

Richmond  
Valley  
Council



# **ATTACHMENTS**

**Tuesday, 17 November 2020**

**UNDER SEPARATE COVER**

**Ordinary Council Meeting**



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Richmond  
Valley  
Council



# **MINUTES**

## **Internal Audit and Risk Committee Meeting 20 October 2020**

## INTERNAL AUDIT AND RISK COMMITTEE MEETING MINUTES

20 OCTOBER 2020

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## INTERNAL AUDIT AND RISK COMMITTEE MEETING MINUTES

20 OCTOBER 2020

**MINUTES OF RICHMOND VALLEY COUNCIL  
INTERNAL AUDIT AND RISK COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO  
ON TUESDAY, 20 OCTOBER 2020 AT 4:00PM**

**PRESENT:** Cr Robert Mustow (Mayor), Cr Sam Cornish, Cr Robert Hayes, Cr Daniel Simpson, Cr Jill Lyons, Cr Sandra Humphrys

**IN ATTENDANCE:** Vaughan Macdonald (General Manager), Angela Jones (Director Infrastructure & Environment), Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond), Ben Zeller (Manager Projects and Performance), Charlene Reeves (Project Support Officer)

**PRESENT:** Adam Bradfield (Thomas Noble Russell)

## **1 WELCOME**

Cr Daniel Simpson welcomed everyone to the meeting.

## **2 APOLOGIES**

### **COMMITTEE RESOLUTION IA201020/1**

Moved: Cr Daniel Simpson

Seconded: Cr Robert Mustow

That the apology received from Cr Stephen Morrissey be accepted and leave of absence granted.

**CARRIED**

## **3 DECLARATION OF INTERESTS**

Nil.

## **4 MATTERS FOR CONSIDERATION**

### **4.1 2019/2020 FINANCIAL STATEMENTS AND AUDITOR'S REPORTS**

#### **EXECUTIVE SUMMARY**

Council's financial statements for the year ended 30 June 2020 have been prepared and subjected to external audit by the Audit Office of New South Wales. A copy of the draft financial statements and the draft Auditor's Reports have been provided separately to Councillors for their information.

Council's external auditor, the Audit Office of New South Wales and their representative firm, Thomas, Noble and Russell advised they will be attending the Internal Audit Committee Meeting as well as the November Ordinary Meeting of Council to present the Auditor's Reports for the financial year ending 30 June 2020. The reports to be presented to the Internal Audit Committee include the Draft Report on the Conduct of the Audit and the Draft Engagement Closing Report.

### **COMMITTEE RESOLUTION IA201020/2**

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Hayes

That the Committee received and noted:

INTERNAL AUDIT AND RISK COMMITTEE MEETING MINUTES20 OCTOBER 2020

1. The Report on the Conduct of the Audit for the year ended 30 June 2020; and
2. The Auditor's Engagement Closing Report for the year ended 30 June 2020.

**CARRIED****The Meeting closed at 4:26pm.**

.....  
**CHAIRPERSON**

Richmond  
Valley  
Council



# **MINUTES**

## **Internal Audit and Risk Committee Meeting 4 November 2020**

## INTERNAL AUDIT AND RISK COMMITTEE MEETING MINUTES

4 NOVEMBER 2020

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## INTERNAL AUDIT AND RISK COMMITTEE MEETING MINUTES

4 NOVEMBER 2020

**MINUTES OF RICHMOND VALLEY COUNCIL  
INTERNAL AUDIT AND RISK COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO  
ON WEDNESDAY, 4 NOVEMBER 2020 AT 4:00PM**

**PRESENT:** Cr Daniel Simpson (Chair), Cr Robert Mustow (arrived at 4:15 pm), Cr Stephen Morrissey, Cr Sam Cornish, Cr Robert Hayes, Cr Jill Lyons, Cr Sandra Humphrys

**IN ATTENDANCE:** Vaughan Macdonald (General Manager), Angela Jones (Director Infrastructure & Environment), Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond), Ben Zeller (Executive Officer Internal Audit and Risk), Charlene Reeves (Project Support Officer)

**PRESENT:** Jarrod Lean and Mahesha Rubasinghe (Grant Thornton) (via telephone)

## **1 WELCOME**

Cr Daniel Simpson welcomed everyone to the meeting and noted Cr Robert Mustow would join the meeting shortly.

## **2 APOLOGIES**

### **COMMITTEE RESOLUTION IA041120/1**

Moved: Cr Daniel Simpson

Seconded: Cr Stephen Morrissey

That the apology received from Adam Bradfield and Gearoid Fitzgerald (Thomas Noble & Russell) be accepted.

**CARRIED**

## **3 DECLARATION OF INTERESTS**

Nil.

## **4 MATTERS FOR CONSIDERATION**

### **4.1 STATUS OF THE 2020/2021 INTERNAL AUDIT PLAN**

#### **COMMITTEE RESOLUTION IA041120/2**

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That the Committee receives and notes the Status of the 2020/2021 Internal Audit Plan report.

**CARRIED**

### **4.2 PROGRESS OF INTERNAL AND EXTERNAL AUDIT ACTION ITEMS**

#### **COMMITTEE RESOLUTION IA041120/3**

Moved: Cr Stephen Morrissey

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## INTERNAL AUDIT AND RISK COMMITTEE MEETING MINUTES

4 NOVEMBER 2020

Seconded: Cr Jill Lyons

That the Committee receives and notes the contents of the Progress of Outstanding Internal and External Audit Items report.

**CARRIED**

**4.3 ASSET MANAGEMENT - ROADS, DRAINAGE AND BRIDGES REVIEW**

**COMMITTEE RESOLUTION IA041120/4**

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

That

1. The Committee receives and notes the Asset Management – Roads, Drainage and Bridges Review conducted by Grant Thornton.
2. The recommendations for improvement are implemented within the agreed timeframes.

