	Election of Deputy Mayor	7
14.2	Review of Code of Conduct and Gifts and Benefits Policy.....	8
15	FINANCIAL REPORTS	8
15.1	Financial Analysis Report - August 2020.....	8
16	TENDER REPORTS.....	9
	Nil	
17	GENERAL BUSINESS	9
17.1	Casino Showground Racecourse Recreation Reserve Plan of Management	9
17.2	Classification of Land - Future Rappville Hall Site	10
17.3	Rappville Reserve Draft Plan of Management.....	11
17.4	Road Maintenance and Construction Services Review Update on Implementation Actions	11
17.5	Evans Head Off-Leash Area.....	12
17.6	Renaming of Road - Duncan Street Broadwater.....	12
18	MATTERS FOR INFORMATION	13
18.1	Disclosure of Interests - Councillors and Designated Persons.....	13

ORDINARY COUNCIL MEETING MINUTES

15 SEPTEMBER 2020

18.2	Review of Access to Council Records by the Public Policy and Privacy Management Plan	13
18.3	Correspondence - Local Government Economic Stimulus Package	13
18.4	Correspondence - Submission to Legislative Council Inquiry into Government Grants Programs	14
18.5	Correspondence - Submission to Rous Future Water Project 2060	14
18.6	Grant Application Information Report - August 2020	14
18.7	Development Applications determined under the Environmental Planning and Assessment Act for the period 1 August to 31 August 2020	14
19	QUESTIONS ON NOTICE	15
19.1	Online Beach Permit System on Airforce Beach	15
20	QUESTIONS FOR NEXT MEETING (IN WRITING)	16
21	MATTERS REFERRED TO CLOSED COUNCIL	17
21.1	Woodview Quarry Lease Negotiations	17
22	RESOLUTIONS OF CLOSED COUNCIL	18

ORDINARY COUNCIL MEETING MINUTES

15 SEPTEMBER 2020

**MINUTES OF RICHMOND VALLEY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO
ON TUESDAY, 15 SEPTEMBER 2020 AT 5.00PM**

Please note: these minutes are subject to confirmation at the next Council Meeting. Decisions recorded in the draft minutes are subject to the Council's Code of Meeting Practice in relation to rescinding decisions.

PRESENT: Cr Robert Mustow (Mayor), Cr Stephen Morrissey (Deputy Mayor), Cr Sam Cornish (via Zoom from 5.05pm), Cr Robert Hayes, Cr Sandra Humphrys, Cr Jill Lyons, Cr Daniel Simpson

IN ATTENDANCE: Vaughan Macdonald (General Manager), Angela Jones (Director Infrastructure & Environment), Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond), Jenna Hazelwood (Strategy Manager), Simon Breeze (IT Support Officer) and Julie Clark (Personal Assistant to the General Manager and Mayor),

1 ACKNOWLEDGEMENT OF COUNTRY

The Mayor provided an Acknowledgement of Country by reading the following statement on behalf of Council:

"Richmond Valley Council recognises the people of the Bundjalung Nations as Custodians and Traditional Owners of this land and we value and appreciate the continuing cultural connection to lands, their living culture and their unique role in the life of this region in the past, present and future."

2 PRAYER

The meeting opened with a prayer by the General Manager.

2.1 SHIRLEY WHEATLEY PASSING

A minute's silence was observed as a mark of respect for former Councillor and Deputy Mayor Shirley Wheatley.

3 PUBLIC ACCESS AND QUESTION TIME

Nil

4 APOLOGIES

Nil

5 MAYORAL MINUTES

Nil

ORDINARY COUNCIL MEETING MINUTES

15 SEPTEMBER 2020

6 CONFIRMATION OF MINUTES**6.1 MINUTES ORDINARY MEETING HELD ON 18 AUGUST 2020****RESOLUTION 150920/1**

Moved: Cr Jill Lyons

Seconded: Cr Daniel Simpson

That Council confirms the Minutes of the Ordinary Meeting held on 18 August 2020.

CARRIED**7 MATTERS ARISING OUT OF THE MINUTES****7.1 MINUTES 18 AUGUST 2020, ITEM 10.1 NOTICE OF MOTION - ADDITIONAL SIGNAGE PACIFIC HIGHWAY MOTORWAY**

Cr Simpson referred to Item 10.1 Notice of Motion - Additional Signage Pacific Highway Motorway and asked if letters have been written, as previously requested to Mr Kevin Hogan MP, the Member for Page and Mr Chris Gulaptis MP, the Member for Clarence and asked if Council has received a response?

The General Manager confirmed letters were drafted and sent and a copy forwarded to Minister Toole. A follow-up discussion was held Thursday 10 September with the Regional Director of Transport for NSW and the local member, who have advised the matter is receiving further investigation.

7.2 MINUTES 18 AUGUST 2020, ITEM 17.3 NSW SHARK PROGRAM 2020/2021

Cr Simpson referred to Item 17.3 NSW Shark Program 2020/2021 and queried drone operating times and questioned when the program is due to commence?

The Chief Financial Officer/Manager Mid-Richmond advised drones will begin operating from 21 September, when Queensland school holidays start.

Cr Simpson asked if the request to amend drone times, operating from 7am-3pm rather than 9am-5pm, has been responded to?

The Chief Financial Officer/Manager Mid-Richmond advised the question has been raised, however no response received to date.

8 DECLARATION OF INTERESTS

NIL.

ORDINARY COUNCIL MEETING MINUTES

15 SEPTEMBER 2020

9 PETITIONS

Nil

10 NOTICE OF MOTION

Nil

11 MAYOR'S REPORT**11.1 MAYOR ATTENDANCES 11 AUGUST - 7 SEPTEMBER 2020****RESOLUTION 150920/2**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council receives and notes the Mayor's attendance report 11 August – 7 September 2020.

CARRIED**12 DELEGATE'S REPORTS****12.1 DELEGATES' REPORT SUBMITTED TO SEPTEMBER 2020 ORDINARY MEETING****RESOLUTION 150920/3**

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Mustow

That Council receives and notes the Delegates' Report for the month of August 2020.

CARRIED**13 MATTERS DETERMINED WITHOUT DEBATE****13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE****RESOLUTION 150920/4**

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That items 14.2, 15.1, 17.1, 17.3, 17.6 identified be determined without debate.

CARRIED

ORDINARY COUNCIL MEETING MINUTES

15 SEPTEMBER 2020

14 GENERAL MANAGER'S REPORTS**14.1 ELECTION OF DEPUTY MAYOR****EXECUTIVE SUMMARY**

Section 231 of the *Local Government Act 1993* (The Act) provides that the Councillors may elect a Deputy Mayor for the mayoral term or for a shorter term. The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor, or if the Mayor is prevented by illness, absence or otherwise from exercising the function, or if there is a casual vacancy in the office of Mayor.

Schedule 7 of the *Local Government (General) Regulation 2005* (The Regulation) provides for the method of conducting the election of Deputy Mayor.

Under the Regulation, nominations for the position of Deputy Mayor are to be made in writing by two or more councillors (one of whom may be the nominee) and delivered to the returning officer.

If more than one candidate is nominated, the Regulation provides for the election to be conducted by either preferential ballot, ordinary ballot or open voting. Following public declaration of the election result, nomination forms and any ballot papers used in the election may be destroyed.

As Council's term of office is due to conclude in September 2021, the Deputy Mayor may only be elected for a maximum 12-month term. It is recommended that the method of conduct for the election of Deputy Mayor be by open voting.

RESOLUTION 150920/5

Moved: Cr Robert Mustow

Seconded: Cr Robert Hayes

That:

1. Council elects a Deputy Mayor for a 12-month term.
2. Nominations for the position of Deputy Mayor be submitted in accordance with the *Local Government (General) Regulation 2005*, Schedule 7.
3. The method of conduct for the election of Deputy Mayor be by open voting.
4. Following declaration of the election result, nomination forms be destroyed.
5. Notification of the result be made to the Office of Local Government and LGNSW.

The General Manager, as Returning Officer for the election, advised that he had received one nomination for the position of Deputy Mayor and called for further nominations from the floor, however none were submitted. He advised that the nomination he had received was a valid nomination and it was from Cr Morrissey.

As there was one nomination only, Cr Morrissey was declared elected as Deputy Mayor for the next 12 months.

The Mayor congratulated Cr Morrissey on his election as Deputy Mayor.

.CARRIED

ORDINARY COUNCIL MEETING MINUTES

15 SEPTEMBER 2020

14.2 REVIEW OF CODE OF CONDUCT AND GIFTS AND BENEFITS POLICY**EXECUTIVE SUMMARY**

Council adopted the 2018 *Model Code of Conduct for Local Councils in NSW* (Model Code of Conduct) and *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* (Procedures) in February 2019.

Following consultation undertaken by the Office of Local Government, the new 2020 Model Code of Conduct and Procedures have been prescribed under the *Local Government (General) Regulation 2005* (Regulation).

The new Model Code of Conduct and Procedures came into effect on 14 August 2020. Councils are to adopt a code and procedures based on the prescribed Model Code of Conduct and Procedures as soon as possible.

The amendment to the Code of Conduct requires an update of Council's Gifts and Benefits Policy.

RESOLUTION 150920/6

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That Council:

1. Adopts the 2020 *Model Code of Conduct for Local Councils in NSW* and *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*, and
2. Adopts the revised Gifts and Benefits Policy.

CARRIED**15 FINANCIAL REPORTS****15.1 FINANCIAL ANALYSIS REPORT - AUGUST 2020****EXECUTIVE SUMMARY**

The purpose of this report is to inform Council on the status and performance of its investment portfolio in accordance with the *Local Government Act 1993* (Section 625), *Local Government (General) Regulation 2005* (Clause 212), Australian Accounting Standard (AASB 9) and Council's Investment Policy.

The value of Council's Investment Portfolio as at 31 August 2020 including General Bank Accounts and Trust Funds is shown below.

Investment Portfolio	General Bank Accounts	Trust Funds	Total
\$53,798,990	\$2,021,236	\$87,050	\$55,907,276

The weighted average rate of return on Council's investments for August 2020 was 2.46% which was above the 90 Day Bank Bill Index for August of 0.90%.

RESOLUTION 150920/7

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That Council adopts the Financial Analysis Report detailing investment performance for the month of August 2020.

Page 8

ORDINARY COUNCIL MEETING MINUTES

15 SEPTEMBER 2020

CARRIED**16 TENDER REPORTS**

Nil

17 GENERAL BUSINESS**17.1 CASINO SHOWGROUND RACECOURSE RECREATION RESERVE PLAN OF MANAGEMENT****EXECUTIVE SUMMARY**

Council, with assistance from Locale Consulting, has developed a Draft Plan of Management for Casino Showground Racecourse Recreation Reserve. Over the past few years, Council staff have worked closely with stakeholders and user groups at the facility to develop an extensive Master Plan for the site.

The Master Plan process was initiated in 2018 following changes to the *Crown Land Management Act* and was adopted by Council on 18 September 2018 following public exhibition. The plan outlines a clear direction for future planning and management of the facility.

RESOLUTION 150920/8

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That Council:

1. Submits the Draft Plan of Management to the Minister for Water, Property and Housing for approval
2. Places the approved document on public exhibition before it is presented to Council for adoption.

CARRIED

ORDINARY COUNCIL MEETING MINUTES

15 SEPTEMBER 2020

17.2 CLASSIFICATION OF LAND - FUTURE RAPPVILLE HALL SITE**EXECUTIVE SUMMARY**

At its meeting on 23 June 2020 Council resolved to acquire two parcels of land in Rappville for the site of the future Rappville Hall development.

In order for the development to proceed, two further steps must be completed:

- The two parcels of land must be consolidated into one lot
- The land must be classified by Council as either operational or community land.

Section 31 of the *Local Government Act 1993* requires Council to adopt the classification by resolution.

While Council's intention is that the site is developed for long-term community use to support the recovery of Rappville, classifying the land as operational would provide more flexibility in the type of community facilities that could be established.

A public notice regarding the proposed classification of the land as operational was advertised for a period of 28 days on the Richmond Valley Council website in accordance with section 34(3) *Local Government Act 1993*. No responses or submissions were received.

RESOLUTION 150920/9

Moved: Cr Daniel Simpson

Seconded: Cr Stephen Morrissey

That Council:

1. Classifies the land at 3 Lyons Street, Rappville (being Lot 2 Section 5 DP 758869) and 10 Murray Street, Rappville (being Lot 3 Section 5 DP 758869) as operational land.
2. Consolidates the two parcels into one lot, as outlined in this report.

CARRIED

17.3 RAPPVILLE RESERVE DRAFT PLAN OF MANAGEMENT**EXECUTIVE SUMMARY**

The Local Land Government Act 1993 (LG Act) requires all Council owned land classified as 'community' to be used and managed in accordance with a plan of management. The last known plan of management for Rappville Reserve was adopted by Council in 1996.

The Rappville Reserve Draft Plan of Management has been developed to identify any future uses and developments on the land which meet the values and expectations of the community. The 2019 bushfires which devastated the village have highlighted the importance of this land as a broader community facility. Future significant works have been proposed on this land as part of rebuilding the community. To enable this to occur it was proposed to alter the subject land categorisation from 'sportsground' to part 'general community use', and part 'sportsground'.

The Rappville Reserve Draft Plan of Management has completed the public exhibition requirements. A public hearing was conducted by an independent third party to satisfy legislative requirements to the public land re-categorisation. No public submissions have been received. The independent third party provided a recommendation to Council on the subject land as a written report at the completion of the public hearing. It is proposed for Council to acknowledge this report and adopt the draft plan in its current form.

RESOLUTION 150920/10

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That Council:

1. Acknowledges the Final Public Hearing Report - Land Re-Categorisation Rappville Reserve 28 August 2020; and
2. Adopts the Draft Plan of Management for Rappville Reserve, Rappville.

CARRIED

17.4 ROAD MAINTENANCE AND CONSTRUCTION SERVICES REVIEW UPDATE ON IMPLEMENTATION ACTIONS**EXECUTIVE SUMMARY**

At the March 2017 Ordinary Meeting, Council resolved to adopt the recommendations of the Road Maintenance and Construction Services Review. Up until September 2019, six-monthly update reports on actioning the recommendations were provided to Council. In September 2019 Council resolved the reporting period change to yearly.

This report provides commentary on the actions undertaken in response to the recommendations made in the report through to 31 August 2020.

RESOLUTION 150920/11

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That:

1. Council receives and notes the progress report on the implementation of the recommendations of the Road Maintenance and Construction Services Review; and

ORDINARY COUNCIL MEETING MINUTES

15 SEPTEMBER 2020

2. A final progress report be submitted to Council at the August 2021 Ordinary Meeting.

CARRIED**17.5 EVANS HEAD OFF-LEASH AREA****EXECUTIVE SUMMARY**

Council has been working with the Evans Head community for some years to explore the option of fencing the existing off-leash area within Coast Guard Park.

At the August Councillor Information Session, a report was presented with the findings of recent consultation that indicated there was no clear preference for any of the options. This report details the findings of community consultation over time, as well as alternative options to provide additional dog-friendly facilities at Evans Head.

RESOLUTION 150920/12

Moved: Cr Robert Hayes

Seconded: Cr Sandra Humphrys

That Council:

1. Leaves the current off-leash dog area at Coast Guard Park Evans Head unfenced;
2. Upgrades and extends Airforce Beach off-leash area as outlined in this report; and
3. Allocates any remaining funding from the fencing budget towards additional dog-friendly facilities, as outlined in this report.

CARRIED**17.6 RENAMING OF ROAD - DUNCAN STREET BROADWATER****EXECUTIVE SUMMARY**

At the June 2020 Ordinary Meeting, Council endorsed the renaming of the east/west section of Cook Street in Broadwater. Following this an advertisement was placed in the local newspaper for the new street name to be Duncan Street, Broadwater. Council now requires a resolution to formalise this process through the NSW Place and Road Naming Proposal System.

RESOLUTION 150920/13

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That Council:

1. Formally adopts Duncan Street, Broadwater as the new name for the east/west section of Cook Street, Broadwater
2. Proceeds with the formal renaming processes through the NSW Place and Road Naming Proposal System; and
3. Supplies and installs street signage on either end of the street along with the supply of street number signage.

CARRIED

ORDINARY COUNCIL MEETING MINUTES

15 SEPTEMBER 2020

18 MATTERS FOR INFORMATION**RESOLUTION 150920/14**

Moved: Cr Stephen Morrissey

Seconded: Cr Jill Lyons

Recommended that the following reports submitted for information be received and noted.

CARRIED**18.1 DISCLOSURE OF INTERESTS - COUNCILLORS AND DESIGNATED PERSONS****RESOLUTION 150920/15**

Moved: Cr Stephen Morrissey

Seconded: Cr Jill Lyons

That the Disclosure of Interest Returns for the period 1 July 2019 to 30 June 2020 be received and noted.

CARRIED**18.2 REVIEW OF ACCESS TO COUNCIL RECORDS BY THE PUBLIC POLICY AND PRIVACY MANAGEMENT PLAN****EXECUTIVE SUMMARY**

As part of Council's ongoing policy review process, a review has been undertaken of Council's Access to Council Records by the Public Policy, together with Council's Privacy Management Plan. The policy and plan have been updated to reflect current legislation and have been combined into one policy named Access to Council Records and Privacy Management Plan.