**CARRIED**

**5 GENERAL BUSINESS**

**5.1 MANAGEMENT LETTER ON THE FINAL PHASE OF THE AUDIT FOR THE YEAR ENDED 30 JUNE 2020**

**COMMITTEE RESOLUTION IA041120/5**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That the Committee receives and notes the Management Letter in relation to the final phase of the External Audit for the year ended 30 June 2020.

**CARRIED**

The Meeting closed at 4:21 pm.

.....  
**CHAIRPERSON**



# **MINUTES**

## **Ordinary Council Meeting 20 October 2020**

## ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

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## ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

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## ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

**MINUTES OF RICHMOND VALLEY COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO  
ON TUESDAY, 20 OCTOBER 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, 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), Kate Alder-Conn (Governance Coordinator), Julie Clark (Personal Assistant to the General Manager and Mayor) and Daniel Goulding (IT Support Officer).

## **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.

## **3 PUBLIC ACCESS AND QUESTION TIME**

Nil

## **4 APOLOGIES**

Nil

## **5 MAYORAL MINUTES**

Nil

## ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

**6 CONFIRMATION OF MINUTES****6.1 MINUTES ORDINARY MEETING HELD ON 15 SEPTEMBER 2020****RESOLUTION 201020/1**

Moved: Cr Stephen Morrissey

Seconded: Cr Jill Lyons

That Council confirms the Minutes of the Ordinary Meeting held on 15 September 2020.

**CARRIED****7 MATTERS ARISING OUT OF THE MINUTES****7.1 MINUTES 15 SEPTEMBER 2020, ITEM 17.5 EVANS HEAD OFF-LEASH AREA**

Cr Robert Hayes enquired as to when new dog off-leash signage will be installed at the site and what action will be taken against those using the area, prior to the signage being updated?

Council's Chief Financial Officer/ Manager Mid-Richmond advised signage design is currently being prepared and signage should be available by the end of October. Rangers are focusing on education rather than issuing penalties at this stage.

**7.2 MINUTES 15 SEPTEMBER 2020, ITEM 21.1 WOODVIEW QUARRY LEASE NEGOTIATIONS**

Cr Robert Mustow advised that he would be asking a question during closed session on this matter.

**8 DECLARATION OF INTERESTS**

Cr Robert Mustow declared a pecuniary interest in relation to Item 21.1 – Proposed Property Acquisition (owner of a property in close proximity) and left the meeting for this item.

The General Manager Vaughan Macdonald declared a pecuniary interest in relation to Item 21.2 – General Manager's Mid-Year Performance Review – October 2020 (employment contract) and left the meeting for this item.

**9 PETITIONS**

Nil

**10 NOTICE OF MOTION**

Nil

## ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

**11 MAYOR'S REPORT****11.1 MAYOR ATTENDANCES 8 SEPTEMBER - 12 OCTOBER 2020****RESOLUTION 201020/2**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council receives and notes the Mayor's attendance report 8 September – 12 October 2020.

**CARRIED****12 DELEGATE'S REPORTS**

Nil

**13 MATTERS DETERMINED WITHOUT DEBATE****13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE****RESOLUTION 201020/3**

Moved: Cr Sandra Humphrys

Seconded: Cr Daniel Simpson

That items 15.3 and 17.5 identified be determined without debate.

**CARRIED****14 GENERAL MANAGER'S REPORTS**

Nil

**15 FINANCIAL REPORTS****15.1 REVIEW OF COUNCIL'S INVESTMENT POLICY****EXECUTIVE SUMMARY**

Council reviews its Investment Policy on an annual basis. The latest review has been undertaken with assistance from Council's investment advisors Laminar Capital, resulting in further refinements being recommended. The review considered adopting the investment framework required under TCorp's lending criteria but found the potential loss of investment returns to Council under this framework would outweigh any savings from accessing slightly cheaper loans. The changes and additions to the policy are detailed within the report.

**RESOLUTION 201020/4**

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That Council adopts the revised Investment Policy.

**CARRIED**

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## ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

**15.2 DRAFT FINANCIAL STATEMENTS 2019/2020****EXECUTIVE SUMMARY**

Council's draft financial statements for the year ended 30 June 2020 have been prepared and subjected to external audit by the Audit Office of New South Wales. A copy of the draft financial statements and draft auditor's report have been provided separately to Councillors for their information.

**RESOLUTION 201020/5**

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That:

1. Council adopts the general purpose financial statements, special purpose financial statements and special schedules for the year ended 30 June 2020.
2. Council certifies the following in respect of the general purpose financial statements and special purpose financial statements for the year ended 30 June 2020:
  - (a) Council's general purpose financial statements and special purpose financial statements have been prepared in accordance with:
    - (i) The *Local Government Act 1993 (NSW)* and the regulations made thereunder, and
    - (ii) The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board, and
    - (iii) The Local Government Code of Accounting Practice and Financial Reporting.
  - (b) The general purpose financial statements and special purpose financial statements present fairly Council's financial position and operating result for the year ended 30 June 2020 and:
    - (i) The reports are in accordance with Council's accounting and other records,
    - (ii) The signatories to this statement being the Mayor, a Councillor, General Manager and Responsible Accounting Officer are not aware of anything that would make the financial statements false or misleading in any way,
    - (iii) Council fixes Tuesday 17 November 2020 as the date for the meeting to present the financial statements for the year ended 30 June 2020 to the public and invite submissions in writing. Council provide appropriate public notice of this meeting
    - (iv) Council receives and notes the draft auditor's report,
    - (v) Council adopts the restricted assets (reserves) schedule as detailed in this report.

**CARRIED**

## ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

**15.3 FINANCIAL ANALYSIS REPORT - SEPTEMBER 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 30 September 2020 including General Bank Accounts and Trust Funds is shown below.

Investment Portfolio	General Bank Accounts	Trust Funds	Total
\$54,091,849	\$1,606,638	\$87,050	\$55,785,537

The weighted average rate of return on Council's investments for September 2020 was 0.23% which was below the 90 Day Bank Bill Index for September of 0.90%.

**RESOLUTION 201020/6**

Moved: Cr Sandra Humphrys

Seconded: Cr Daniel Simpson

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

**CARRIED****16 TENDER REPORTS**

Nil

**17 GENERAL BUSINESS****17.1 APPLICATION TO CLOSE PUBLIC ROAD - PART EMU PARK ROAD, ELLANGOWAN****EXECUTIVE SUMMARY**

This report seeks to close and sell an area of unused road reserve contained within 250-350 Emu Park Road, Ellangowan, which is not deemed necessary for road purposes.

**RESOLUTION 201020/7**

Moved: Cr Daniel Simpson

Seconded: Cr Sandra Humphrys

That:

1. In accordance with Section 38D of the *Roads Act 1993*, Council supports the application to close the unused road which is contained within 250-350 Emu Park Road, Ellangowan (Lot 5 DP 810900), as shown on the plan included.
2. Upon closure, Council offers to sell the land to the applicant in accordance with either current land valuation as set by the Valuer General or in line with market valuation, as determined by

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## ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

the General Manager, to seek the most advantageous outcome for Council.

3. The General Manager be delegated authority to negotiate the final boundaries of the proposed closure and the conditions of the sale, including the signing of documents and affixing of the Council Seal, as necessary.
4. The applicant be required to consolidate the land with adjoining lot (being Lot 5 DP 810900), at the earliest opportunity, and to meet the costs associated with the road closure, sale and consolidation.

**CARRIED**

## **17.2 APPLICATION TO CLOSE PUBLIC ROAD - PART MYALL CREEK ROAD, BORA RIDGE**

### **EXECUTIVE SUMMARY**

This report seeks to formally close part of a road at Bora Ridge and classify the land as operational, to support the continued operation of the Bora Ridge Landfill site.

The Bora Ridge Landfill is largely located on a Crown Reserve; however some facility structures encroach into the adjoining Myall Creek Road Reserve. For Council to operate within relevant EPA licence guidelines this facility must be contained within a whole property rather than a road reserve.

Council has undertaken the statutory advertising of the proposed road closure. No objections on closure were received. The State of NSW (Crown Lands) has given approval subject to creating a right of carriageway to maintain access to the Crown Reserve 94338.

Council's intention is to retain ownership of this closed road as part of the landfill facility. Council is required to classify the land as either community or operational. Classifying the land as operational supports the current functions of the landfill.

### **RESOLUTION 201020/8**

Moved: Cr Daniel Simpson

Seconded: Cr Stephen Morrissey

That:

1. In accordance with Section 38D of the *Roads Act 1993*, Council supports the application to close part of Myall Creek Road, Bora Ridge identified on Deposited Plan 1256308.
2. The General Manager be given delegated authority to execute the registration of a right of carriageway over the new land to the benefit Crown Reserve 94338, (Lot 354 DP728161) and to affix the Council Seal, as necessary.
3. Council classifies the land as operational land.

**CARRIED**

## ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

**17.3 APPLICATION TO CLOSE PUBLIC ROAD - PART MYALL CREEK ROAD, CORAKI****EXECUTIVE SUMMARY**

This report seeks to close and sell an area of unused dedicated public road which traverses through private properties at Myall Creek Road, Coraki (off Woodburn Coraki Road).

Rous County Council has existing flood mitigation infrastructure located within the unformed section of road which can be protected by way of an easement to enable future access to these assets.

The five applicants have given an undertaking that they will meet all costs associated with the road closure and sale.

**RESOLUTION 201020/9**

Moved: Cr Daniel Simpson

Seconded: Cr Jill Lyons

That:

1. In accordance with Section 38D of the *Roads Act 1993*, Council supports the application to close the part of Myall Creek Road Coraki, contained within Lot B DP39983, Lot 1 & 2 DP 730422, Lot 12 DP133419, and Lot 1 DP 171724 (shown on Image 1).
2. The General Manager be given delegated authority to:
  - Negotiate the final boundaries of the proposed closure;
  - Execute the registration of right of carriageway, and restrictions for flood mitigation infrastructure;
  - Negotiate the sale of land in accordance with either current land valuation as set by the Valuer General or in line with market valuation, as determined by the General Manager to seek the most advantageous outcome for Council.
  - Sign the necessary documentation to implement this resolution, including affixing the Seal of Council as required.
3. The applicants be required to consolidate the subject land with adjoining land upon transfer, and to meet the costs associated with the road closure and sale.

**CARRIED**

## ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

**17.4 APPLICATION TO CLOSE PUBLIC ROAD - PART EAGAR STREET, CORAKI****EXECUTIVE SUMMARY**

This report seeks to close and sell an area of unused dedicated public road being part Eagar Street, Coraki (adjoining 21-23 Queen Elizabeth Drive, Coraki).

The adjoining property owners have been utilising part of this road reserve for over forty-five years. There is currently an 8-metre-wide and 60-metre-long area (480m<sup>2</sup> total area) enclosed by a fence into their property.

The full length of the adjoining land (Lot 2 Section A in DP 7104) is 100.58 metres. Council can consider the alternatives of closing the part road at a length of 60 metres (current fenced area) or 100.58 metres (full length of the adjoining land) as part of the sale negotiation.

**RESOLUTION 201020/10**

Moved: Cr Daniel Simpson

Seconded: Cr Sandra Humphrys

That:

1. In accordance with Section 38D of the *Roads Act 1993*, Council supports the application to close part of Eagar Street Coraki, which adjoins 21-23 Queen Elizabeth Drive Coraki (being Lot 2 Section A in DP 7104) as shown on the Image 1.
2. Upon closure, Council offers to sell the land to the applicant in accordance with either current land valuation as set by the Valuer General or in line with market valuation, as determined by the General Manager, to seek the most advantageous outcome for Council.
3. The General Manager be delegated authority to negotiate the final boundaries of the proposed closure, and the conditions of the sale, including the signing of documents and affixing the Council Seal as necessary.
4. The applicants be required to consolidate the subject land with adjoining land upon transfer and to meet the costs associated with the road closure and sale.