RESOLUTION 150920/16

Moved: Cr Stephen Morrissey

Seconded: Cr Jill Lyons

That Council receives and notes the Access to Council Records and Privacy Management Plan.

CARRIED**18.3 CORRESPONDENCE - LOCAL GOVERNMENT ECONOMIC STIMULUS PACKAGE****RESOLUTION 150920/17**

Moved: Cr Stephen Morrissey

Seconded: Cr Jill Lyons

That Council receives and notes the correspondence regarding the Local Government Economic Stimulus Package.

CARRIED

ORDINARY COUNCIL MEETING MINUTES

15 SEPTEMBER 2020

18.4 CORRESPONDENCE - SUBMISSION TO LEGISLATIVE COUNCIL INQUIRY INTO GOVERNMENT GRANTS PROGRAMS**RESOLUTION 150920/18**

Moved: Cr Stephen Morrissey
Seconded: Cr Jill Lyons

That Council receives and notes the correspondence regarding the Inquiry into the Integrity, Efficacy and Value for Money of NSW Government Grant Programs.

CARRIED**18.5 CORRESPONDENCE - SUBMISSION TO ROUS FUTURE WATER PROJECT 2060****RESOLUTION 150920/19**

Moved: Cr Stephen Morrissey
Seconded: Cr Jill Lyons

That Council receives and notes the correspondence regarding Rous County Council's Future Water Project 2060.

.CARRIED**18.6 GRANT APPLICATION INFORMATION REPORT - AUGUST 2020****RESOLUTION 150920/20**

Moved: Cr Stephen Morrissey
Seconded: Cr Jill Lyons

That Council receives and notes the Grant Application Information Report for the month of August 2020.

CARRIED**18.7 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 AUGUST TO 31 AUGUST 2020****RESOLUTION 150920/21**

Moved: Cr Stephen Morrissey
Seconded: Cr Jill Lyons

That Council receives and notes the development application report for the period 1 August to 31 August 2020.

CARRIED

19 QUESTIONS ON NOTICE**19.1 ONLINE BEACH PERMIT SYSTEM ON AIRFORCE BEACH**

The following question on notice was received from Councillor Robert Hayes.

Question

With the ongoing complaints regarding 4WD usage of Airforce Beach, can Council staff investigate further and report back to Council, determining what is involved and what cost to Council will be required to implement a fee free online permit system for 4WD access to Airforce Beach, so that the local Rangers and the Police can better regulate this area.

Response

Council is responsible for managing beaches within the local government area and ensuring an appropriate balance between environmental protection and opportunities for recreation. All councils on the North Coast have sought to address the potential conflicts between passive beach uses (walking, swimming, fishing relaxing) and more active pursuits, such as 4-wheel-driving, with most implementing some form of permit system for beach vehicle access.

To introduce a permit system for beach access, RVC would need to undertake the following actions:

- Develop a Vehicles on Beaches policy to inform the rules and conditions relating to beach access
- Determine which legislative instrument will be used to issue and enforce the permits - generally s632 of the *Local Government Act 1993*.
- Establish a means of issuing the permits
- Provide the required signage and community information
- Establish a program for enforcing the permit requirements.

Of the seven North Coast councils who currently have a beach permit system, only one, Ballina, currently uses a ticketing system and App. The other councils generally require users to purchase a permit in person either at the council building or via a local outlet, such as the visitor information centre. All councils using the permit system levy an annual fee – ranging from \$66 to \$230, or between \$18 and \$60 for a visitor pass (varying from 1 day to 30-day access). The fee covers the cost of implementing the system and, in some cases, provides funds for beach restoration and improvement works.

If RVC chose to introduce a no-charge permit system, the cost of establishing and maintaining the system would be shared by the ratepayers.

Options for implementing an on-line permit include:

- Developing an in-house solution – such as filling out a form on Council's website, printing out a permit, or using a QR code to access an on-line form
- Using an existing App, such as EasyPark, or similar

Both options would require council to maintain an on-line data base, so that Rangers could verify that the person driving the vehicle had applied for a permit and the vehicle registration details matched. This information is essential to support any regulatory action, such as issuing a fine for not having a permit.

With an in-house system, Council would be required to securely store personal information associated with the permits, to provide secure access to this information so that Rangers could enforce the requirements, and to undertake audits of the system to ensure it remained secure. The

ORDINARY COUNCIL MEETING MINUTES

15 SEPTEMBER 2020

estimated development cost for an in-house system is approximately \$10,000.

If Council chose to use an existing App, licensing fees for the product would apply and there would be additional costs associated with integrating the system with Council's network (so Rangers could enforce the requirements). Licensing fees vary depending on the App selected, however the estimated cost of using and integrating these systems is \$10,000 to \$15,000. Additionally, most existing Apps require users to enter their credit card details prior to accessing the form. So, even if Council chose not to charge for the permit, users would still have to share their personal information to access the system.

To ensure Rangers could enforce the permits under s632 of the Act, Council would need to erect additional signs, or update its existing signage at beach access points. The estimated cost of additional signage is \$4000.

A consistent monitoring and enforcement program would also be required to ensure that drivers were complying with the permit rules.

As neighbouring councils continue to increase regulation and further restrict vehicle access to their beaches, it can be expected that 4WD activity on RVC's beaches may increase.

Other options for better regulating vehicles on Airforce Beach might include:

- Introducing a curfew system to prevent driving on the beach after dark. (This matter was raised following a recent serious accident on the beach)
- Restricting the area available for vehicle access, for example, up to the coffee rock area
- Encouraging residents to use the Snap, Send Solve App to report inappropriate behaviour
- Increasing patrols on the beach
- Aligning with other North Coast councils' policies and paid permit systems – for example Nambucca, Kempsey and Port Macquarie-Hastings Councils currently have reciprocal permit arrangements.

Council Rangers will continue to monitor the situation at Airforce Beach over the coming months and further updates will be provided to Council.

RESOLUTION 150920/22

Moved: Cr Robert Hayes

Seconded: Cr Sandra Humphrys

That Council receives and notes the information provided.

CARRIED**20 QUESTIONS FOR NEXT MEETING (IN WRITING)**

Nil

21 MATTERS REFERRED TO CLOSED COUNCIL

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

21.1 Woodview Quarry Lease Negotiations

This matter is considered to be confidential under Section 10A(2) - (d)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

The General Manager reported that no written representations had been received in respect to the item listed for consideration in Closed Council.

The Chair called for verbal representations from the gallery.

There were no representations from the gallery.

The Chair advised that under section 10A of the *Local Government Act 1993*, the media and public are to be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10(2) as outlined above.

RESOLUTION 150920/23

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That:

1. Council resolved to enter Closed Council to consider the business identified in Item 21.1, together with any late reported tabled at the meeting.
2. Pursuant to section 10A(2) – (c) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*

CARRIED

Council closed its meeting at 5.48pm. The public left the Chamber.

The Open Council Meeting resumed at 5.54pm.

ORDINARY COUNCIL MEETING MINUTES

15 SEPTEMBER 2020

22 RESOLUTIONS OF CLOSED COUNCIL

The following resolutions of Council, passed while the meeting was closed to the public, were read to the Open Council Meeting by the Chair.

21.1 Woodview Quarry Lease Negotiations

That Council:

1. Declines all submissions received for Tender VP186832 – Leasing of Richmond Valley Council's Woodview Quarry due to all submissions not being commercially attractive to Council.
2. Determines not to call fresh tenders, due to the limited number of potential persons or parties that might be interested in leasing the quarry.
3. Apply Clause 178(3)(e) of the Local Government (General) Regulation 2005 to authorise the General Manager to enter into negotiations with any person (whether or not the person was a tenderer) with a view to reaching a commercially acceptable agreement, including affixing the seal of Council where necessary.
4. Be provided with a report on the outcomes of the negotiation process for information purposes.

The Meeting closed at 5.55pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 October 2020.

.....
CHAIRPERSON

Queen Elizabeth Park

Master Plan

April 2020



DRAWING SCHEDULE

- 01 Existing Plan
- 02 Analysis & Site Use Plan
- 03 Master Plan
- 04 Rugby League Building - Existing
- 05 Rugby League Building - Proposed
- 06 Cricket Building
- 07 Character Images





EXISTING ELEMENTS

Greyhounds & Rugby League

- 1 ENTRY GATE
- 2 CHANGE ROOMS & PUBLIC AMENITY BUILDING
- 3 GRANDSTAND STRUCTURES
- 4 CLUBHOUSE & ADMIN
- 5 KENNELS
- 6 GREYHOUND RACING TRACK
- 7 RUGBY LEAGUE FIELD (Oval No. 1)
- 8 PERIMETER CAR PARKING FOR DOGS
- 9 DRAINAGE FROM GREYHOUND AREA

Main Cricket Oval

- 10 GRANDSTAND & SEATING STRUCTURES
- 11 CANTEEN & STOREROOM
- 12 VELODROME TRACK
- 13 OVAL No. 2 (130 x 150m)
- 14 CRICKET NETS

Athletics Track & Cricket Field

- 15 ATHLETICS TRACK & CRICKET OVAL No.3 (115 x 141m)
- 16 ATHLETICS STORAGE
- 17 AMENITY & CHANGE ROOM BUILDING

Secondary Cricket & Rugby League Fields

- 18 CLUBHOUSE (Rugby League)
- 19 STORAGE BUILDING
- 20 CRICKET NETS
- 21 CRICKET OVAL No. 4 (131 x 143m)
- 22 CRICKET OVAL No. 5 (140 x 155m)
- 23 CRICKET OVAL No. 6 (117 x 143m)
- 24 CRICKET OVAL No. 7 (130 x 150m)

General

- 25 BUSH REGENERATION AREA
- 26 FOOTBRIDGE
- 27 PUMPING STATION
- 28 ARCHERY FIELD & PARKING
- 29 COMMUNITY GARDEN & BUILDINGS
- 30 PARK RUN START/FINISH
- 31 ACCESS TO TOWER

LEGEND

PARK RUN DRAINAGE



April 2020
Scale 1:3000@A3



ayling drury landscape architecture

Queen Elizabeth Park Master Plan

Existing Plan

01

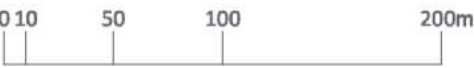


LEGEND

- Site Use Areas**
- CRICKET (Summer Use)
 - RUGBY LEAGUE (Winter Use)
 - ATHLETICS (Winter Use)
 - PARK RUN (All year use)
 - VELODROME (All year use)
 - GREYHOUND RACING (All year use)
 - COMMUNITY GARDEN (All year use)
 - ARCHERY (All year use)
 - GENERAL OPEN SPACE AND BUSHLAND
- Circulation**
- MAIN SITE ENTRY POINTS
 - VEHICLE CIRCULATION
 - WALKING TRACKS & SERVICE VEHICLE ACCESS
- General**
- DRAINAGE SWALE
 - EXISTING BUILDINGS
 - POSSIBLE NEW CRICKET BUILDING (Summer Use)
 - POSSIBLE NEW RUGBY LEAGUE BUILDING (Winter Use)

- Future Opportunities**
- A NEW CRICKET CLUBHOUSE
 - B NEW TELECOMS TOWER & ACCESS
 - C OVAL No.7 UPGRADED TO SECOND MAIN CRICKET FIELD INC. NEW TURF WICKET
 - D NEW CENTRALISED CAR PARK & ACCESS FOR MULTIPLE SPORTS USE SUCH AS CRICKET RUGBY LEAGUE & ATHLETICS
 - E ENLARGED RUGBY LEAGUE CLUBHOUSE TO DISTRICT LEVEL OR HIGHER. Includes 4 change rooms, grandstand, and social room
 - F TWO NEW MAIN RUGBY LEAGUE FIELDS WITH LIGHTING & PERIMETER FENCE (Replaces existing field at Greyhound Track).
 - G WATER CAPTURE & REUSE FOR GREYHOUND AREA
 - H SENIOR RUGBY LEAGUE FIELD RELOCATED TO 'F'

- Cricket Oval Sizes**
- OVAL No. 1 (130 x 150m)
 - OVAL No. 2 (130 x 150m)
 - OVAL No. 3 (115 x 141m)
 - OVAL No. 4 (131 x 143m)
 - OVAL No. 5 (140 x 155m)
 - OVAL No. 6 (117 x 143m)
 - OVAL No. 7 (130 x 150m)



Queen Elizabeth Park Master Plan



April 2020
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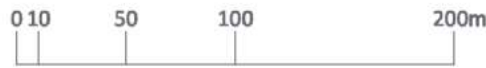
Analysis & Site Use Plan

02



NOTES

- 1 **GREYHOUND TRACK:** Retain generally as existing, with rugby league field relocated - see note 6. Upgrades as required and undertaken by Club within single user fenced area. Potential to improve water capture and re-use in north-east corner. Option for cricket in infield-junior size only. Remove rugby lighting.
- 2 **GREYHOUND TRACK SURROUNDS:** Formalise main car park and access road once grandstand is relocated (refer note 17). Improve signage and fencing as required.
- 3 **CRICKET & VELODROME:** Remove existing buildings / structures at end of useful life. Consolidate upgrades to centralised facility east of Oval 2 - see note 7.
- 4 **ATHLETICS:** Retain generally as existing, ensuring that future access and design arrangements retain necessary space for athletics track. New storage / clubhouse / canteen building provided. Also provide permanent discus nets and include new javelin and long jump facilities as indicated.
- 5 **ARCHERY:** Retain grassed area as existing. Provide gravel access and parking area, with basic storage / shelter and associated furniture. Potential indoor facility in longer term (30 x 30m).
- 6 **COMMUNITY GARDENS:** Retain generally as existing, with potential expansion to the west as required. Include fencing for security. Combine storage with larger single facility.
- 7 **RUGBY LEAGUE:** New rugby league clubhouse building (see detailed plans) to accommodate increased use via junior and senior codes. Upgrade to regional standard to facilitate attraction of carnivals and higher-level competition - e.g. one-off NRL pre-season game. Main fields (QE 4 & 5) upgraded with fencing and lighting as required for operational needs (potentially incorporating additional two fields to south). Upgrade irrigation and drainage as required. Includes additional grandstand structures to the north and south of the new building.
- 8 **CRICKET:** New cricket clubhouse building (see detailed plans) located to accommodate for multiple game use (two main grass pitch fields to east and west). Design to regional standard to facilitate attraction of carnivals and higher-level competition - e.g. pre-season games. Oval 7 enlarged to senior standard of 130 x 150m, and including lighting, irrigation and drainage as required. Also includes white picket fence surrounds, east / west terrace seating and accessible pathway to car park. Relocated practice nets and machinery storage shed to north of new building. Possible indoor facility south of new building in the longer term.
- 9 **FORMALISED CAR PARK:** New centralised car parking for all user groups, with a total of approx. 245 and including bus parking in south-western area. Includes shade trees and WSUD treatments as required.
- 10 **NATURAL AREA SURROUNDS:** Bush regeneration and weed control to be undertaken as required.
- 11 **PUBLIC OPEN SPACE:** Area of attractive open space to be maintained generally as existing, with improvements identified and prioritised over time including BBQ, seating and shelters.
- 12 **ENTRY AREAS:** Upgrade vehicle entries with appropriate signage and information. Include perimeter fencing and street trees.
- 13 **SWALE DRAIN:** Ensure effective drainage is retained as required. Potential for additional shade trees and integration of new seating and viewing areas as existing.
- 14 **PARK RUN:** Provide storage / shelter and associated furniture at start / finish location.
- 15 **UPGRADE TOWN ACCESS:** Upgrade pedestrian pathway and bridge across river to facilitate town access.
- 16 **FITNESS STATION:** Centrally located outdoor fitness equipment.
- 17 **RELOCATED GRANDSTAND:** Grandstand with storage relocated from greyhound track as indicated.
- 18 **GRAYS LANE:** Formalise as alternative vehicle access route. Includes bus and car parking along western edge of road (gravel with dish drain).



Queen Elizabeth Park Master Plan



April 2020
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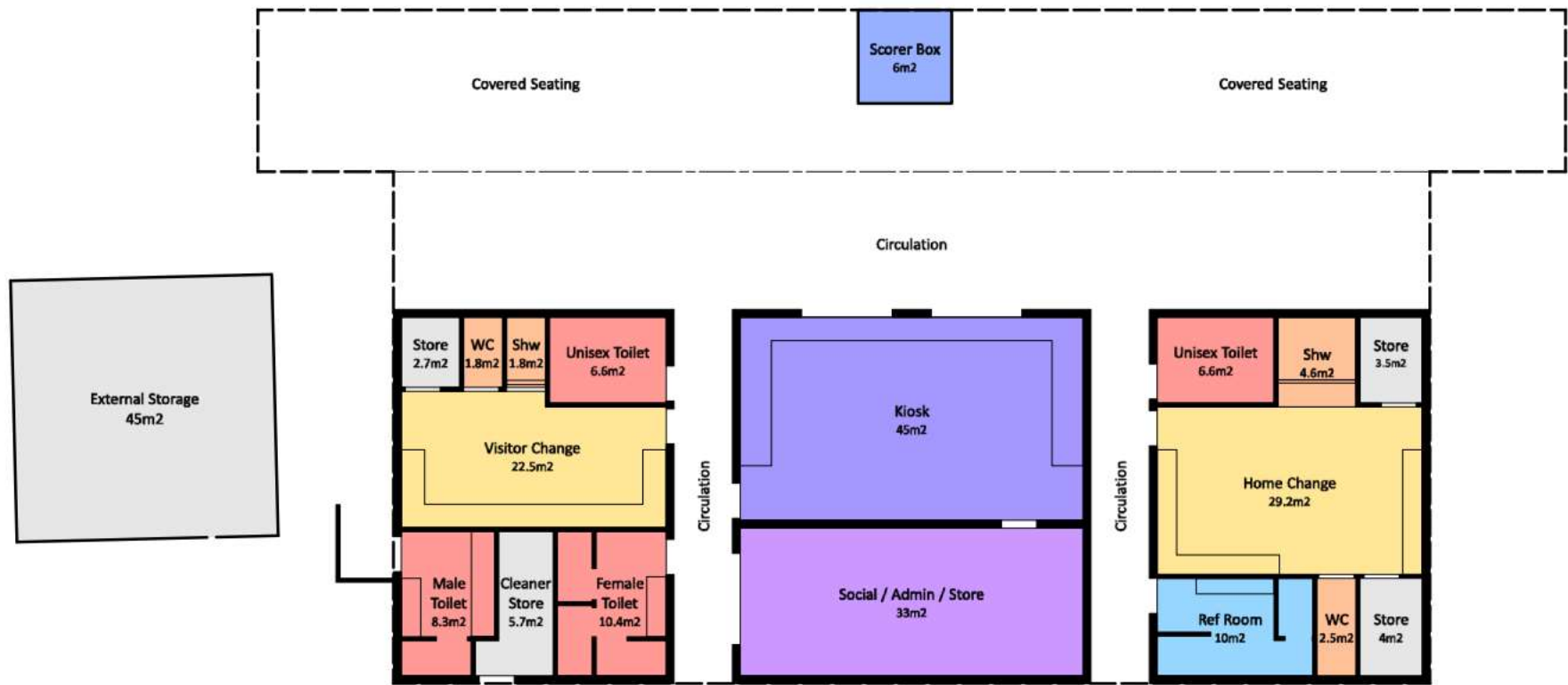


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Master Plan

03

Rugby League Field



Car Park

AREA SCHEDULE

EXISTING RUGBY LEAGUE AMENITY BUILDING

ROOM	AREA	COMPLIANCE WITH NRL RECOMENDED GUIDELINE FOR REGIONAL FACILITY
Home Change Room	29.2m2	No (should increase size to 45m2)
Home Shower	4.6m2	No (should increase showers from 2 to 4)
Home Toilet	2.5m2	No (should increase 1 x WC to 2 x WC's and 2 x Basin)
Visitor Change Room	22.5m2	No (should double size to 45m2)
Visitor Shower	1.8m2	No (should increase showers from 1 to 4)
Visitor Toilet	1.8m2	No (should increase 1 x WC to 2 x WC's and 2 x Basin)
Referee Room (inc shw & WC)	10m2	No (should increase size to 15m2)
Scorer and Timekeeper Box	6m2	No (should be 15m2)
Kiosk	45m2	Yes
Social Room	33m2	No (should be 125m2 with clear view of field)
Administration Office	15m2	Yes (assume social room is used for this)
Accessible Public Toilets	6.6m2 x 2	Yes (Total combined public toilets approx 35m2)
Male Public Toilet	8.3m2	
Female Public Toilet	10.4m2	
Storage - Internal	6.6m2	Yes (should be 10m2 but assume capacity for storage in rear room)
Storage - External	45m2	Yes (should be 10m2 but assume external storage container provides ample room)
Cleaners Store	5.7m2	Yes
Utilities / Plant Room	NA	No (Should provide 5m2)



Queen Elizabeth Park Master Plan

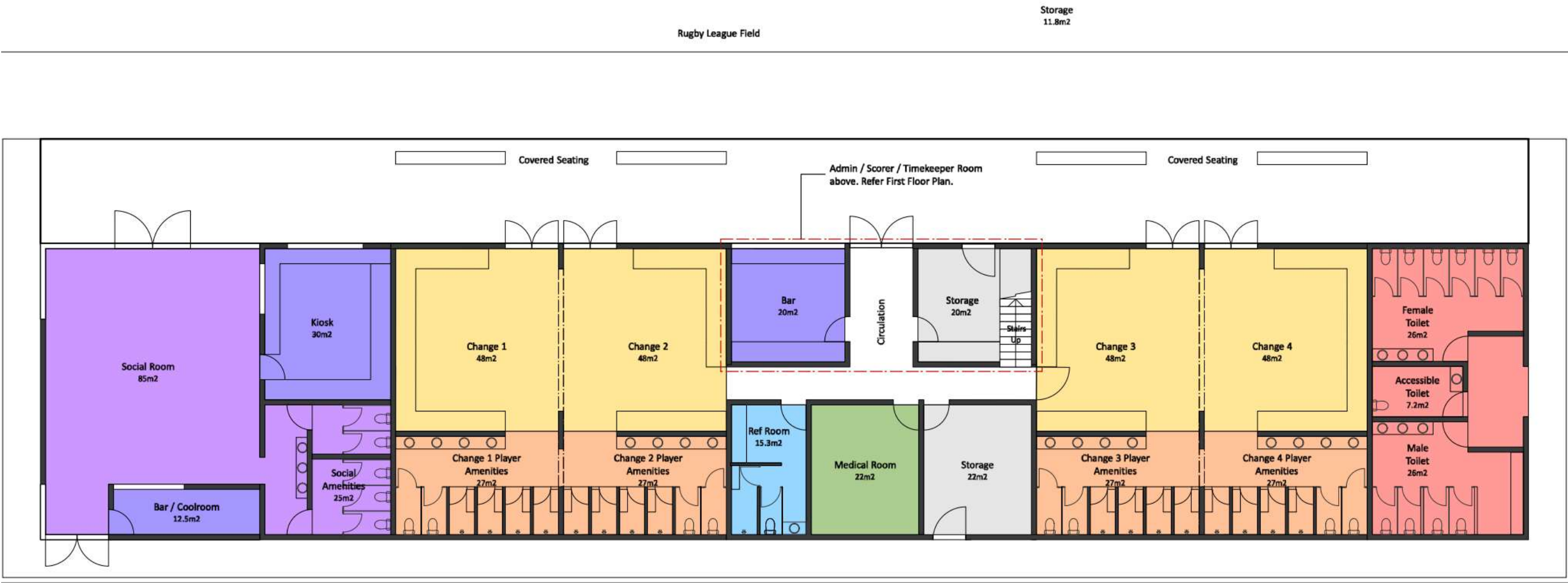


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Rugby League Building - Existing

04



GROUND FLOOR PLAN

Car Park

AREA SCHEDULE

NEW RUGBY AMENITY BUILDING

ROOM	AREA	COMPLIANCE WITH NRL RECOMMENDED GUIDELINE FOR REGIONAL FACILITY
Change Rooms (4 team mode)	48m ²	Yes
Player Amenities (4 team mode)	27m ²	Yes
Change Rooms (2 team mode)	96m ²	Yes
Player Amenities (2 team mode)	54m ²	Yes
Referee Room (inc shw & WC)	15m ²	Yes
Admin and Scorer/Timekeeper/Video Room	46m ²	Yes
Medical Room	22m ²	Yes
Kiosk	30m ²	Yes
Bar / Coolrooms	32m ²	n/a
Social Room (inc amenities)	125m ²	Yes
Accessible Public Toilets	7.2m ²	Yes
Male Public Toilet	26m ²	Yes
Female Public Toilet	26m ²	Yes
Storage	42m ²	Yes



FIRST FLOOR PLAN



Queen Elizabeth Park Master Plan

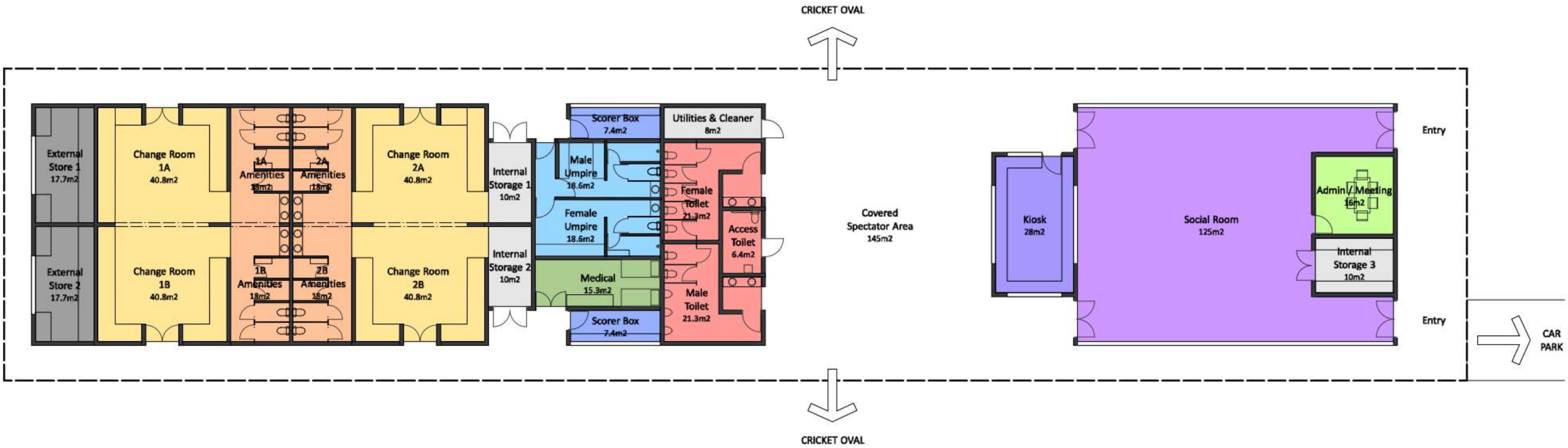


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Rugby League Building - Proposed 05



AREA SCHEDULE

NEW CRICKET AMENITY BUILDING

ROOM	AREA	COMPLIANCE WITH CRICKET AUSTRALIA FACILITY GUIDELINES
Change Rooms (4 team mode)	40.8m ²	Yes
Player Amenities (4 team mode)	18m ²	Yes
Change Rooms (2 team mode)	81.6m ²	Yes
Player Amenities (2 team mode)	36m ²	Yes
Umpires Room (Female & Male)	37.2m ²	Yes
Medical Room	15.3m ²	Yes
Scorer's Box (x 2)	14.8m ²	Yes
Accessible Public Toilets	6.4m ²	Yes
Male Public Toilet	21.3m ²	Yes
Female Public Toilet	21.3m ²	Yes
Kiosk	30m ²	Yes
Social Room	160m ²	Yes
Administration Office	16m ²	Yes
Utility and Cleaner Storage	8m ²	Yes
Internal Storage	30m ²	Yes
External Storage	35.4m ²	Yes
Covered Spectator Area	145m ²	Yes



Queen Elizabeth Park Master Plan



April 2020
Scale 1:200@A3



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Cricket Building



Queen Elizabeth Park Master Plan

Hi Lani,

█ has asked me to draft up our requests for Queen Elizabeth parkrun, Casino and our presence at QE11 under the master plan.

We are very grateful to council for the support they have given us over the past 18 months and look forward to this continuing.

There is little doubt that parkrun has brought an enjoyable, healthy and community event to our town. When the COVID lockdown occurred in March we were averaging 70 participants including many visitors. So we are also a tourist attraction. The word spread through the parkrun community and with people wanting to complete the 'alphabet' of parkrun names, our 'Q' name has been very popular.

So here is our full wish list!

- *SIGNAGE*
 - *Parkrun signposts at Adam Street and the Charcoal roundabout.*
 - *Parkrun start sign*
 - *Parkrun information sign (similar to Lismore parkrun, attached)*
 - *Queen Elizabeth parkrun, Casino included on QE11 information/activities sign*
- *FACILITIES*
 - *Define route/track up to playing fields (line markings?)*
 - *Lay gravel over track either side of white gate to prevent boggy mud in the wet & to cover tree roots in that area*
 - *Install dog poo bag dispenser & bin*
 - *Install water fountain with drip to dog bowl*
 - *Install bollards to prevent cars driving over grass from Hartley St and on edge of parking area.*





Richmond Valley Council Community Participation Plan 2020

**Guideline for Council's community engagement of its planning functions
under the *Environmental Planning and Assessment Act 1979***

October 2020

Richmond Valley Council
Community Participation Plan 2020



Commencement of this Community Participation Plan

This Community Participation Plan (CPP) repeals and replaces the *Richmond Valley Council Community Participation Plan 2019*. It was adopted by resolution of Richmond Valley Council on 20 October 2020, and became effective when published on the New South Wales Planning Portal website – www.planningportal.nsw.gov.au – (from <<date to be inserted>>)

Amendments to this Community Participation Plan

The table below outlines amendments to the *Richmond Valley Council Community Participation Plan 2020*:

Amend. No.	Date of Resolution of Council	Effective Date	Part to which the Amendment Relates	Summary of Amendment
Nil				



Glossary of Acronyms

BDAR	Biodiversity Development Assessment Report
CES	Community Engagement Strategy
CPP	Community Participation Plan
CSP	Community Strategic Plan
DAP	Development Assessment Panel
DCP	Development Control Plan
DPIE	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Reg	<i>Environmental Planning and Assessment Regulation 2000</i>
EPI	Environmental Planning Instrument
ePlanning	NSW Planning Portal—for the electronic lodgement of planning and construction applications
GIPA	<i>Government Information (Public Access) Act 2009</i>
LEP	Local Environmental Plan
LGA	Local Government Area
LGAct	<i>Local Government Act 1993</i>
LSPS	Local Strategic Planning Statement
NCRP	North Coast Regional Plan
NRPP	Northern Regional Planning Panel
NSW	New South Wales
PA	Planning Agreement
REF	Review of Environmental Effects
RPP	Regional Planning Panel
RSD	Regionally Significant Development
RVC	Richmond Valley Council
RVLEP	<i>Richmond Valley Local Environmental Plan 2012</i>
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
SIS	Species Impact Statement
SOR	Statement of Reasons
SSD	State Significant Development
SSI	State Significant Infrastructure
the Act	see EP&A Act
the Reg	see EP&A Reg



Contents

1. Introduction.....	6
1.1. What is a Community Participation Plan?	6
1.2. What is community engagement?	6
1.3. Limitations of the Community Participation Plan	7
1.4. Land to which this Community Participation Plan applies	7
1.5. What Council Planning Functions are covered by this CPP?	7
1.6. Mandatory Participation Requirements under Schedule 1 to the Act.....	8
1.7. Additional Engagement Requirements of the Planning Regulation	8
1.8. Relationship to other Plans and Strategies	8
1.9. Community Engagement Tools.....	11
1.10. Consultation period	11
1.11. How is the commencement and conclusion of the consultation period calculated?	12
1.12. How does Council determine who will be notified in writing?	12
1.13. Notification to properties in adjoining local government areas	13
1.14. Changes for when ePlanning services are introduced	13
2. The Richmond Valley Community.....	14
3. Development Applications	15
3.1. Objectives of consultation for Development Applications.....	15
3.2. Consultation goal	15
3.3. Mandatory Requirements.....	16
3.4. Excluded Development.....	19
3.5. Local Development Community Engagement Requirements.....	20
3.6. Can engagement requirements be varied?	30
3.7. How can the Public view Development Applications?	31
3.8. Deficient Development Applications.....	32
3.9. Re-exhibition of advertised development	32
4. Strategic Planning	33
4.1. Objectives of consultation for Development Applications.....	33
4.2. Consultation goal	33
4.3. Mandatory Requirements.....	34

Richmond Valley Council
Community Participation Plan 2020



4.4.	How can the Public view Strategic Planning Documents?	36
5.	Submissions	38
5.1.	Submission Period	38
5.2.	Making a submission	38
5.3.	Petitions	39
5.4.	Anonymous Submissions	39
5.5.	Submissions to be Public Documents	39
5.6.	Defamatory Statements or Language	39
5.7.	How Council deals with Submissions	40
5.8.	Declaration of Political Donations	40
Annexure A.	Mandatory Participation Requirements under Schedule 1 to the Act	42
Annexure B.	Engagement Requirements of the Planning Regulation	44
Annexure C.	Community Engagement Tools	49
Annexure D.	Council Planning Functions	56



1. Introduction

This is the *Richmond Valley Council Community Participation Plan 2020* (the CPP). It has been prepared under Section 2.23 of the NSW *Environmental Planning and Assessment Act 1979* (the Act) and, when it comes into effect, repeals the *Richmond Valley Council Community Participation Plan 2019*.

1.1. What is a Community Participation Plan?

A Community Participation Plan (CPP) sets out when and how Council will engage its community across the range of town planning functions it performs under the Act.