**CARRIED****17.5 QUEEN ELIZABETH PARK DRAFT MASTER PLAN****EXECUTIVE SUMMARY**

Council staff have been working with stakeholders over the past 12 months to establish a draft master plan for future development of the Queen Elizabeth Park Sporting Complex. A final draft document is presented to Council for consideration, following recent workshops with each key stakeholder group and community consultation.

**RESOLUTION 201020/11**

Moved: Cr Sandra Humphrys

Seconded: Cr Daniel Simpson

That Council adopts the Queen Elizabeth Park Sporting Complex Draft Master Plan.

**CARRIED**

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## ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

**17.6 AMENDED COMMUNITY PARTICIPATION PLAN - POST EXHIBITION REPORT****EXECUTIVE SUMMARY**

Following the resolution of the Council Meeting held on 19 May 2020, the *Draft Richmond Valley Council Community Participation Plan 2020* (Draft CPP) was prepared. The Draft CPP is based upon the foundations of the 2019 CPP and incorporates amendments to:

- Remove mandatory requirements to publish notices in newspapers; and
- Include Manager discretion to waive or reduce advertising/notification of minor applications/modifications.

Furthermore, a general review of the 2019 CPP was undertaken and additional changes include minor wording and format changes, and updates to engagement requirements resulting from legislation changes to the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Regulation. Due to a lack of clarity on how to amend a CPP, it has been decided to repeal the 2019 CPP and replace it with the 2020 CPP.

The Draft CPP was publicly exhibited for 45 days commencing on 27 August 2020 with one submission received.

Moved: Cr Daniel Simpson

Seconded: Cr Robert Hayes

That Council:

1. Adopts the *Richmond Valley Council Community Participation Plan 2020 (Oct 2020)*;
2. Provides a copy of the adopted CPP to be published on the NSW Planning Portal; and
3. Notes that the adopted CPP will commence from the date of publication on the Portal.

The motion was withdrawn.

The following motion was then moved;

Moved: Cr Daniel Simpson

Seconded: Cr Robert Hayes

That Item 17.6 Amended Community Participation Plan – Post Exhibition Report be deferred until the November Ordinary Meeting.

The Motion was put to the vote and Carried.

**RESOLUTION 201020/12**

Moved: Cr Daniel Simpson

Seconded: Cr Robert Hayes

That Item 17.6 Amended Community Participation Plan – Post Exhibition Report be deferred until the November Ordinary Meeting.

**CARRIED**

## ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

**17.7 PLANNING PROPOSAL TO REZONE LAND AT RILEYS HILL****EXECUTIVE SUMMARY**

Council has received a revised Planning Proposal to rezone land on Hills Rd, Riley's Hill, on behalf of the owner, Monal Pty Ltd. The revised proposal substantially reduces the number of residential lots proposed (from 70 to 36) and maintains a portion of the land for primary production and environmental protection.

The land adjoins the existing village zone and has been identified for Future Urban Growth under the North Coast Regional Plan.

Council considered the original Planning Proposal in November 2017 and resolved to submit it to the (then) Department of Planning and Environment for a Gateway Determination. Given the significant changes to the proposal and the length of time that has elapsed, resubmission to the Department will be required before further consultation can proceed.

Following the new Gateway Determination, the proposal will be exhibited for public consultation. Council expects that this will be early in the new year.

Council's November 2017 resolution requested delegation of Ministerial plan making functions to RVC, however, given that the new proposal includes an E2 – Environmental Protection zoning, this can no longer occur. The process will now be led by the Department of Planning, Industry and Environment (DPIE), with Council managing the exhibition and consultation process, as per DPIE's requirements.

**RESOLUTION 201020/12**

Moved: Cr Daniel Simpson

Seconded: Cr Sam Cornish

That Council:

1. Supports the revised Planning Proposal PP2016/0006 proposing to amend the *Richmond Valley Local Environmental Plan 2012* by rezoning Lot 100 DP1201719 from Zone *RU1 – Primary Production* to include the following:
  - Part Zone *RU5 – Village* with an 800m<sup>2</sup> minimum lot size;
  - Part *RU1 – Primary Production* with a 2-hectare minimum lot size;
  - Part *E2 – Environmental Protection*.
2. Submits Planning Proposal PP2016/0006 to the NSW Department of Planning, Industry and Environment for a further Gateway Determination.
3. Notes that community consultation on the proposal will take place following the new Gateway Determination.

**CARRIED**

## ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

**18 MATTERS FOR INFORMATION****RESOLUTION 201020/13**

Moved: Cr Stephen Morrissey

Seconded: Cr Jill Lyons

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

**CARRIED****18.1 REVIEW OF RELATED PARTY DISCLOSURE POLICY****EXECUTIVE SUMMARY**

As part of Council's ongoing policy review process, a review has been undertaken of the Related Party Disclosure Policy.

**RESOLUTION 201020/14**

Moved: Cr Stephen Morrissey

Seconded: Cr Jill Lyons

That Council receives and notes the updated Related Party Disclosure Policy.

**CARRIED****18.2 CORAKI RIVERSIDE CARAVAN PARK EXPRESSION OF INTEREST****RESOLUTION 201020/15**

Moved: Cr Stephen Morrissey

Seconded: Cr Jill Lyons

That Council receives and notes the outcome of the Expressions of Interest process for the management of the Coraki Riverside Caravan Park and Camping Grounds.

**CARRIED****18.3 GRANT APPLICATION INFORMATION REPORT - SEPTEMBER 2020****RESOLUTION 201020/16**

Moved: Cr Stephen Morrissey

Seconded: Cr Jill Lyons

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

**CARRIED**

## ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

**18.4 AUSTRALIAN LIVESTOCK MARKETS ASSOCIATION - ANNUAL GENERAL MEETING****RESOLUTION 201020/17**

Moved: Cr Stephen Morrissey

Seconded: Cr Jill Lyons

That Council receives and notes the Australian Livestock Markets Association – Annual General Meeting report.

**CARRIED****18.5 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 SEPTEMBER TO 30 SEPTEMBER 2020****RESOLUTION 201020/18**

Moved: Cr Stephen Morrissey

Seconded: Cr Jill Lyons

That Council receives and notes the development application report for the period 1 September to 30 September 2020.

**CARRIED****18.6 CUSTOMER EXPERIENCE REPORT 1 JULY 2020 TO 30 SEPTEMBER 2020****RESOLUTION 201020/19**

Moved: Cr Stephen Morrissey

Seconded: Cr Jill Lyons

That Council receives and notes the Customer Experience Report for the period 1 July 2020 to 30 September 2020.

**CARRIED****19 QUESTIONS ON NOTICE**

Nil

## 20 QUESTIONS FOR NEXT MEETING (IN WRITING)

### 20.1 QUESTIONS FOR NOVEMBER 2020 ORDINARY MEETING

Cr Daniel Simpson raised the following questions;

1. Can the General Manager please outline if there has been any further discussion regarding the possibility of Evans Head obtaining a large picture sign on the new highway?
2. Can the General Manager please outline the expected timeframes for the large picture signs to be erected for Woodburn and Broadwater?

The General Manager provided the following responses;

1. Conversations have taken place regarding potential picture signage for Evans Head and the matter will continue to be pursued.
2. Council has been advised that the signage frames for Woodburn and Broadwater are now in place and the signs are in production, which should be erected prior to December 2020 school holidays.

## 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 Proposed Property Acquisition

This matter is considered to be confidential under Section 10A(2) - (c) 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

### 21.2 General Manager's Mid-Year Performance Review - October 2020

This matter is considered to be confidential under Section 10A(2) - (a) 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 personnel matters concerning particular individuals (other than councillors).

The General Manager reported that no written representations had been received in respect to the items 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 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.

## ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

**RESOLUTION 201020/20**

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 and 21.2, together with any late report 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 6.09pm. The public left the Chamber.

The Open Council Meeting resumed at 6.21pm.

**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 General Manager (Item 21.1) and Chair (Item 21.2).

**21.1 Proposed Property Acquisition**

That Council:

1. Authorise the General Manager to negotiate the purchase of a parcel of land in Casino generally in accordance with the details contained within this report.
2. Authorise the General Manager to enter into and endorse relevant documents, contracts and transfers, including affixing the seal of Council where appropriate, for the purchase of the land generally in accordance with the details contained within this report.

**21.2 General Manager's Mid-Year Performance Review - October 2020**

That Council:

1. Notes the Panel's key findings of the General Manager's positive performance review including:
  - the results achieved during a period in which the organisation has had to support the community through drought, bushfires, a flood and now the COVID-19 pandemic,
  - the organisation's proactive approach to the combined recovery efforts and the support being pursued to stimulate our local economy, and
  - the high standards set and achieved by the General Manager, and
2. Supports the Panel's recommendation for a discretionary increase, in line with the content of this report and in accordance with Clause 8.3 of the Standard Contract of Employment, General Managers of Local Government in NSW and the Guidelines for the Appointment and Oversight of General Managers.

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ORDINARY COUNCIL MEETING MINUTES

20 OCTOBER 2020

The Meeting closed at 6.22pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 November 2020.

.....  
CHAIRPERSON

# Richmond Valley Council

## QUARTERLY BUDGET REVIEW STATEMENT

for the quarter ended 30 September 2020

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**Richmond**  
**Valley**  
**Council**

"A great community with a relaxed lifestyle, beautiful environment and vibrant economy."

**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

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**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Report by Responsible Accounting Officer**


The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

It is my opinion that the Quarterly Budget Review Statement for Richmond Valley Council for the quarter ended 30 September 2020 indicates that Council's projected financial position at 30 June 2021 will be satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

From a cash perspective, the projected cash result for 2020/2021 has declined to an estimated deficit as at 30 September 2020 of \$10,920,734. This is largely as a result of a carry over works from 2019/2020 of \$2,651,977.

With approval of the special rate variation, Council has taken steps to reduce cash deficits whilst still being able to maintain adequate expenditure on capital projects and maintenance of existing assets. Delivery of capital budgets will continue to be monitored in future budgeting processes as this has a significant effect on the cash result.

**Signed:**

  
\_\_\_\_\_  
Ryan Gaiter  
Responsible Accounting Officer

**Date:**

12/11/2020

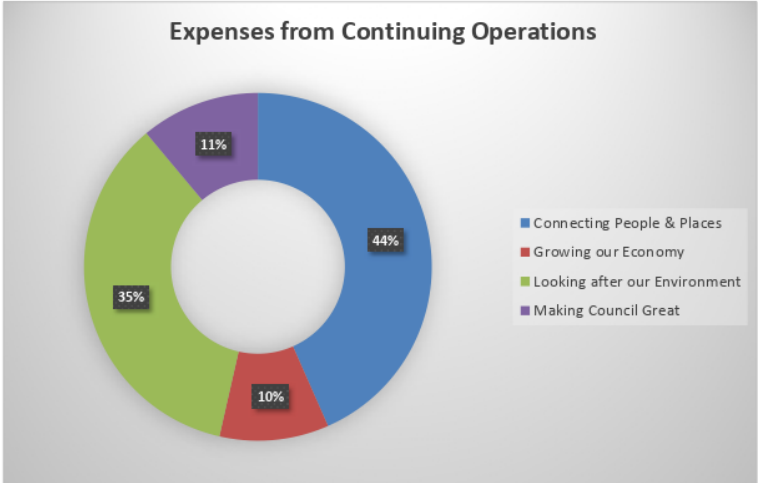
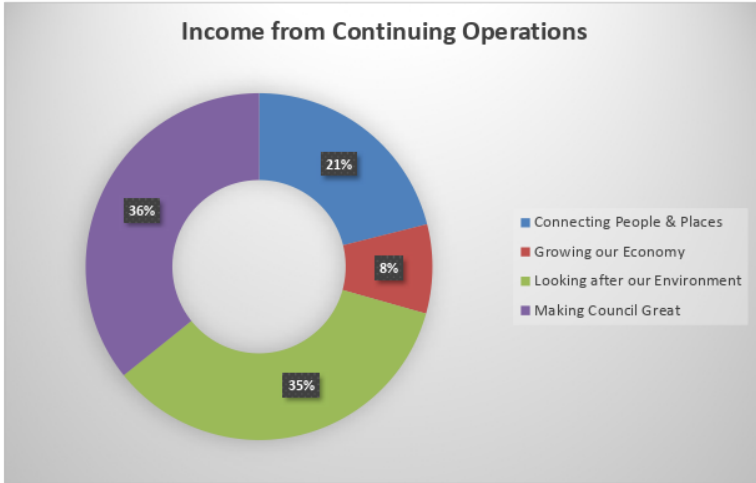
**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Income & Expenses Budget Review Statement**