A CPP must meet the minimum requirements for community participation set out in Schedule 1 to the Act, including any additional requirements provided in the *Environmental Planning and Assessment Regulation 2000* (the Reg).

This CPP identifies:

- the mandatory community engagement requirements of the Act, including variations to those requirements (where permitted);
- how community engagement will be undertaken;
- the minimum period for community engagement; and
- how the community can make submissions.

1.2. What is community engagement?

Community engagement is a planned process with the specific intent of:

- keeping the community informed about planning matters that effect it;
- encouraging effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning;
- providing planning information in plain language, easily accessible and in a form that facilitates community participation in planning;
- providing opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered;
- inclusively and actively seeking views that are representative of the community;



- encouraging the proponents of major developments to consult members of the community, that may be affected by a proposal, before an application for planning approval is made;
- ensuring planning decisions are made in an open and transparent way including the reasons for those decisions (including how community views have been considered); and
- employing community participation methods that are appropriate to the significance and likely impact of proposed development, or the strategic plan.

Why is community participation important?

- It builds community confidence in the planning system
- Community participation creates a shared sense of purpose, direction and understanding of the need to manage growth and change, while preserving local character
- It provides access to community knowledge, ideas and expertise

1.3. Limitations of the Community Participation Plan

This Community Participation Plan only relates to Richmond Valley Council's planning functions under the EP&A Act (see Annexure D) and excludes engagement requirements for:

- non-Council planning functions under the Act; and
- Council's delivery of non-town planning related services, functions or infrastructure—for these refer to Council's *Community Engagement Strategy* under the *Local Government Act 1993*

1.4. Land to which this Community Participation Plan applies

This Community Participation Plan applies to all land within the Richmond Valley Council Local Government Area.

1.5. What Council Planning Functions are covered by this CPP?

Council's planning functions under the Act are divided into 2 main streams:

- Strategic Planning (under Parts 2 & 3 of the Act); and
- Development Assessment (under Parts 4 & 5 of the Act).

(See Appendix D for details)



1.6. Mandatory Participation Requirements under Schedule 1 to the Act

Part 1 of Schedule 1 to the Act sets out mandatory community participation requirements, being the minimum requirements for public exhibition and engagement with the community on various planning functions (see Annexure A for a summary).

Alternative mandatory requirements are provided by this CPP for how development applications (other than complying development certificates, designated development or State significant development) will be exhibited. For example: Clause 7 of Schedule 1 provides a minimum exhibition period of 14 days for development applications, however, this CPP also provides for development that need not be exhibited, and for development that must be exhibited for a longer period. The CPP also identifies how that engagement will be carried out.

Note. This CPP provides a summary of EP&A Act and Reg engagement requirements as they were at the time of adoption. Caution should be taken when relying upon these summaries as they are subject to change.

1.7. Additional Engagement Requirements of the Planning Regulation

The *Environmental Planning and Assessment Regulation 2000* (Reg) defines additional mandatory community engagement requirements but may also vary those provided in Schedule 1 to the Act. An overview of those additional engagement requirements under the Reg and how they apply to this CPP are provided in Annexure B.

Note. This CPP provides a summary of EP&A Act and Reg engagement requirements as they were at the time of adoption. Caution should be taken when relying upon these summaries as they are subject to change.

1.8. Relationship to other Plans and Strategies

Richmond Valley Made 2030 Community Strategic Plan

The *Richmond Valley Made 2030 Community Strategic Plan* (CSP) identifies the priorities of our community for the future of our local area and provides information about Council's service response to these priorities as well as input from other Agencies.

The CSP sets out the community's goals and objectives over the coming 10 years and is supported by a four year Delivery Program, and annual Operational Plans (including Financial Estimates and a Revenue Policy).



This CPP addresses the following key strategies of the CSP:

- **Connecting People and Places** - PP3 Working Together
 - Good communication and engagement between council and the community
 - PP3.1 Improve our Engagement/Consultation with the Community
 - PP3.3 Ensure that Council is reaching all target groups for relevant community issues
 - PP3.6 Improve our communication with the community
- **Growing our Economy** – EC1 Driving Economic Growth
 - PP1.6 Improved customer satisfaction with the DA process
- **Making Council Great** – CS1 Leading and Advocating for our Community
 - CS1.1 Improve decision making by engaging stakeholders and taking community input into account
 - CS1.3 Ensure transparency and accountability in council's operations

Richmond Valley Council Community Engagement Strategy

The *Richmond Valley Council Community Engagement Strategy* (CES) and this CPP serve very similar community engagement functions, albeit the CPP is only focused on planning functions under the EP&A Act.

The CES:

- provides a framework to guide Council's engagement with the community in a meaningful and appropriate way;
- provides for a consistent and flexible process for staff to guide the selection of the most appropriate methods and level of engagement for projects or decisions;
- supports an environment of trust and confidence established with community and stakeholders by engender a long term sustainable and productive relationship and commitment to a shared vision for Richmond Valley; and
- strengthens Council initiatives which involve community and stakeholder partnerships, most particularly to involve the community in the co-creation of Council's Community Strategic Plan.

More specifically the Community Engagement objectives are to:

- involve community and stakeholders in the development of Richmond Valley Council's Community Strategic Plan;
- upskill Richmond Valley Council staff in community engagement techniques, tools and ideas to improve community participation;
- identify Councillor participation opportunities at community events and campaigns; and



- improve communication with the broad community using new technologies.

This CPP shall prevail where there is an inconsistency between this CPP and the CES for community engagement on planning matters.

Richmond Valley Local Environmental Plan 2012

The *Richmond Valley Local Environmental Plan 2012* (RVLEP) is the principle planning instrument for establishing Land Zones and land use permissibility in the Richmond Valley LGA.

The RVLEP does not contain specific community engagement requirements; however, engagement under the Act, the Reg & this CPP is required in connection with the implementation of the Plan, and any future amendments.

Amendments to the RVLEP are made via Planning Proposals under Division 3.4 of the Act. See *Planning Proposals* in Chapter 4 for details on community engagement for Planning Proposals.

Richmond Valley Development Control Plan 2015

The *Richmond Valley Development Control Plan 2015* (RVDCP) is primarily responsible for guiding development by:

- giving effect to the aims of the LEP;
- facilitating development that is permissible under the LEP;
- achieving the objectives of land zones;
- providing for (or exclude) notification or advertising of applications under Part 4 of the Act. (Note. These requirements form part of a CPP and will must be repealed from the DCP. Subsequent amendments to the Act are proposed to repeal s.3.43(1)(c))
- specifying criteria that Council can take into consideration in determining whether or not to give a development control order; and
- making provisions for anything permitted by the Act to be prescribed by a development control plan.

Richmond Valley Council Local Strategic Planning Statement

A Local Strategic Planning Statement (LSPS) provides an overview of strategic planning for the LGA, having regard to economic, social and environmental matters. It identifies planning priorities for the LGA that are consistent with any strategic plan(s) applying to the area and the applicable Community Strategic Plan (CSP).

Future editions/reviews of the LSPS will be synchronised with Council's preparation of the CSP to ensure more robust community engagement is conducted and that both documents better align.

Richmond Valley Local Growth Management Strategy

A key deliverable of the *North Coast Regional Plan* (NCRP) is Action 1.3 for local councils to prepare Local Growth Management Strategies



(LGMS) for their respective areas. The LGMS is to delivery and manage urban growth by translating the NCRP visions and guiding principles into more detailed priorities for growth and change at the local level.

1.9. Community Engagement Tools

There are a vast range of community engagement tools available to Council, including:

- Published Notices
- Written Notices
- Informal Written Notices
- RVC Website
- NSW Planning Portal
- Social Media
- RVC Views Community Newsletter
- Press Releases
- Letterbox Drops
- Rate Notice Inserts
- Public Hearings
- Public Access at a Council Meetings
- Display Notices in Council's Customer Experience Centres
- Display Notices in Council's Libraries
- Signposted Display Notices on, or in the vicinity of, the land
- Mobile Library - Display Notices and/or Drop In interviews
- Display Notices at DPIE
- Public Forums/Meetings
- Meet with Community Groups
- Interviews by appointment
- Pop Up Stall/Information Stand at venues or events
- Online or Telephone Surveys

A broad description of each tool is provided in Annexure C along with how each may be employed by this Community Participation Plan (CPP).

Note. Not all the tools will/can be used. Chapters 3 and 4 of this CPP outline the various development assessment and strategic planning functions of Council and define the minimum consultation periods and engagement tools to be employed. Additional tools may be employed on an as need basis.

1.10. Consultation period

Council will notify and/or advertise planning matters as per the minimum consultation period specified for that matter provided for in the Tables to Chapters 3.3 & 4.3 of this CPP.



1.11. How is the commencement and conclusion of the consultation period calculated?

The minimum consultation period shall be calculated from:

- the day following a Published Notice first appearing; or
- 4 days following the posting of Written Notices,

whichever occurs last.

Consultation Period inclusive of Weekends

Weekends will be included when calculating the minimum consultation period.

Consultation Period exclusive of Public holidays and Christmas Period

The following shall be excluded when calculating the minimum consultation period:

- NSW & local public holidays;
- weekdays when Council's Customer Experience Centres are not open during normal office hours; and
- the Christmas period between 20 December and 10 January (inclusive).

Note. Community engagement can occur during these excluded periods but shall not be counted as part of the consultation period. Engagement may commence on or during these periods but should be avoided.

1.12. How does Council determine who will be notified in writing?

Informal Written Notice

Where Informal Written Notice is to be given, Council will post the notice to adjoining property owners. Notices will be posted to the Service Address provided by the property owner and held by Council in its Property and Rating database.

Notes. The Service Address for a property is the same address used to post rate notices.

Informal Written Notice is excluded where the term "notified or advertised" (or similar) as used in this CPP.

There is no consultation period or submission period associated with an Informal Written Notice.

Written Notice and other formal notifications

Where Written Notice is to be given, Council will post the notice to adjoining property owners, or additional owners of other properties that Council considers may be affected by the matter. Notices will be posted to the Service Address provided by the property owner and held by Council in its Property and Rating database.

Note. The Service Address for a property is the same address used to post rate notices.



Written Notice to persons that made submissions

Where a planning matter is to be re-notified, Written Notice will be sent to any person that made a written submission. Such notices will be posted/emailed to the address provided in the original submission(s).

1.13. Notification to properties in adjoining local government areas

Where a Written Notice is to be sent to the owner of land within an adjoining local government area, the Council will:

- contact the adjoining LGA for the contact details of the property owner(s); or
- send a Written Notice to the adjoining LGA requesting it be forwarded to the affected property owners.

If practical, Council may opt to do a letterbox drop to the residents of the applicable properties.

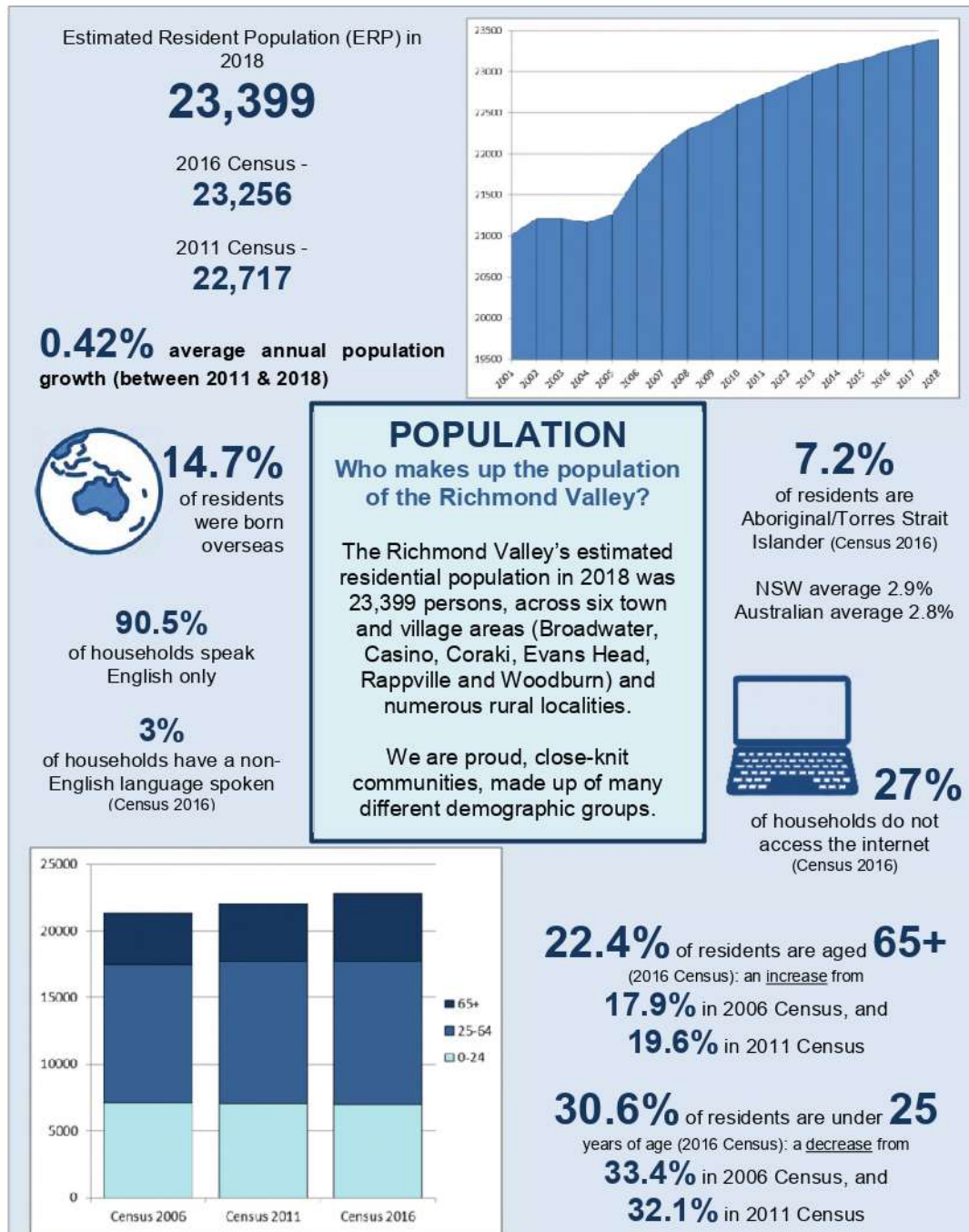
1.14. Changes for when ePlanning services are introduced

At the time this CPP was adopted, Council was investigating opportunities to introduce ePlanning services for the electronic lodgement of planning and construction applications via the NSW Planning Portal.

Notwithstanding any provision of this CPP, Council reserves the right **not** to display hardcopy records, documents or applications where they have been lodged electronically. Such records will be made available electronically via the Council website or NSW Planning Portal, and may be available for viewing electronically at a Council Customer Experience Centre upon request and prior appointment.



2. The Richmond Valley Community





3. Development Applications

A Development Application is a formal application process for seeking consent to undertake development requiring consent under Part 4 of the Act. Applications are usually made to the local council and consist of a standard application form and support documentation including a Statement of Environmental Effects (SEE) (or Environmental Impact Statement (EIS) where the application is for Designated Development), technical reports/studies and plans.

3.1. Objectives of consultation for Development Applications

It is the objective of this Chapter to:

- provide a framework for the notification and/or advertising of development applications; applications to modify development consents; reviews of determination; and determinations;
- provide opportunity for the community to provide feedback on development applications, including the communities attitude towards a proposal, so these can be considered as part of the assessment process;
- establish a clear & consistent process by prescribing the minimum expectations for community engagement of development applications;
- identify applications that will be notified and/or advertised, and identify those that need not;
- ensure that community participation is undertaken in accordance with the *Environmental Planning and Assessment Act 1979* and its Regulation.

3.2. Consultation goal

An effective consultation program does not necessarily mean that all interested parties will be satisfied with the outcome. Rather, it is about ensuring that a development proposal has been fully explored, concerns identified and considered, and, where possible, alternatives considered, or conditions applied.



3.3. Mandatory Requirements

The minimum engagement requirements for development applications, and associated application types, are provided in the following Table:

Application Type	Minimum Consultation Period	Minimum Engagement Tools
1. Development Application for Local Development		
A. Considered likely to have minimal impact on the environment and adjoining owners (see 3.5 <i>Local Development Engagement Requirements</i> for further details)	Nil	<ul style="list-style-type: none"> Informal Written Notice
B. Local Development other than 1.A., 1.C. and 1.D., where it is only necessary to notify adjoining land owners (see 3.5 <i>Local Development Engagement Requirements</i> for further details)	14 days	<ul style="list-style-type: none"> Written Notice
C. Local Development other than 1.A., 1.B. and 1.D. (see 3.5 <i>Local Development Engagement Requirements</i> for further details)	14 days	<ul style="list-style-type: none"> Published Notice on Council's website - including a digital copy of the application Written Notice
D. Development identified for additional engagement – a longer consultation period is considered necessary by Council due to potential adverse impact on the environment or adjoining owners (see 3.5 <i>Local Development Engagement Requirements</i> for further details)	28 days	<ul style="list-style-type: none"> Published Notice on Council's website - including a digital copy of the application Written Notice Social Media post

Richmond Valley Council
Community Participation Plan 2020



Application Type	Minimum Consultation Period	Minimum Engagement Tools
2. Designated Development		
A. Part 4 - Designated Development	28 days (see clause 77 & 78 of Reg. for exhibition notice requirements – Published, Written and Signpost)	<ul style="list-style-type: none"> Published Notice on Council's website – including a digital copy of the application & EIS Written Notice Display Notice Signpost Notice on the Land Social Media post
B. Part 5 – EIS	28 Days (see clause 233 of Reg for information that must be included in notices)	<ul style="list-style-type: none"> Published Notice on NSW Planning Portal Published Notice on Council's website – including a digital copy of the application & EIS Written Notice Display Notice Signpost Notice on the Land Social Media post
3. Integrated Development		
A. Integrated Development (other than Nominated Integrated Development)	As per minimum engagement requirement elsewhere provided in this CPP	<ul style="list-style-type: none"> As per requirements for the Development Application
B. Nominated Integrated Development – as defined by clause 3 of the Reg (see Chapter 1.5 of this CPP)	28 days (see clause 77 & 78 of Reg. for exhibition notice requirements – Published, Written and Signpost)	<ul style="list-style-type: none"> Published Notice on Council's website – including a digital copy of the application Written Notice
4. Threatened Species Development		
A. Threatened Species Development – as defined by clause 3 of the Reg (see Chapter 1.5 of this CPP)	28 days (see clause 77 & 78 of Reg. for exhibition notice requirements – Published, Written and Signpost)	<ul style="list-style-type: none"> Published Notice on Council's website – including a digital copy of the application Written Notice
5. Regionally Significant Development		
A. Regionally Significant Development	28 days	<ul style="list-style-type: none"> Published Notice on Council's website – including a digital copy of the application Written Notice Social Media post

Richmond Valley Council
Community Participation Plan 2020



Application Type	Minimum Consultation Period	Minimum Engagement Tools
6. Modification Application		
A. Modifications involving minor error, misdescription or miscalculation Section 4.55(1) (or formerly s96(1)) of the Act	Nil	Nil
B. Modifications involving minimal environmental impact Section 4.55(1A) and s4.56 (or formerly s.96(1A) & s96AA respectively) of the Act	Nil, or 14 days, if the original application was notified or advertised Manager discretion may be used to reduce or waive notification of modifications where the impacts are considered unlikely to affect adjoining landowners or anyone that had made a submission on the DA	<ul style="list-style-type: none"> Written Notice
C. Other Modifications where original DA was designated development Section 4.55(2) and s4.56 (or formerly s.96(1A) & s96AA respectively) of the Act	14 days, or such longer period as determined by Council having regard to the original application and the modification	<ul style="list-style-type: none"> As per original application Written notice to all persons that made written submissions to the original application or any subsequent modification application(s)
D. Other Modifications where original DA was: <ul style="list-style-type: none"> not designated development; and notified or advertised (other than Informal Written Notice) Section 4.55(2) or s.4.56 (or formerly s.96(1A) & s96AA respectively) of the Act	14 days, or such longer period as determined by Council having regard to the original application and the proposed modification	<ul style="list-style-type: none"> As per original application Written notice to all persons that made written submissions to the original application or any subsequent modification application(s)



Application Type	Minimum Consultation Period	Minimum Engagement Tools
E. Other Modifications where original DA was: <ul style="list-style-type: none"> not designated development; and not notified or advertised (other than Informal Written Notice) Section 4.55(2) or s.4.56 (or formerly s.96(1A) & s96AA respectively) of the Act	14 days	<ul style="list-style-type: none"> Written notice to all persons that made written submissions to the original application or any subsequent modification application(s)
7. Review of Determination		
A. Review of Determination	Nil	
B. Review of Determination – where the original determination was refusal	14 days	<ul style="list-style-type: none"> In the same manner as the original application; or If the original application was not notified or advertised, a written notice to those that made submissions on the original application, & adjoining land owners
C. Review of Determination – where written submissions were received for the original application	14 days	<ul style="list-style-type: none"> In the same manner as the original application; and Written Notice to those that made submissions on the original application
8. Determinations		
A. Notification of Determinations	Nil	<ul style="list-style-type: none"> Published Notice on Council's website Written Notice to persons that made submissions
B. Statement of Reasons	Nil	<ul style="list-style-type: none"> Published on Council's website

3.4. Excluded Development

Some development types do not require development consent from Council and there is no pathway for formal community participation. This CPP does not relate to applications that fall within the following categories:

- minor heritage works (cl.5.10(3) of the RVLEP);
- exempt development;
- complying development; and



- development without consent (unless an EIS is triggered by Part 5 of the Act).

3.5. Local Development Community Engagement Requirements

The Table to Chapter 3.3 outlines the minimum engagement requirements for Items 1.A., 1.B., 1.C. & 1.D.

The following Table describes how Items 1.A., 1.B., 1.C. & 1.D. will be applied to Local Development Types.

Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
Internal works to any building having minimal environmental impact	●			
Minor Alterations to a development having minimal environmental impact		●		
Change of use-				
▪ Change of use—no new building works or minor internal/ external building works with no considered off site impacts	●			
▪ Change of Use—with off-site impacts to adjoining land only expected		●		
▪ Change of Use—with off-site impacts expected			●	
Remediation of Contaminated Land – Category 1 remediation work under SEPP55 (refer to clause 9 of SEPP55 for details of what constitutes a class 1 remediation work)				
				●
Extend hours of operation-				
▪ Extend hours of operation		●		
▪ Extend hours of operation—so as to operate outside any of the following times- ⇒ between 7.00 am to 5.00 pm Monday to Friday, or ⇒ between 8.00 am to 12 noon Weekends and Public Holidays			●	

Richmond Valley Council
Community Participation Plan 2020



Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
<ul style="list-style-type: none"> Extend hours of operation—so as to operate at any time- <ul style="list-style-type: none"> ⇒ between 10.00 pm to 7.00 am Monday to Friday; or ⇒ between 2.00 pm to 8.00 am Weekends and Public Holidays. 				●
Building Height-				
<ul style="list-style-type: none"> Building height of any development- <ul style="list-style-type: none"> ⇒ 3 storeys or greater; or ⇒ where the building height will exceed 10 metres above existing ground level 				●
Development with a value of work exceeding \$20M				
				●
Demolition-				
<ul style="list-style-type: none"> Demolition of a building—excluding heritage items 		●		
<ul style="list-style-type: none"> Demolition—heritage listed item 			●	
Agriculture-				
<ul style="list-style-type: none"> Extensive agriculture 			●	
<ul style="list-style-type: none"> Intensive plant agriculture 				
<ul style="list-style-type: none"> Intensive livestock agriculture 				●
Farm buildings-				
<ul style="list-style-type: none"> Farm buildings 	●			
<ul style="list-style-type: none"> Farm buildings—within 50 metres of a dwelling not located on, or associated with, the land 		●		

Richmond Valley Council
Community Participation Plan 2020



Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
Keeping of certain animals (non-commercial)-				
<ul style="list-style-type: none"> Keeping of certain animals (non-commercial)- ⇒ >10 Dogs ⇒ >20 fowl and poultry ⇒ keeping of rooster(s) 		●		
Animal boarding or training establishments				
				●
Residential Accommodation (including ancillary structures)-				
<ul style="list-style-type: none"> Single storey dwelling-houses. Minor alterations and additions to a dwelling. Ancillary structures with minimal impact on adjoining land. 	●			
<ul style="list-style-type: none"> Dwelling houses up to two storeys. Ancillary structures up to 2 storeys Dual occupancy Secondary dwellings Shop top housing: where no alterations to commercial floor space DCP Variation request for Building Line Setback; Building Height Plane; Floor Space Ratio/Site Coverage; or minimum landscaped area Significant additions to any of the above (As determined by Assessing Officer, Management or the DAP) 		●		

Richmond Valley Council
Community Participation Plan 2020



Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
<ul style="list-style-type: none"> With a LEP Variation request With a DCP Variation request (other than Building Line Setback, Building Height Plane or Floor Space Ratio/Site Coverage). Any development where there will be between 3 to 19 dwellings located on the same land Attached dwellings Boarding houses Group homes Hostels Significant additions to any of the above (As determined by Assessing Officer, Management or the DAP) 			●	
<ul style="list-style-type: none"> Any development where there will be 20 or more dwellings located on the same land, including- ⇒ Manufactured Home Estates Significant additions to the above (As determined by Assessing Officer, Management, or the DAP) 				●
Heritage items or buildings within a Conservation Area-				
<ul style="list-style-type: none"> Minor alterations or additions to heritage listed item or a building in a heritage conservation area. 		●		
<ul style="list-style-type: none"> Work that is likely to materially affect the significance of a heritage item. Conservation incentive for development not otherwise supported by RVLEP (Clause 5.10(10)). 			●	
Commercial premises (including other forms of Retail Premises)-				
<ul style="list-style-type: none"> Roadside stalls Minor alterations and additions to a Commercial Premises, or ancillary structures, with minimal impact to adjoining land 	●			

Richmond Valley Council
Community Participation Plan 2020



Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
<ul style="list-style-type: none"> Office premises Business premises Retail premises – <ul style="list-style-type: none"> ⇒ including additions (As determined by Assessing Officer, Management or the DAP) ⇒ may incorporate Shop top housing Minor alterations and additions to a Commercial Premises, or ancillary structures, with potential impact to adjoining land only 		●		
<ul style="list-style-type: none"> Industrial retail outlets Wholesale supplies Veterinary hospitals Any other type of Commercial Premises (or retail premises) not elsewhere defined including- Restaurants, Cafes and Kiosks 			●	
<ul style="list-style-type: none"> Amusement centres Entertainment facilities Registered clubs Pubs Function centres Service stations Highway service centres Sex service premises Home occupation (sex services) 				●
Restricted premises-				
<ul style="list-style-type: none"> Restricted premises- <ul style="list-style-type: none"> ⇒ within existing commercial premises, and ⇒ occupying floor area <100m², and ⇒ displays not visible from street 		●		
<ul style="list-style-type: none"> Restricted premises 				●

Richmond Valley Council
Community Participation Plan 2020



Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
Tourist and visitor accommodation-				
<ul style="list-style-type: none"> Farm stay accommodation Bed and breakfast accommodation Alterations that do not increase occupant numbers or increase the building foot print area. 		●		
<ul style="list-style-type: none"> Additions to Tourist and visitor accommodation that alter the occupant numbers or increase building foot print area. Primitive Camp Ground Tourist and visitor accommodation not elsewhere defined in this Table 			●	
<ul style="list-style-type: none"> Backpackers' accommodation Hotel or motel accommodation Serviced apartments Eco-tourist Facilities Caravan Parks Camping grounds (other than primitive camp grounds) 				●
Industrial development, Rural Industry and Storage-				
<ul style="list-style-type: none"> Light Industry 		●		
<ul style="list-style-type: none"> General Industry Boat building and repair facilities Vehicle body repair workshops Vehicle repair stations Storage premises Depots Warehouse or distribution centres Rural Industry—with gross floor area <500m² Storage Premises 			●	

Richmond Valley Council
Community Participation Plan 2020



Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
<ul style="list-style-type: none"> Heavy Industry Heavy Industrial Storage Establishments Extractive Industries Potentially Offensive or Hazardous Industry Offensive or Hazardous Industry Rural Industry—with gross floor area of 500m² or greater 				●
Infrastructure (Water and Waste)				
<ul style="list-style-type: none"> Water and Waste reticulation systems—where a large part of the infrastructure will be located below the ground 		●		
<ul style="list-style-type: none"> Water and Waste Infrastructure—not elsewhere defined Alterations or additions to water and waste infrastructure 			●	
<ul style="list-style-type: none"> Water reticulation systems—where a large part of the infrastructure will be located above the ground Sewage systems Waste or resource management facilities Water storage facilities Water treatment facilities 				●
Electricity generating works-				
<ul style="list-style-type: none"> Capacity to generate up to 10Kw 		●		
<ul style="list-style-type: none"> Capacity to generate >10Kw Wind turbines—located on land zoned R1, R5, RU5, IN1 			●	
<ul style="list-style-type: none"> Electricity Generating Works—capable of generating <10Mw 				●

Richmond Valley Council
Community Participation Plan 2020



Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
Infrastructure – Transport				
<ul style="list-style-type: none"> Jetties Moorings Car parks—where the car park will be capable of accommodating <10 vehicles 		●		
<ul style="list-style-type: none"> Car parks—where the car park will be capable of accommodating up to 50 vehicles but not <10 vehicles (Car parks as ancillary development shall be as per the primary development type) Airstrips Transport Infrastructure—not elsewhere defined in this Table 			●	
<ul style="list-style-type: none"> Airports Helipads Boat Launching Ramps Car parks—where the car park will be capable of accommodating >50 vehicles (Car parks as ancillary development shall be as per the primary development type) Passenger Transport Facilities Transport Depots Truck Depots Wharf or Boating Facilities Mooring Pens Charter and Tourism Boating Facilities Air Transport Facilities Freight Transport Facilities Port Facilities Marinas 				●

Richmond Valley Council
Community Participation Plan 2020



Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
Community infrastructure-				
<ul style="list-style-type: none"> Information and education facilities Minor alterations to existing community infrastructure where impacts are likely to only affect adjoining land 		●		
<ul style="list-style-type: none"> Community Infrastructure—not elsewhere defined in this Table Alterations to existing community infrastructure 			●	
<ul style="list-style-type: none"> Emergency services facilities Child care centres Community facilities Places of public worship Public administration buildings Research stations Respite day care centres Cemeteries (other than for private burials) Mortuaries Funeral Homes Crematoria Correctional centres Industrial training facilities Education establishments 				●
Health services facilities-				
<ul style="list-style-type: none"> Health consulting rooms Medical centres Other health services facilities 			●	
<ul style="list-style-type: none"> Hospitals 				●

Richmond Valley Council
Community Participation Plan 2020



Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
Recreation-				
<ul style="list-style-type: none"> Environmental facilities Recreation areas Water recreation structures 		●		
<ul style="list-style-type: none"> Recreation facilities (indoor) Recreation facilities (outdoor) 			●	
<ul style="list-style-type: none"> Recreation facilities (major) 				●
Events-				
<ul style="list-style-type: none"> Events—small short term events (such as small festivals, markets, etc.) 		●		
<ul style="list-style-type: none"> Events—larger events Events involving amplified sound 				●
Subdivision of land-				
<ul style="list-style-type: none"> Subdivision of Land—No new lots to be created Strata Subdivision Community Title Subdivision 	●			
<ul style="list-style-type: none"> Subdivision of Land—Containing <10 lots 		●		
<ul style="list-style-type: none"> Subdivision of Land—Containing 10 or more lots but <25 lots 			●	
<ul style="list-style-type: none"> Subdivision of Land—Containing or more 25 lots 				●
Signage-				
<ul style="list-style-type: none"> Building Identification Sign Business Identification Signs 	●			



Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
<ul style="list-style-type: none"> Flashing or Animated Signage Advertising Structures- <ul style="list-style-type: none"> ⇒ with a display area for each sign up to 10m²; and ⇒ total signage area on the land <20m² Signage—not elsewhere defined in this Table 		●		
<ul style="list-style-type: none"> Signage—with a height >8 metres above existing ground level Signage—with a display area >10m² 			●	
Miscellaneous-				
<ul style="list-style-type: none"> Environmental protection works 	●			
<ul style="list-style-type: none"> Cemeteries for private burials Exhibition homes Exhibition villages (consisting of <6 dwellings) 		●		
<ul style="list-style-type: none"> Exhibition villages (consisting of more than 6 dwellings) Flood mitigation works Boat Building & Repair Facilities 			●	
<ul style="list-style-type: none"> Open cut mining Extractive Industries Temporary Uses—where the use would otherwise be prohibited in the Zone 				●

3.6. Can engagement requirements be varied?

Council may increase the Consultation Period

Notwithstanding the tables in this Chapter, Council may notify and/or advertise Local Development for a longer period if in its opinion and given the circumstances of the case, it believes it is in the best interests of the community for the development to be notified and/or advertised for a longer period. This may include advertising using additional media types or having a wider circulation.



Manager Discretion to waive or reduce engagement requirements

Council's Manager of Development & Environment has discretion to waive or reduce engagement requirements of this Chapter subject to:

- consideration of the proposal's scale and potential impacts balanced against the likely community interest in the application; and
- compliance with minimum statutory requirements set by the Act and Reg.

A decision to waive or reduce engagement of an application under this Chapter must be documented and include a statement of who made the decision, how engagement requirements were changed, and justify the reasons for the decision.

Note. The requirement to document a decision under this Chapter also applies to a decision to reduce or waive engagement under Item 6.B of the Table to Chapter 3.3.

3.7. How can the Public view Development Applications?

During the consultation period applications will be freely available for viewing/inspection by any person, at the locations, and during the times specified in the Published Notice and/or Written Notice.

Council's Customer Experience Centres

As a default, a copy of applications may be freely viewed/inspected by any person at Council's Customer Experience Centres (Casino and Evans Head), during normal business hours on Mondays to Fridays (excluding public holidays).