	Original Budget 2020/2021	Approved Changes Carry-Overs from 2018/19	Approved Changes Monthly Adjustments	Recommended Changes for Council Resolution Sep	Notes	Projected Year End Result	Actual YTD 30-Sep-20
<b>Summary Budget Result</b>							
<b>Income</b>							
Connecting People & Places	14,790,843	115,697	313,567	(195,113)		15,024,994	4,824,366
Growing our Economy	8,818,404	-	-	(2,894,578)		5,923,826	1,794,308
Looking after our Environment	24,795,288	(4,000)	-	85,443		24,876,731	6,876,239
Making Council Great	25,507,121	-	-	7,000		25,514,121	15,983,628
<b>Total Income from Continuing Operations</b>	<b>73,911,656</b>	<b>111,697</b>	<b>313,567</b>	<b>(2,997,248)</b>		<b>71,339,672</b>	<b>29,478,541</b>
<b>Expenses</b>							
Connecting People & Places	29,438,317	155,190	-	68,454		29,661,961	7,118,238
Growing our Economy	6,627,906	197,945	-	128,985		6,954,836	1,895,016
Looking after our Environment	23,911,786	192,231	-	75,890		24,179,907	5,881,295
Making Council Great	7,451,880	26,191	-	91,682		7,569,753	1,735,017
<b>Total Expenses from Continuing Operations</b>	<b>67,429,889</b>	<b>571,557</b>	<b>-</b>	<b>365,011</b>		<b>68,366,457</b>	<b>16,629,566</b>
<b>Net Operating Result from Continuing Operations</b>	<b>6,481,767</b>	<b>(459,860)</b>	<b>313,567</b>	<b>(3,362,259)</b>		<b>2,973,215</b>	<b>12,848,975</b>
<b>Net Operating Result before Capital Items</b>	<b>(3,555,742)</b>	<b>(575,558)</b>	<b>-</b>	<b>(1,095,205)</b>		<b>(5,226,505)</b>	<b>10,910,469</b>
<b>Budget Result Reconciliation:</b>							
<b>Add: Non-Cash Expenses</b>							
Depreciation & Amortisation	18,104,448	-	-	-		18,104,448	4,089,808
Rehabilitation Borrowing Expenses	68,828	-	-	-		68,828	-
Quarry Inventory Movements	-	-	-	-		-	-
<b>Add: Non-Operating Funds Employed</b>							
Loan Funds Utilised	2,000,000	-	-	(2,000,000)		-	-
Deferred Debtor Repayments	1,780	-	-	-		1,780	-
Gross Proceeds from the Disposal of Assets	2,983,413	-	-	-		2,983,413	15
<b>Less: Funds Deployed for Non-Operating Purposes</b>							
Capital Expenditure	34,596,909	2,192,118	813,214	(5,149,890)		32,452,351	6,087,414
Loan Principal Repayments	2,768,316	-	-	(168,249)		2,600,067	797,171
<b>Estimated Funding Result - Surplus/(Deficit)</b>	<b>(7,724,990)</b>	<b>(2,651,977)</b>	<b>(499,647)</b>	<b>(44,120)</b>		<b>(10,920,734)</b>	<b>10,054,213</b>
<b>Equity Movements</b>							
Restricted Funds - Increase/(Decrease)	(8,043,859)	(2,651,977)	(499,647)	(44,120)		(11,239,603)	10,054,213
Working Funds - Increase/(Decrease)	318,869	0	-	(0)		318,869	-
<b>Total Equity Movements</b>	<b>(7,724,990)</b>	<b>(2,651,977)</b>	<b>(499,647)</b>	<b>(44,120)</b>	<b>-</b>	<b>(10,920,734)</b>	<b>10,054,213</b>

Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020

Income & Expenses Budget Review Statement - Summary by Priority



**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Income & Expenses Budget Review Statement**

Income & Expenses - by Service	Original Budget 2020/2021	Approved Changes	Approved Changes	Recommended Changes for	Notes	Projected Year End Result	Actual YTD 30-Sep-20
		Carry-Overs from 2019/2020	Monthly Adjustments	Council Resolution Sep			
<b>Income</b>							
<i><b>Connecting People &amp; Places</b></i>							
Festivals and Events	22,611	-	-	1,000		23,611	1,500
Swimming Pools	1,650,000	-	-	(500,000)	1	1,150,000	1,000,000
Libraries	1,717,894	-	-	(392,656)	2	1,325,238	1,086,825
Emergency Management	1,637,423	-	-	30,000	3	1,667,423	672,719
Cemeteries	343,381	-	-	-		343,381	61,666
Sports Grounds, Parks and Facilities	1,332,182	16,840	(86,433)	477,866	4	1,740,455	307,542
Community Centres and Halls	201,831	98,858	-	-		300,689	72,175
Building and Maintaining Roads	7,883,721	(1)	400,000	188,677	6	8,472,397	1,621,940
Community Engagement, Consultation & Communication	-	-	-	-		-	-
Community Programs and Grants	1,800	-	-	-		1,800	-
<i><b>Growing our Economy</b></i>							
Economic Development	95,000	-	-	2,000		97,000	49,500
Tourism	2,828,766	-	-	(2,290,325)	8	538,441	74,209
Town Planning & Development Services	1,154,837	-	-	(2,000)		1,152,837	369,988
Quarries	1,191,490	-	-	166,091	9	1,357,581	706,948
Northern Rivers Livestock Exchange	1,920,206	-	-	-		1,920,206	573,157
Private Works	87,418	-	-	-		87,418	20,496
Real Estate Development	1,540,687	-	-	(770,344)	10	770,343	11
<i><b>Looking after our Environment</b></i>							
Waste Management	7,308,536	-	-	(39,557)	11	7,268,979	6,052,276
Stormwater Management	208,947	-	-	-		208,947	208,599
Water Supplies	7,495,572	-	-	125,000	13	7,620,572	144,325
Sewerage Services	9,175,914	-	-	-		9,175,914	189,454
Environmental Health	466,319	(4,000)	-	-		462,319	281,584
Environmental Management	140,000	-	-	-		140,000	-
<i><b>Making Council Great</b></i>							
Governance & Advocacy	413,153	-	-	-		413,153	13,258
Customer Service	-	-	-	-		-	-
Information Technology Services	4,493	-	-	5,000	18	9,493	7,177
People & Culture	20,506	-	-	-		20,506	4,500
Work, Health & Safety	-	-	-	-		-	-
Financial Services	19,883,094	-	-	-		19,883,094	14,534,914
Engineering Support & Asset Management	29,575	-	-	2,000		31,575	19,369
Fleet Management	5,156,300	-	-	-		5,156,300	1,404,409
<b>Total Income from Continuing Operations</b>	<b>73,911,656</b>	<b>111,697</b>	<b>313,567</b>	<b>(2,997,248)</b>		<b>71,339,672</b>	<b>29,478,541</b>

**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Income & Expenses Budget Review Statement**

Income & Expenses - by Service	Original Budget 2020/2021	Approved Changes Carry-Overs from 2019/2020	Approved Changes Monthly Adjustments	Recommended Changes for Council Resolution Sep	Notes	Projected Year End Result	Actual YTD 30-Sep-20
<b>Expenses</b>							
<i><b>Connecting People &amp; Places</b></i>							
Festivals and Events	349,668	9,827	-	1,000		360,495	27,842
Swimming Pools	846,929	-	-	19,683	1	866,612	359,661
Libraries	2,238,765	-	-	-		2,238,765	1,097,057
Emergency Management	2,566,040	38,169	-	10,000	3	2,614,209	719,813
Cemeteries	367,537	-	-	-		367,537	70,541
Sports Grounds, Parks and Facilities	2,890,235	10,031	-	26,895	4	2,927,161	682,213
Community Centres and Halls	730,575	-	-	-		730,575	218,726
Building and Maintaining Roads	18,937,286	-	-	10,876	6	18,948,162	3,873,423
Community Engagement, Consultation & Communication	237,015	-	-	-		237,015	9,563
Community Programs and Grants	274,267	97,163	-	-		371,430	59,398
<i><b>Growing our Economy</b></i>							
Economic Development	575,194	98,864	-	(45,500)	7	628,558	128,939
Tourism	394,579	70,756	-	10,000	8	475,335	147,249
Town Planning & Development Services	2,730,049	28,325	-	(1,606)		2,756,768	672,722
Quarries	455,665	-	-	166,091	9	621,756	189,301
Northern Rivers Livestock Exchange	1,880,206	-	-	-		1,880,206	586,181
Private Works	83,286	-	-	-		83,286	20,245
Real Estate Development	508,927	-	-	-		508,927	150,380
<i><b>Looking after our Environment</b></i>							
Waste Management	6,983,157	164,172	-	69,590	11	7,216,919	1,544,142
Stormwater Management	982,200	-	-	15,000	12	997,200	229,175
Water Supplies	6,342,532	-	-	2,900		6,345,432	1,723,509
Sewerage Services	7,896,123	-	-	2,900		7,899,023	1,948,406
Environmental Health	1,104,275	-	-	-		1,104,275	240,314
Environmental Management	603,499	28,059	-	(14,500)	13	617,058	195,749
<i><b>Making Council Great</b></i>							
Governance & Advocacy	2,559,720	-	-	17,248	16	2,576,968	766,595
Customer Service	-	-	-	18,400	17	18,400	17,457
Information Technology Services	179,817	10,650	-	-		190,467	47,857
People & Culture	-	-	-	50,000	19	50,000	(247,357)
Work, Health & Safety	10,000	15,541	-	20,000	20	45,541	-
Financial Services	135,306	-	-	(13,400)	21	121,906	37,246
Engineering Support & Asset Management	79,575	-	-	(566)		79,009	35,252
Fleet Management	4,487,462	-	-	-		4,487,462	1,077,968
<b>Total Expenses from Continuing Operations</b>	<b>67,429,889</b>	<b>571,557</b>	<b>-</b>	<b>365,011</b>		<b>68,366,457</b>	<b>16,629,566</b>
<b>Net Operating Result from Continuing Operations</b>	<b>6,481,767</b>	<b>(459,860)</b>	<b>313,567</b>	<b>(3,362,259)</b>		<b>2,973,215</b>	<b>12,848,975</b>
<b>Net Operating Result before Capital Items</b>	<b>(3,555,742)</b>	<b>(575,558)</b>	<b>-</b>	<b>(1,095,205)</b>		<b>(5,226,505)</b>	<b>10,910,469</b>