- **Council Customer Experience Centres are located at:**
 - Casino—10 Graham Place CASINO
 - Evans Head—25 Woodburn Street EVANS HEAD

Note. During the COVID-19 Crisis (or any future crisis that causes a lock-down or restricts access to Council's Customer Experience Centres) the viewing of hardcopy documents may not be possible. In such circumstances, the application can be made available in a digital form via Council's website, or as an alternative the NSW Planning Portal, upon request (if not already available).

Note. Refer to Chapter 1.14 for ePlanning exceptions to displaying hardcopy records.

Published Notice on Council's Website

Where the tables to this Chapter specify a *Published Notice on Council's website*, or if Council elects to make an application available via its website, the application and support documents will be published on Richmond Valley Council's On-Exhibition web page during the consultation period.

- **On-Exhibition Page**

<https://www.richmondvalley.nsw.gov.au/council/on-exhibition/>



3.8. Deficient Development Applications

Council reserves the right to delay public exhibition/notification of applications it considers to be deficient, such as:

- the application is indecipherable or does not contain essential information to enable assessment of the application (ie lacks a Statement of Environmental Effects or plans, it does not adequately consider planning controls, etc;)
- there is no owners consent; or
- insufficient fees were paid.

The application will be publicly exhibited as soon as is practicable following receipt of a complete application.

3.9. Re-exhibition of advertised development

Applications under this Chapter may require re-exhibition if the application is amended or substituted prior to determination, and in Council's opinion-

- the amendment or substituted application differs in more than minor respects from the original application; or
- the amendment or substituted application could potentially create new impacts to the environment or an adjoining property; or
- it would be in the public interest to re-exhibit the application given the length of time since the application was last exhibited.

The application will be re-exhibited as per the minimum engagement requirements for the application type. The Applicant will be required to cover the additional cost of this re-exhibition (see Council's Revenue Policy).



4. Strategic Planning

Council prepares a range of strategic planning documents including:

- Land use strategies and studies, such as:
 - Local Strategic Planning Statements
 - Local Growth Management Strategy
- Local Environmental Plans
- Development Control Plans
- Contributions Plans
- Planning Agreements
- Paper Subdivision Notices
- Community Participation Plans

Council also reviews and amends these plans on an ongoing basis, either as a result of internal reviews or by request of property owners.

4.1. Objectives of consultation for Development Applications

It is the objective of this Chapter to:

- provide a framework for the notification and/or advertising of strategic planning documents (including amendments);
- provide opportunity for the community to provide feedback on strategic planning, including the communities attitude towards a proposal, so these can be considered as part of the assessment process;
- establish a clear & consistent process by prescribing the minimum expectations for community engagement during the preparation of strategic planning documents;
- ensure that community participation is undertaken in accordance with the *Environmental Planning and Assessment Act 1979* and its Regulation.

4.2. Consultation goal

An effective consultation program does not necessarily mean that all interested parties will be satisfied with the outcome. Rather, it is about ensuring the best outcomes for the community have been fully explored, concerns identified, and, where possible, alternatives considered.



4.3. Mandatory Requirements

The following Table describes the minimum engagement requirements for strategic planning matters:

Strategic Document	Minimum Consultation Period	Minimum Engagement Tools
1. Community Engagement Plan (CPP) (Div.2.6 of the Act)		
A. Draft Community Engagement Plan (CPP) (Div.2.6 of the Act)	28 days	<ul style="list-style-type: none"> Published Notice on Council's website – including digital copy of the draft CPP Social Media post Display Notice
2. Planning Instruments (Part 3 of the Act)		
A. Draft Local Strategic Planning Statement (S.3.9 of the Act)	28 days	<ul style="list-style-type: none"> Published Notice on Council's website – including digital copy of the draft LSPS Social Media post Display Notice
B. Planning Proposals (to prepare an LEP or LEP Amendment) (Div.3.4 and 3.5 of the Act)	As per Gateway Determination condition(s) (usually a minimum 28 days will apply, but may be 14 days, or can be waived if a minor administrative change is proposed or it is to correct an error)	<ul style="list-style-type: none"> Published Notice on Council's website – including digital copy of the Planning Proposal & Gateway Determination Written Notice Social Media post Display Notice
C. Draft Development Control Plan (Div.3.6 of the Act)	28 days	<ul style="list-style-type: none"> Published Notice on Council's website – including digital copy of the Draft DCP and links to the LEP Written Notice Social Media post Display Notice
D. Local Growth Management Strategy or any other Strategy requiring community engagement under the Act	28 days	<ul style="list-style-type: none"> Published Notice on Council's website – including digital copy of the Draft LGMS Written Notice Social Media post Display Notice



Strategic Document	Minimum Consultation Period	Minimum Engagement Tools
3. Infrastructure Contributions and Finance (Part 7 of the Act)		
A. Planning Agreement Contemporaneously (concurrently) with the Development Application or Planning Proposal to which it relates	28 days The minimum consultation period for the Development Application or Planning Proposal must be extended to meet this minimum (see Section 7.5 of the Act and clauses 25D & 25E of the Reg for exhibition requirements)	<ul style="list-style-type: none"> Published Notice on Council's website – including digital copy of the Draft Planning Agreement Social Media post Display Notice
Separate to the Development Application or Planning Proposal	28 days to be done as soon as possible after any notice has been given for the relevant Development Application or Planning Proposal (see Section 7.5 of the Act and clauses 25D & 25E of the Reg for exhibition requirements)	<ul style="list-style-type: none"> Published Notice on Council's website – including digital copy of the Draft Planning Agreement Social Media post Display Notice
B. Draft Contributions Plan (S.7.11 or 7.12 (formerly S.94 and 94A) of the Act)	28 days (see clause 6 of Schedule 1 of the Act for exhibition requirements)	<ul style="list-style-type: none"> Published Notice on Council's website – including digital copy of the Draft Contributions Plan Social Media post Display Notice



Strategic Document	Minimum Consultation Period	Minimum Engagement Tools
4. Paper Subdivisions (Schedule 7 of the Act) - (Development Plan)		
A. Paper Subdivision – Notice of Consent Ballot	14 days before ballot papers are issued (see clause 268ZB of the Reg for exhibition notice requirements)	<ul style="list-style-type: none"> Published Notice on NSW Planning Portal Published Notice on Council's website – including digital copy of the Draft Development Plan give notice to each council in whose area the land is situated <ul style="list-style-type: none"> o
B. Paper Subdivisions – Notice of Consent Ballot closing	28 days prior to Consent Ballot closing (see clause 268ZB of the Reg for exhibition notice requirements)	<ul style="list-style-type: none"> Signpost Notice on Land Social Media post Published Notice on Council's website (may be the same posting as in 4.A. as long as it meets the 28 day prior requirement)
C. Paper Subdivisions – Notice of Adoption of Development Plan	Within 28 days of decision (see clause 268ZJ of the Reg for notice of adoption)	<ul style="list-style-type: none"> Published Notice on the NSW Planning Portal
D. Paper Subdivisions – Notice of Development Plan Amendment	28 days	<ul style="list-style-type: none"> As per clause 268ZL of the Reg

4.4. How can the Public view Strategic Planning Documents?

During the consultation period Strategic Planning documents will be freely available for viewing/inspection by any person, at the locations and during the times specified in the Published Notice and Written Notice.

Council Customer Experience Centres

A copy of relevant Strategic Planning document may be freely viewed/inspected by any person at Council's Customer Experience Centres (Casino and Evans Head), during normal business hours on Mondays to Fridays (excluding public holidays).

- **Council Administration Centres**
 - Casino—10 Graham Place CASINO
 - Evans Head—25 Woodburn Street EVANS HEAD



Note. During the COVID-19 Crisis (or any future crisis that causes a lock-down or restricts access to Council's Customer Experience Centres) the viewing of hardcopy documents may not be possible. Notwithstanding, all Strategic Planning documents are made available in a digital form via Council's website.

Note. Refer to Chapter 1.14 for ePlanning exceptions to displaying hardcopy records.

Website

Strategic Planning documents will be published on Richmond Valley Council's On-Exhibition web page during the consultation period.

- ***On-Exhibition Page***

<https://www.richmondvalley.nsw.gov.au/council/on-exhibition/>



5. Submissions

5.1. Submission Period

The submission period is equivalent to the consultation period provided for a planning matter within Chapters 3 and 4 of this CPP.

Note. There is no consultation period or submission period associated with an Informal Written Notice. Notwithstanding, any person may make a written submission, but only those submissions received prior to Council's assessment of the Application can be considered.

5.2. Making a submission

Any person is entitled to make a submission, whether or not they have received a Written Notice.

Submissions:

- must be in writing;
- should be addressed to the General Manager, and
- can be delivered to Council either:
 - electronically by—
 - email to- council@richmondvalley.nsw.gov.au
 - online by filling out a Quick Contact Form or the Make a Submission Form at- <https://richmondvalley.nsw.gov.au/council/on-exhibition>
 - through the post by sending to—
 - Locked Bag 10 CASINO NSW 2470
 - delivery to a Council Customer Experience Centre—
 - Casino—10 Graham Place CASINO
 - Evans Head—25 Woodburn Street EVANS HEAD

To guarantee acceptance of a submission, it must be received within the submission period, or have prior agreement from Council to make a late submission.

What should a submission include?

Submissions must be in writing and should include the following:

- reference to the application or planning matter;
- if an objection, give reasons for the objection;
- the postal address or email address of the person(s) making the submission; and
- public disclosure of political donations or gifts, if the submission is in relation to a development application or planning proposal.



5.3. Petitions

Petition will be treated as a single submission. The head petitioner or, where not nominated, the first petitioner will be acknowledged for the purposes of future contact on the planning matter. Only the head petitioner will be advised of any related meeting times or will receive written confirmation of a determination or outcome on the matter.

5.4. Anonymous Submissions

Objectors have a right to remain anonymous if they choose. However, should an objector need to substantiate their objections, anonymous objections may be given less weight in the overall consideration of the planning matter. Furthermore, Council will be unable to acknowledge receipt of anonymous submissions or provide details of determinations and outcomes.

5.5. Submissions to be Public Documents

All submissions will be registered against the relevant application or strategic planning matter and become public records. In the great majority of cases, Council is obliged by the requirements of the *Government Information (Public Access) Act 2009* (GIPA) to allow access to its files, even when the matter is the subject of litigation. As such submissions may be-

- inspected by third parties (including the Applicant) by way of a Government Information Public Access (GIPA) application or subpoena;
- reported to Council along with a summary of matters raised in the submission (and which may include a copy of the submission attached to a report); or
- forwarded to the Applicant to encourage them to address issues raised.

Council will do its best to redact the personal details (name and contact details) of submitters from submissions prior to their viewing by the public.

Note. Council may be required to supply unaltered copies of submissions under subpoena or to Government Agencies. As such the personal details of the submitter may be retained on the submission. Once Council forwards the submission it will have no control over how these submissions will be handled, or what access the public may have to the submission.

5.6. Defamatory Statements or Language

Council accepts no responsibility for defamatory statements, inappropriate language, or other similar matters, that have been included in submissions. Any such matters are included in submissions at the risk of the person making the statement.



5.7. How Council deals with Submissions

Community submissions received during the submission period will be acknowledged as soon as practicable by Council following the conclusion of the submission period.

Section 4.18 of the Act, and Clause 102 of the Reg, requires notice of determination (for development applications) to be sent to persons that made submissions. Such notices are to be sent within 14 days of determination (but failure to comply with this period does not invalidate a development consent).

5.8. Declaration of Political Donations

Section 10.4 of the *Environmental Planning and Assessment Act 1979* (Act) requires the public disclosure of donations or gifts when lodging or commenting on:

- a Development Application, or any like application; or
- the preparation of a Local Environmental Plan (or LEP amendment), or a Development Control Plan.

The intent of this law is designed to improve the transparency of the planning system.

Who should make a Disclosure?

Disclosure of a reportable political donation and/or gift is to be made by a person having a financial interest in the relevant planning matter within the period: commencing two years before the planning matter was lodged, and ending when the matter is determined. This includes:

- all reportable political donations made to an elected Councillor of Richmond Valley Council; and
- all gifts made to any Councillor or employee of Richmond Valley Council.

How and when to make a disclosure

If you are required to make a disclosure of a reportable political donation or gift under the Act, the disclosure is to be made:

- in, or in a statement accompanying, the relevant planning matter if the donation or gift was made before the application or submission was made; or
- if the donation or gift is made afterwards, in a statement by the person to whom the relevant planning matter was made, within seven days after the donation or gift is made.



What is a Reportable Political Donation or Gift?

A reportable political donation includes those of or above \$1,000.

A reportable gift includes a gift of money or the provision of any other valuable thing or service for no consideration or inadequate consideration.

Notes. A reportable political donation or gift made to a Councillor or Council includes any donation made at the time the person or Councillor was a candidate for election to Council.

Refer to Council's Policy on Gifts and Benefits for reportable gifts – the Policy currently provides that Councillors or Council staff must not: seek or accept a bribe or other improper inducement; seek gifts or benefits of any kind; accept any gift or benefit of more than a token value (for the purposes of the policy, token value is regarded as being of a value of \$50.00 or less); or accept an offer of cash or a cash-like gift, regardless of the amount.

Offences

A person is guilty of an offence under the Act only if the person fails to make a disclosure of a political donation or gift, in accordance with Section 10.4, that the person knows, or ought reasonably to know, was made and is required to be disclosed.

The maximum penalty for any such offence is the maximum penalty under Part 6 of the *Election Funding and Disclosures Act 1981* for making a false statement in a declaration of disclosures lodged under that Part.

Note: The maximum penalty is currently 200 penalty units (currently \$22,000) or imprisonment for 12 months, or both.

Further Information

For further information, refer to the Department of Planning, Industry & Environment's webpage and Circular PS 08_009-

<https://www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Planning-Approval-Pathways/Donations-and-Gift-Disclosure>



Annexure A. Mandatory Participation Requirements under Schedule 1 to the Act

Part 1 of Schedule 1 to the Act sets out mandatory community participation requirements, being the minimum requirements for public exhibition and engagement with the community on various planning functions.

The *Environmental Planning and Assessment Regulation 2000* (the Reg) may also prescribe additional mandatory requirements for community participation or make changes to the Part 1 mandatory requirements (see Chapter 1.7 and Annexure B for details).

Note. This Annexure contains a generalisation of Schedule 1 of the Act. Furthermore, it is subject to change being current when extracted on 14 August 2020.

Part 1 Mandatory community participation requirements

Division 1 Minimum public exhibition periods for plans

1	Draft community participation plans (Division 2.6)	28 days
2	Draft regional or district strategic plans (Division 3.1)	45 days
3	Draft local strategic planning statements (Division 3.1)	28 days
4	Planning proposals for local environmental plans subject to a gateway determination (Division 3.4)	28 days; or (a) if a different period of public exhibition is specified in the gateway determination for the proposal—the period so specified; or (b) if the gateway determination specifies that no public exhibition is required because of the minor nature of the proposal—no public exhibition
5	Draft development control plans (Division 3.6)	28 days
6	Draft contribution plans (Division 7.1)	28 days

Richmond Valley Council
Community Participation Plan 2020



Division 2 Minimum public exhibition periods for development applications and other matters

7	Application for development consent (other than for complying development certificate, for designated development or for State significant development)	14 days; or (a) if a different period of public exhibition is specified for the application in the relevant community participation plan—the period so specified; or (b) if the relevant community participation plan specifies that no public exhibition is required for the application—no public exhibition
8	Application for development consent for designated development	28 days
8A	Application for nominated integrated development or threatened species development	28 days
9	Application for development consent for State significant development	28 days
9A	Application for category 1 remediation work under SEPP55 – Remediation of Land	28 days
10	Application for modification of development consent that is required to be publicly exhibited by the regulations	14 days; or Such period specified in this CPP (see Item 6 within the Table to clause 3.3 of this CPP)
11	Environmental impact statement obtained under Division 5.1	28 days
12	Environmental impact statement for State significant infrastructure under Division 5.2	28 days
13	Re-exhibition of any amended application or matter referred to above required by or under this Schedule	The period (if any) determined by the person or body responsible for publicly exhibiting the application or matter Note. Clause 23(2) also provides that re-exhibition is not required if the environmental impact of the development has been reduced or not increased



Annexure B. Engagement Requirements of the Planning Regulation

The *Environmental Planning and Assessment Regulation 2000* (the Reg) defines mandatory community engagement requirements, and which may also vary those provided in Schedule 1 to the Act. Following is an overview of additional engagement requirements provided under the Reg, and how they apply to this CPP.

Notes. The *Environmental Planning and Assessment Amendment (Public Exhibition) Regulation 2020* amended the Reg to remove requirements for certain planning matters to be advertised in a newspaper. These amendments became effective from 17 April 2020.

This Annexure contains a generalisation of Regulation engagement requirements. Furthermore, it is subject to change being current when extracted on 14 August 2020. Please consult the Act and Regulation.

Draft Development Control Plan

A draft Development Control Plan (DCP) must be publicly exhibited in accordance with clause 18 of the Reg. A council must publish the following on its website-

- (a) the draft development control plan,
- (b) any relevant local environmental plan or deemed environmental planning instrument,
- (c) the period during which submissions about the draft plan may be made to council.

The minimum exhibition period for a Draft DCP is 28 days (as provided by clause 5 of Schedule 1 to the Act).

Draft Planning Agreements

Clauses 25D & 25E outline how a Planning Agreement, or an agreement to amend or revoke a Planning Agreement, must be notified in connection with a Development Application (DA) or Planning Proposal (PP).

- In each case it must be publicly exhibited concurrently (contemporaneously) with the DA or PP; or if this is not possible, as soon as possible after such notice was given.
- Notice must be given in the same manner as any notice for an accompanying DA or Planning Proposal, and must specify arrangements for the public to inspect copies of the draft Agreement, including an explanation note summarising the objectives, nature, effect, and merits of the draft Agreement.



The minimum period for exhibition of a Planning Agreement is 28 days (as provided by section 7.5(1) of the Act).

Following adoption of a Planning Agreement, Council must forward a copy of the Planning Agreement to the Minister, and report on compliance with the Agreement within its Annual Report(s).

Draft Contributions Plans

A draft Contributions Plan must be publicly exhibited in accordance with clause 28 of the Reg. A council must publish the following on its website:

- the draft contributions plan and support documents; and
- specify the period during which submissions about the draft Plan may be made to the council.

The minimum period for exhibiting a Draft Contributions Plan is 28 days (as provided by clause 6 of Schedule 1 to the Act)

Designated Development, Nominated Integrated Development, Threatened Species Development

Clauses 77 & 78 outline the minimum requirements for how designated development, nominated integrated development and threatened species development must be publicly exhibited.

A council must as soon as practicable:

- publish notice of the application on Council's website;
- give notice of the application to the public authorities that may have an interest in the determination of the application; and
- exhibit a copy of the notice on the land to which the development relates.

The notice must contain specified information about the application in the notice and identify the places where the application and documents may be inspected.

The minimum period for exhibiting:

- designated development is 28 days (as provided by clause 8 of Schedule 1 to the Act)
- nominated integrated development or threatened species development is 28 days (as provided by clause 8A of Schedule 1 to the Act)

Additional requirements for Nominated Integrated Development, Threatened Species Development

Clause 90 dispenses with the need to further exhibit an amended or substituted application, received prior to a determination, where the application was originally exhibited, and the amendment or substitution differs only in a minor respect from the original application.



Section 8.3 Review of Determination

Clause 113A requires an application seeking a review of determination must be notified or advertised in accordance with clause 20A of Schedule 1 to the Act, which adopts requirements specified in this CPP.

Note. This CPP requires a review of determination to be notified or advertised if the original determination was a refusal, or there were written submissions received for the application. Fourteen (14) days has been adopted for notification or advertising. See the Table to Chapter 3.3 of this CPP for requirements.

- If this CPP requires an application for review of determination to be exhibited, it must be done in the same manner as the original DA was notified or advertised;
- a Written Notice and/or Published Notice is to contain a brief description of the original application and the land it relates; and
- contain a statement that submissions may be made during the exhibition period specified.

Application to Modify Development Consent

There are various types of modifications that can be made to development consents depending upon the extent of the modifications being made.

- ***Modification involving minor error, misdescription or miscalculation - Section 4.55(1) of the Act***

Neither the Act nor the Reg require such modification applications to be publicly exhibited.

- ***Modification of Consent involving Minimal Environmental Impact - Section 4.55(1A) or Section 4.56 of the Act***

Clause 117 of the Reg outlines that a modification application with minimal environmental impact is only required to be notified or advertised if required by this CPP.

Notes. The Table to Chapter 3.3 of this CPP does not require such applications to be notified or advertised, unless the original application was advertised or notified.

Manager discretion may be used to reduce or waive notification of modifications where the impacts are considered unlikely to affect adjoining landowners.

- ***Modifications involving Designated Development - Section 4.55(2) or Section 4.56(1) of the Act***

Clause 118 of the Reg outlines the requirements for notifying a Section 4.55(2) or 4.56(1) application to modify designated development consents (except for those with minimal environmental impact).



This includes:

- notice of the application must be published on Council's website;
- Written Notice be given to each person who made a submission in relation to the original application;
- notices are to contain certain information about the development consent and modification(s) sought;
- notices to specify the application can be inspected during the exhibition period, and written submissions may be made to Council during the exhibition period; and
- a statement that, if the application is approved, there is no right of appeal to the Court by an objector.

The minimum period for exhibiting a modification to designated development is as per this CPP (see the Table to Chapter 3.3 which sets a 14 day minimum..

- ***Modifications excluding Designated Development - Section 4.55(2) or Section 4.56(1) of the Act***

Clause 119 of the Reg outlines the requirements for notifying a Section 4.55(2) or 4.56(1) application to modify development other than designated development (except for those with minimal environmental impact). This includes:

- exhibiting it for a period specified in the Table to Chapter 3.3 of this CPP which sets a 14 day minimum, but otherwise in the same manner as the original development application was notified or advertised.

Public notification of determinations

If public notice, under section 4.59 of the Act, is given of the granting of development consent, or a complying development certificate, the validity of the consent or certificate cannot be questioned in any legal proceedings unless commenced within 3 months of the notice being given.

Clause 124 of the Reg requires such notices to:

- be published on the consent authority's website; and
- describe the land and the development the subject of the development consent.

Part 5 Activities for which an EIS is required

Section 5.8 of the Act requires a determining authority to give notice in the prescribed form and manner that a copy of an EIS prepared by, or submitted to it, may be inspected for a period of not less than 30 days. Clause 233 of the Reg prescribes the form and manner of notification:

- notice must be headed, in capital letters and bold type, **"ASSESSMENT OF ENVIRONMENTAL IMPACT (a title**



description of the proposed activity and its location)—
PUBLIC EXHIBITION”;

- contain a brief description of the proposed activity and its location, including the name of the proponent;
- identify that it will be publicly available on the NSW Planning Portal website (and any other website) during the exhibition period; and
- state any person may make written representations to Council before the closing date for the exhibition period.

Note. Section 5.8 of the Act requires exhibition for min. 30 days, despite clause 11 of Schedule 1 to the Act specifying 28 days.

Paper Subdivisions

Clause 268ZB outlines that a notice must be published on the NSW Planning Portal for not less than 14 days prior to issuing of ballot papers for a proposed development plan. The notice must contain information:

- that Council proposes to adopt the development plan;
- the website on which the plan is published;
- the date by which a vote on the ballot to approve the development plan must be received, and the address to which it must be sent; and
- the name and contact phone number and email address of the Council.

Not less than 28 days before the ballot closes—a signpost notice must be displayed on, or in the vicinity of, the land.



Annexure C. Community Engagement Tools

Council may use a range of traditional and modern communication methods to engage and inform the community, and gain feedback on, planning matters. The Tables to Chapters 3.3 & 4.3 outline the minimum engagement periods and tools to be used: however, additional tools may be employed as required.

- Published Notices
- Written Notices
- Informal Written Notices
- RVC Website
- NSW Planning Portal
- Social Media
- RVC Views Community Newsletter
- Press Releases
- Letterbox Drops
- Rate Notice Inserts
- Public Hearings
- Public Access at a Council Meetings
- Display Notices in Council's Customer Experience Centres
- Display Notices in Council's Libraries
- Signposted Display Notices on, or in the vicinity of, the land
- Mobile Library - Display Notices and/or Drop In interviews
- Display Notices at DPIE
- Public Forums/Meetings
- Meet with Community Groups
- Interviews by appointment
- Pop Up Stall/Information Stand at venues or events
- Online or Telephone Surveys

Following is a summary of how the engagement tools would be used by this CPP.

Published Notice

A Published Notice (also referred to as an "advertisement" in this CPP) is the publication of a notice via a public forum which include Council's website, the NSW Planning Portal, the Council Community Newsletter, or a local newspaper having local circulation.

Unless otherwise stated in this CPP the preference will be for published notices to appear on Council's Website. It will be at Council's discretion if larger, more complex, planning matters/applications will be notified using more than one media type.



- **Richmond Valley Council Website – On Exhibition Page**

The On-Exhibition page of the Council website will be the preferred media type for published notices. Digital copies of documents will be provided. This page also provides an ability to lodge on-line submissions.

<https://richmondvalley.nsw.gov.au/council/on-exhibition/>

- **NSW Planning Portal**

NSW Planning Portal is hosted by the NSW Department of Planning, Industry & Environment-Planning & Assessment and is open to community engagement by councils as an alternative to their own websites. Notwithstanding, the Reg provides that certain types of development must have a published notice on the Portal, eg. Part 5 Designated Development.

- **Valley Views – Richmond Valley Council's Community Newsletter**

Richmond Valley Council publishes a monthly Community Newsletter. The Newsletter is circulated by post to all residents. *Valley Views* is also available on the *Richmond Valley Council Facebook Page* and by email to registered subscribers.

- **Newspapers**

COVID-19 caused several local newspapers to cease publication, while The Northern Star has gone to a digital only circulation. Two (2) new weekly newspaper publications have emerged since these closures.

The NSW Government has led the way to remove published notices from newspapers. This CPP has adopted that lead, however, this print media option may be used, subject to there being a local newspaper in print, at the discretion of Council having regard to the complexity and nature of the application or planning document.

Written Notice

A Written Notice (also referred to as a "notification" in this CPP) refers to a letter being posted to the owner(s) of land.

The Reg provides that Written Notice to:

- one owner or occupier of land—is taken to be notice to all owners and occupiers of that land, and
- the Owners Corporation of a Strata scheme—is taken to be notice to all owners or occupiers of each lot within the strata scheme.

Written Notices will be posted to the Service Address held by Council for the owner(s) of the land.



Informal Written Notice

An Informal Written Notice refers to a letter posted to the owner of land as a curtesy, when no other formal notification (Written or Published Notice) is required to be given for a development application.

Informal Written Notices will be posted to the Service Address held by Council for the owner of the land.

Note. For the purposes of this CPP, there is no consultation period or submission period associated with an Informal Written Notice.

Display Notice and Viewing of Documents in Council's Customer Experience Centres

During the exhibition period, planning matters and support material will be freely available for viewing by the public at either of Council's Customer Experience Centres in Casino and Evans Head.

Council may also display a notice in the foyer of each of its Customer Experience Centres, as required.

- ***Council's Customer Experience Centres are located at-***
 - Casino—10 Graham Place CASINO
 - Evans Head—25 Woodburn Street EVANS HEAD

Note. During the COVID-19 Crisis (or any future crisis that causes a lock-down or restricts access to Council's Customer Experience Centres) the viewing of hardcopy documents may not be possible. In such circumstances, the application can be made available in a digital form via Council's website, or as an alternative the NSW Planning Portal, upon request (if not already available).

Note. Refer to Chapter 1.14 for ePlanning exceptions to displaying hardcopy records.

Signposted Display Notices on, or in the vicinity of, the land

A copy of the Published Notice may be displayed on, or in the vicinity of, the land.

Signposted display notices must be located in a position, and be of sufficient size, to enable it to be viewed and read from a public place.

If it is not possible to locate the display notice on the land, it should be located in the vicinity of the land and clearly identify the land to which the notice relates.

- ***Default Notice***

Council's default display notice consists of a laminated A3 poster containing details from the Published Notice.

Richmond Valley Council Website

The Richmond Valley Council website is the primary tool for delivery of information to its community. Published Notices will appear on this website in lieu of advertising in newspapers.



The On-Exhibition page displays all notices relating to matters on public exhibition, including non-town planning related matters.

- **Richmond Valley Council website**

<https://richmondvalley.nsw.gov.au/>

- **On-Exhibition Page**

<https://richmondvalley.nsw.gov.au/council/on-exhibition/>

A digital copy of:

- a development assessment matter will be published on the On-Exhibition page when a Published Notice is required by the Table to Chapter 3.3 and 3.5 (as a very minimum); and
- all strategic planning matters will be published on the On-Exhibition page.

Social Media

Where this CPP requires notices to be posted on Social Media the default will be-

- **Richmond Valley Council Facebook Page—(Default)**

Richmond Valley Council regularly publishes news and event information on its Facebook page. It also offers the community an opportunity to provide feedback in the form of comments, however these comments will not be considered as formal written submissions for the purposes of this CPP.

<https://www.facebook.com/RichmondValleyCouncil/>

Press Releases and Media Statements

Press Releases are official statements issued by Council to the media. The Mayor, General Manager, and Director of Infrastructure & Environment are authorised to issue Press Releases, and to make official statements to the media.

All enquiries should be directed to Council's Manager of Communications, Events and Tourism – 02 66600300, or email council@richmondvalley.nsw.gov.au.

Letterbox Drops

Letterbox Drops are targeted at the occupiers of land: as opposed to Written Notices that are targeted at the property owner. Notices can be distributed in several ways:

- **Australia Post**

Australia Post will distribute brochures and notices to all post office boxes and letter boxes within a defined locality as a paid service. It can be used as an efficient means of distribution notices to a large area and volume of households.



- **Hand Delivery**

Hand delivered notices may be a more efficient way of distributing brochures and notices to a small number of properties.

Rate Notice Inserts

Rate notices are posted to all ratepayers in mid-to-late July, and again in mid-to-late October, January and April to those electing to pay rates in instalments. This is a paid service provided by the distributor of Council's rate notices.

Livestreaming of Council Meetings

Council meetings are livestreamed simulcast on:

- **Youtube – “RVC Broadcast”**
- **Facebook – “Richmond Valley Council”**

Recordings of meetings are also available for viewing on Council's website.

Public Access at a Council Meeting

Members of the community can register to give a 5 minute presentation to Councillors at Council Meetings on an item contained in the meeting agenda. Such presentations are normally conducted at the beginning of the meeting; however, they may be conducted at a separate meeting if there is large demand for presentations.

Note. Council Meetings are open to the public; however, COVID-19 restrictions limit the size of audience attendances.

- **Registering for Public Access**

To register for public access please contact Council's Governance Section – 0266600300 or email council@richmondvalley.nsw.gov.au, prior to 4.30pm on the Monday before the Scheduled Council Meeting.

Public Hearing

A Public Hearing is a formal process for a person to give a verbal presentation to a Panel on issues raised in their submission.

Each person who registers to present to a Public Hearing will be given a defined period of time to speak on their submission.

A Public Hearing will be conducted if:

- required by a Gateway Determination on a Planning Proposal;
- reclassifying “community land” to “operational land” under the *Local Government Act 1993*, or changing the category of “community land” as part of a Plan of Management; or



- Council decides to conduct a Public Hearing (due to an issue; or where a submission has raised an issue of such significance to warrant a hearing).

Display Notices in Council's Libraries

Council may display a copy of the Published Notice for a Strategic Planning matter on the Community Notice Board at its libraries in Casino, Coraki, Evans Head, and the mobile library. A copy of the Strategic Planning documents would also be available for inspection, but otherwise can be made available upon request at these libraries

Mobile Library - Drop In interviews

Council staff may travel with the Mobile Library as it services the Richmond Valley Community. Advanced notice of attendance will be provided in a Published and/or Written Notice, including the dates and times staff will be available for interview in the Mobile Library.

Public Forums/Meetings

Public forums and meetings may be organised to provide information to the community, and to receive feedback, on a town planning matter. Forums can be run as-

- **Group Sessions**

Where a large group is given a presentation from Council and the community is welcomed to speak from the floor by making statements, posing questions, suggesting solutions; and maybe asked to vote on an opinion.

- **Small Group Sessions**

This is where a Group Session is split into smaller groups, each with a mediator/presenter. Each group may focus on a specific task or issue, and provide feedback to the group; answer questions; or work together to suggest solutions to a problem.

Meet with Community Groups/Schools

At the invitation of a Community Group or School, Council staff may attend a meeting/class to present information on a relevant planning matter.

Appointments can be arranged by calling 02 66600300 or emailing council@richmondvalley.nsw.gov.au.

Interviews by appointment

Council staff are available by appointment to meet with community members on a one-on-one interview basis to discuss and receive feedback on a relevant planning matter. Appointments can be arranged by calling 02 66600300 or emailing council@richmondvalley.nsw.gov.au.



Pop Up Stall/Information Stand at venues or events

- ***Pop up Stall***

This is a temporary stall set up in a public location or at a community event where the public can provide spontaneous feedback.

- ***WalkShop***

This involves Council staff or a consultant walking around with a community stakeholder, or interest group, and recording their ideas on a project or area.

Online or Telephone Surveys

Council may conduct a poll or survey using any of the following:

- telephone poll or survey
- online survey
- Facebook



Annexure D. Council Planning Functions

The following is a summary of Council planning functions, under the Act (as referred to in Chapter 1.5), requiring community engagement:

A. Development Assessment (under Parts 4 & Part 5 of the Act)

This CPP will apply where RVC is the consent authority for the following application types:

- **Local Development** (*other than complying development, designated development or State significant development*)

Local development is the most common type of Development Application with projects ranging from home extensions to commercial, retail and industrial developments.

- **Nominated Integrated Development**

Nominated Integrated Development (as defined by clause 3 of the Reg) refers to a development application requiring any one or more of the following Integrated Development approvals (under section 4.46 of the Act):

- *Heritage Act 1977*—Section 58 approval in respect of the doing or carrying out of any act, matter or thing with respect to a State Heritage Listed item; artefact; or archaeological sites;
- *Water Management Act 2000*—Sections 89, 90 or 91 in respect of water use approval; water management work approval; or an activity approval;
- *Protection of the Environment Operations Act 1997*—Sections 43(a), 43(b), 43(d), 47, 48, 55 or 122 licences for an Environment Protection Licence (EPL).

- **Threatened Species Development**

Threatened Species Development (as defined by Clause 3 of the Reg) refers to a development application where a:

- Biodiversity Development Assessment Report (BDAR) is required by Section 7.7 of the *Biodiversity Conservation Act 2016*; or
- Species Impact Statement (SIS) is required by Section 221ZW of the *Fisheries Management Act 1994*,

because the development is likely to significantly affect threatened species.



- **Designated Development (Part 4)**

Designated Development refers to development which could have potentially high environmental impacts, and/or is proposed to be located in or near an environmentally sensitive area. Designated Development must be accompanied by an Environmental Impact Statement (EIS).

Designated Development can be declared by an LEP or SEPP, but the main source of such declarations is under Schedule 3 of the Reg.

- **Regionally Significant Development**

Development is declared to be Regionally Significant Development (RSD) under Schedule 7 of *State Environmental Planning Policy (State and Regional Development) 2011* (except for complying development; development without consent; State Significant Development; or development for which a person or body other than Council is the consent authority). These are usually larger developments or within sensitive locations.

This CPP applies to RSD in the same way it would apply to Local Development, even though the development will be determined by the Northern Regional Planning Panel (NRPP).

- **Modification of Development Consents**

After development consent has been issued, the Applicant or anyone entitled to act on the Applicant's behalf can apply to Council for approval to modify that development consent.

An application to modify is made under Section 4.55 of the Act (or Section 4.56 for consents granted by the Land and Environment Court), but the development must be substantially the same as the development granted consent.

- **Activities requiring an EIS under Part 5 of the Act**

An activity, not requiring development consent under Part 4 of the Act, may require preparation of an Environmental Impact Statement (EIS) where an assessment under Part 5 of the Act has found it is likely to significantly affect the environment.

This CPP only applies where Council is the determining authority (or is the *Nominated Determining Authority* where there is more than one determining authority) for the Part 5 Activity.

- **Paper Subdivisions**

'Paper subdivisions' denotes land comprising lots that have recognition only on paper and, in most cases, with no formed roads, drainage, reticulated water, sewer or electricity. Most paper subdivisions have existed for many years, some



originating as long ago as the late 1800s or early 1900s. Such land is likely to be largely undeveloped, often with little or no development potential under existing land use zonings, which is made all the more difficult due to there being a large number of individual property owners.

Schedule 7 of the Act provides a means to develop such land by a Subdivision Order. Once made, the Subdivision Order will apply to the land and give the relevant Planning Authority additional powers to enable it to develop the land in accordance with a Development Plan, including compulsory acquisition of land; levying of developer contributions; broad powers of entry; and powers to carry out subdivision works on behalf of all the owners.

There are a number of things needed before a Subdivision Order can be made. Of importance to this CPP is engagement with all land owners, including notification/advertisement of a proposed Ballot Paper, and of the adopted Development Plan.

This CPP would only apply where Council is the relevant Planning Authority for the purposes of a Subdivision Order.

B. Strategic Planning (under Parts 2 & 3 of the Act)

Council's strategic planning functions incorporate the preparation of plans and strategies including:

- ***Community Participation Plan***

A Community Participation Plan (CPP) sets out when and how Council will engage its community across all its planning functions under the Act.

- ***Local Strategic Planning Statement***

Local Strategic Planning Statements (LSPS) set out the vision for land-use planning in a LGA, including the special character and values that are to be preserved and promoted into the future.

A LSPS must:

- identify the planning priorities for an area;
- explain how these priorities are to be delivered; and
- demonstrate how Council will monitor and report on how the priorities will be implemented.

- ***Local Growth Management Strategy***

The Local Growth Management Strategy (LGMS) sets out how urban growth will be delivered and managed by translating the North Coast Regional Plan's (NCRP) visions and guiding principles into more detailed priorities for growth and change at the local level.



- **Planning Proposals**

Planning Proposals (PP) are the primary support document during the preparation of:

- a Local Environmental Plan (LEP);
- a LEP amendment; or
- an amendment to a State Environmental Planning Policy (SEPP).

PPs outline the intent of an LEP or amendment: by explaining what development might/will be expected; and justifying the proposal when measured against strategies, policies, and merit considerations.

The PP will evolve and change as it passes through each of the following assessment and preparation phases.

- Preliminary assessment by Council—(where Council did not prepared the Planning Proposal) the PP is to justify Council's initial support for the proposal and for it to seek a Gateway Determination;
- Gateway Determination—the PP explains to the Department of Planning, Industry and Environment (DPIE) what is intended by the LEP or amendment, so it can be assessed against strategies, policies, and merit considerations;
- Agency consultation—the PP, and support studies, must demonstrate how a proposal stacks up against policy inconsistencies or issues relevant to Government Agencies (the minimum Agency consultation will be conditioned in the Gateway Determination);
- Community engagement—the PP must explain in plain English what development is likely to result from the LEP or amendment. The minimum engagement requirements for a PP will be tailored to the specific proposal as a condition on the Gateway Determination (The generic minimum exhibition period is 28 days, as provided by clause 4 of Schedule 1 to the Act, or such different period as conditioned in the Gateway Determination);
- Parliamentary Counsel's Office (PC)—the PP advises on what the LEP or amendment is to achieve so PC can draft the legal documentation.

- **Development Control Plan**

A Development Control Plan (DCP) is prepared by Council to provide guidelines, controls and development standards for the regulation of development permitted by the Local Environmental Plan.



- **Contributions Plans**

Contributions Plans allow Council to levy contributions on development consents to assist the provision of community facilities or infrastructure to meet future demand created by development.

There are 2 types of contribution plan provided in the Act, they are:

- Section 7.11 (formerly Section 94) Contribution Plan; and
- Section 7.12 (formerly Section 94A) Fixed Rate Contribution Plan.

Note. The *Local Government Act 1993* also provides for levying contributions towards augmentation of water and sewer infrastructure, known as Section 64 Contributions, however, these are not covered by this CPP.

- **Planning Agreements**

A Planning Agreement (also known as a Voluntary Planning Agreement) is a contractual offer by a developer to Council to dedicate land; make monetary contributions; or provide another type of material public benefit, to be used for or applied towards a public purpose such as:

- a community facility;
- affordable housing;
- transport or other infrastructure relating to the development;
- the funding of recurrent expenditure relating to the provision of community facilities, affordable housing or transport or other infrastructure;
- the monitoring of the planning impacts of development; and/or
- the conservation or enhancement of the natural environment.

Planning Agreements are entered into in relation to a Development Application or a LEP amendment and are binding on the land to which the associated Development Application or LEP amendment relates.

Council Policy

Richmond
Valley
Council



Policy Title:	Related Party Disclosure
Policy Number:	1.10
Focus Area:	CS2: Great Support
Responsibility:	Finance and Procurement
Meeting Adopted:	Date of Council Meeting – Resolution Number

OBJECTIVE

The Related Party Disclosure Policy has been developed to provide guidance in complying with the *Local Government Act 1993*, section 413(3), which requires Council to prepare its General Purpose Financial Statements in compliance with Australian Accounting Standards. The relevant standard for the purpose of this policy is *AASB 124 Related Party Disclosures, July 2015* (AASB 124).

POLICY

The Australian Accounting Standards Board (AASB) determined in AASB 124 that from 1 July 2016, related party disclosures will apply to government entities, including local government.

AASB 124 requires Council to report on the material transactions between, on one side, Council's Key Management Personnel (KMP) and their close family members, and the organisations (entities) that these people control, and on the other side, Council and Council subsidiaries.

The KMP are defined as those people who have authority and responsibility for planning, directing and controlling the activities of the Council. There are two groups at Richmond Valley Council that fall into this definition:

- Councillors; and
- Executive Management Team (General Manager, Director of Infrastructure and Environment and the Chief Financial Officer).

Close members of the family of a person are those family members who may be expected to influence, or be influenced by, that person in their dealings with the entity and include:

- that person's children and spouse or domestic partner;
- children of that person's spouse or domestic partner; and
- dependants of that person or that person's spouse or domestic partner.

A related party transaction is the transfer of resources, services or obligations between Council and a related party regardless whether a price is charged. AASB 124 requires Council to report on 'material' transactions between Council and the related party. This includes all employee benefits and remuneration.

Richmond Valley Council – 1.10 Related Party Disclosure

Adopted: Date

Page 1 of 7

The decision on what is material rests with the Chief Financial Officer (CFO). In deciding whether a transaction is material, the CFO will consider what requirements are set out in AASB 124 and the following:

- whether the value of the transaction is over \$50,000;
- whether the transaction was conducted on non-market terms;
- whether the transaction is outside normal day to day operations;
- whether the transaction provides a financial benefit which is not available to the general public; and
- whether it is in the public interest to know about the transaction.

Information in relation to related party disclosures will be subject to audit by Council's external auditors.

Related Party Disclosures

KMP must provide a related party disclosure in the form affixed to this policy, notifying any existing or potential related party transactions between Council and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close family members, to Council's Responsible Accounting Officer by no later than the following periods during a financial year (specified notification period):

- a) 30 days after a KMP commences their term or employment with Council;
- b) 30 November each year; and
- c) 30 June each year.

At least 30 days before a specified notification period, the Responsible Accounting Officer will provide KMP with a Related Party Disclosure Form and Privacy Collection Notice.

Register of Related Party Transactions

The Responsible Accounting Officer is responsible for maintaining and keeping up to date a register of related party transactions that captures and records the information provided by KMP for each existing or potential related party transaction during a financial year.

The contents of the register of related party transactions must detail for each related party transaction:

- a) the description of the related party transaction;
- b) the name of the related party;
- c) the nature of the related party's relationship with Council;
- d) whether the notified related party transaction is existing or potential; and
- e) a description of the transactional documents the subject of the related party transaction.

The Responsible Accounting Officer is responsible for ensuring that the information required is disclosed in Council's Financial Statements to the extent, and in the manner stipulated by AASB 124.

Status under the GIPA Act

Related party disclosures provided by a KMP, together with the register within which they are kept, are not open to or available for inspection by the public.

An application under the *Government Information (Public Access) Act 2009* [GIPA Act] seeking access to either:

- a document or information (including personal information) provided by a KMP in a related party disclosure; or
- personal information contained with a register of related party transaction

will be refused on the grounds that the document or information comprises information for which there is an overriding public interest against disclosure pursuant to section 14 GIPA Act.

REFERENCES

Accounting Standard AASB 124 www.aasb.gov.au
Government Information (Public Access) Act 2009
Local Government Act 1993

REVIEW

This policy will be reviewed by Council at the time of any relevant legislative changes, compliance requirements or at least every four years.

Version Number	Date	Reason / Comments
1	27/06/2017	New policy [Resolution 270617/14]
2	Date	Review and update to new format



Related Party Disclosure by Key Management Personnel

[Note: This document is confidential and is not GIPA Act accessible.
See Council's Related Party Disclosure Policy]

Name of Key Management Personnel: _____

Position of Key Management Personnel: _____

Please read the Privacy Collection Notice provided with this notification, which explains what is a related party transaction and the purposes for which Council is collecting and will use and disclose, the related party information provided by you in this notification.

Please complete the table below for each related party transaction with Council that you, or a close member of your family, or an entity related to you or a close member of your family:

- (a) has previously entered into and which will continue in the _____ financial year; or
(b) has entered into, or is reasonably likely to enter into, in the _____ financial year.

Description of related party transaction	Is transaction existing / potential?	Related party's name (individual's or entity's name)	Related party's relationship / reasons why related	Description of transaction documents or changes to the related party relationship

Notification

I _____, _____ notify
(Full name) (Position)

Dated _____

that, to the best of my knowledge, information and belief, as at the date of this notification, the above list includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the _____ financial year.

I make this notification after reading the Privacy Collection Notice provided by Richmond Valley Council, which details the meaning of the words "related party", "related party transaction", "close members of the family of a person" and, in relation to an entity, "control" or "joint control", and the purposes for which this information will be used and disclosed.

I permit the Responsible Accounting Officer and the other permitted recipients specified in Council's Related Party Disclosure Policy to access the register of interests of me and persons related to me and to use the information for the purposes specified in that policy.

Signed: _____ Date: _____

**PRIVACY COLLECTION NOTICE
RELATED PARTY DISCLOSURES BY KEY MANAGEMENT PERSONNEL (KMP)**

Purpose of collection, use and disclosure

Effective for annual periods beginning on or after 1 July 2016, Council must disclose certain related party relationships and related party transactions together with information associated with those transactions in its general purpose financial statements, in order to comply with *Australian Accounting Standard AASB 124 Related Party Disclosures July 2015 (AASB 124)*.

Related parties include Council's KMP, their close family members, and any entities that they or any of their close family members control or jointly control. A related party transaction is any transaction (whether a transfer of resources, services or obligations) between the reporting local government and any of the related parties, whether monetary or not.

If there is a related party transaction with Council applicable to a reporting financial year, AASB 124 requires Council to disclose in the financial statements the nature of the related party relationship and information about the transaction, including outstanding balances and commitments associated with the transaction. Disclosure in the financial statements may be in the aggregate and/or made separately, depending on the materiality of the transaction. For more information about Council's disclosure requirements under AASB 124, please refer to Council's Related Party Disclosure Policy.

Notifications by KMP

In order to comply with AASB 124, Council has adopted a policy that requires all members of its KMP to periodically provide notifications to Council's Responsible Accounting Officer of any existing or potential related party transactions between Council and any of their related parties during a financial year, and any changes to previously notified related party relationships and transactions relevant to the subject financial year.

To this end, each KMP must provide a Related Party Disclosure, in the approved form, notifying any existing or potential related party transactions between Council and any related parties of the KMP, to Council's Responsible Accounting Officer by no later than the following periods during a financial year:

- 30 days after the commencement of the application of this policy;
- 30 days after a KMP commences their term or employment with Council;
- 30 November (each year); and
- 30 June (each year).

Note, these related party disclosure requirements are in addition to the notifications KMPs are required to make to comply with:

- for councillors, the Code of Conduct; and
- for other KMPs, the Code of Conduct.

This includes disclosures relating to Conflicts of Interest (Pecuniary and Non-Pecuniary) and Gifts and Benefits.

Council's Auditors may audit related party information as part of the annual external audit.

For privacy and right to information status of this information, please refer to Council's Related Party Disclosure Policy.

Who are KMPs?

KMPs are persons having authority and responsibility for planning, directing and controlling the activities of Council, directly or indirectly.

For Council, KMPs include the:

- Councillors
- General Manager
- Senior Managers
- Chief Financial Officer

Who are close family members of a KMP?

Close family members, or close members of the family, of a KMP are family members who may be expected to influence, or be influenced by, that person in their dealings with Council and include:

- (a) that person's children and spouse or domestic partner;
- (b) children of that person's spouse or domestic partner; and
- (c) dependants of that person or that person's spouse or domestic partner.

Under AASB 124, close family members could include extended members of a family (such as, without limitation, a parent, grandparent, siblings, etc) if they could be expected to influence, or be influenced by, the KMP in their dealings with Council.

The following table may assist you in identifying your close family members:

Definitely a close family member	May be a close family member
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence or be influenced by you in their dealings with council
Your children	Your aunts, uncles and cousins, if they could be expected to influence or be influenced by you in their dealings with council
Your dependants	Your parents and grandparents, if they could be expected to influence or be influenced by you in their dealings with council
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence or be influenced by you in their dealings with council
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence or be influenced by you in their dealings with council

What is an entity that I, or my close family member, control or jointly control?

Entities include companies, trusts, incorporated and unincorporated associations such as clubs and charities, joint ventures and partnerships.

You control an entity if you have

- (a) power over the entity;
- (b) exposure, or rights, to variable returns from involvement with the entity; and
- (c) the ability to use your power over the entity to affect the amount of your returns.

Example of control

Fred is the Mayor of Sunny Shire Council and owns 100% of the ordinary shares in Sunny Development Company Pty Ltd (the company). The ordinary shares are the only shares in the company that have voting rights.

Fred controls the company because he has the power to affect the company's decisions and the return that he will get from the company.

Fred will need to include the company on his related party declaration.

Joint Control

To jointly control an entity there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

Example of joint control

Fred is the Mayor of Sunny Shire Council and owns 50% of the ordinary shares in Sunny Development Company Pty Ltd (the company). Fred's brother Stan owns the other 50% of ordinary shares. Fred and Stan are the only Directors of the company and have equal voting rights on the board.

Fred and Stan have joint control of the company because any decisions require the unanimous consent of them both.

Fred will need to include the company on his related party declaration.

In some cases, it will be obvious that you or a family member control or have joint control over an entity. In other cases, it will be less clear.

If you are unsure whether you, or a close family member, has control or joint control of an entity then you should contact Council's Responsible Accounting Officer for a confidential discussion.

[End of Privacy Collection Notice]