**Richmond Valley Council Quarterly Budget Review  
for the quarter ended 30 September 2020**

**Capital Budget Review Statement**

	Original Budget 2020/2021	Approved Changes Carry-Overs from 2018/19	Approved Changes Monthly Adjustments	Recommended Changes for Council Resolution Sep	Notes	Projected Year End Result	Actual YTD 30-Sep-20
<b>Capital Budget</b>							
<b>Capital Expenditure</b>							
<i><b>Connecting People &amp; Places</b></i>							
Festivals and Events	-	-	-	-		-	-
Swimming Pools	1,650,000	70,784	-	(519,683)	1	1,201,101	29,357
Libraries	1,006,324	41,540	-	10,986	2	1,058,850	24,873
Emergency Management	-	110,000	-	(30,000)	3	80,000	650
Cemeteries	59,000	2,852	-	-		61,852	-
Sports Grounds, Parks and Facilities	1,658,609	212,816	486,214	650,203	4	3,007,842	716,882
Community Centres and Halls	1,221,709	102,494	47,000	16,447	5	1,387,650	136,141
Building and Maintaining Roads	7,709,003	765,471	100,000	39,501	6	8,613,975	2,832,576
Community Engagement, Consultation & Communication	-	-	-	-		-	-
Community Programs and Grants	-	-	-	-		-	-
<i><b>Growing our Economy</b></i>							
Economic Development	-	-	-	-		-	-
Tourism	3,150,000	275,555	-	(2,300,325)	8	1,125,230	104,049
Town Planning & Development Services	-	-	-	-		-	-
Quarries	-	-	-	-		-	-
Northern Rivers Livestock Exchange	165,000	-	-	-		165,000	11,090
Private Works	-	-	-	-		-	-
Real Estate Development	3,161,375	230,131	-	(1,013,323)	10	2,378,183	451,617
<i><b>Looking after our Environment</b></i>							
Waste Management	5,538,672	99,530	-	(2,022,987)	11	3,615,215	53,926
Stormwater Management	644,019	-	-	(15,000)	12	629,019	161,379
Water Supplies	2,591,625	241,112	180,000	27,717	13	3,040,454	786,191
Sewerage Services	3,112,502	29,833	-	6,574	14	3,148,909	433,470
Environmental Health	-	-	-	-		-	-
Environmental Management	-	-	-	-		-	-
<i><b>Making Council Great</b></i>							
Governance & Advocacy	-	-	-	-		-	-
Customer Service	75,000	-	-	(311)		74,689	806
Information Technology Services	-	-	-	766		766	766
People & Culture	-	-	-	-		-	-
Work, Health & Safety	-	-	-	-		-	-
Financial Services	-	-	-	-		-	-
Engineering Support & Asset Management	425,000	10,000	-	(455)		434,545	26,469
Fleet Management	2,429,071	-	-	-		2,429,071	317,171
<b>Total Capital Expenditure</b>	<b>34,596,909</b>	<b>2,192,118</b>	<b>813,214</b>	<b>(5,149,890)</b>		<b>32,452,351</b>	<b>6,087,414</b>

**Richmond Valley Council Quarterly Budget Review  
for the quarter ended 30 September 2020**

**Capital Budget Review Statement**

Capital Budget	Original Budget 2020/2021	Approved Changes Carry-Overs from 2018/19	Approved Changes Monthly Adjustments	Recommended Changes for Council Resolution Sep	Notes	Projected Year End Result	Actual YTD 30-Sep-20
<b>Capital Budget</b>							
<b>Capital Revenue</b>							
<b>Capital Grants and Contributions</b>							
<i><b>Connecting People &amp; Places</b></i>							
Festivals and Events	-	-	-	-		-	-
Swimming Pools	1,650,000	-	-	(500,000)	1	1,150,000	1,000,000
Libraries	444,453	-	-	(392,656)	2	51,797	51,797
Emergency Management	-	-	-	30,000	3	30,000	30,000
Cemeteries	-	-	-	-		-	-
Sports Grounds, Parks and Facilities	1,078,204	16,840	(86,433)	477,866	4	1,486,477	221,876
Community Centres and Halls	100,000	98,858	-	-		198,858	54,404
Building and Maintaining Roads	1,136,028	-	400,000	1,180,015	6	2,716,043	135,598
Community Engagement, Consultation & Communication	-	-	-	-		-	-
Community Programs and Grants	-	-	-	-		-	-
<i><b>Growing our Economy</b></i>							
Economic Development	-	-	-	-		-	-
Tourism	2,800,000	-	-	(2,300,325)	8	499,675	62,615
Town Planning & Development Services	479,027	-	-	-		479,027	166,095
Quarries	-	-	-	-		-	-
Northern Rivers Livestock Exchange	238,750	-	-	-		238,750	42,429
Private Works	-	-	-	-		-	-
Real Estate Development	1,540,687	-	-	(770,344)	10	770,343	-
<i><b>Looking after our Environment</b></i>							
Waste Management	140,360	-	-	(116,610)	11	23,750	3,750
Stormwater Management	-	-	-	-		-	-
Water Supplies	330,000	-	-	125,000	13	455,000	90,821
Sewerage Services	100,000	-	-	-		100,000	79,120
Environmental Health	-	-	-	-		-	-
Environmental Management	-	-	-	-		-	-
<i><b>Making Council Great</b></i>							
Governance & Advocacy	-	-	-	-		-	-
Customer Service	-	-	-	-		-	-
Information Technology Services	-	-	-	-		-	-
People & Culture	-	-	-	-		-	-
Work, Health & Safety	-	-	-	-		-	-
Financial Services	-	-	-	-		-	-
Engineering Support & Asset Management	-	-	-	-		-	-
Fleet Management	-	-	-	-		-	-
<b>Total Capital Grants and Contributions</b>	<b>10,037,509</b>	<b>115,698</b>	<b>313,567</b>	<b>(2,267,054)</b>		<b>8,199,720</b>	<b>1,938,505</b>

**Richmond Valley Council Quarterly Budget Review  
for the quarter ended 30 September 2020**

**Capital Budget Review Statement**

Capital Budget	Original Budget 2020/2021	Approved Changes Carry-Overs from 2018/19	Approved Changes Monthly Adjustments	Recommended Changes for Council Resolution Sep	Notes	Projected Year End Result	Actual YTD 30-Sep-20
<b>Capital Budget</b>							
<b>Capital Revenue (continued)</b>							
<b>Loan Funds Utilised</b>							
<i>Connecting People &amp; Places</i>							
Sports Grounds, Parks & Facilities	-	-	-	-		-	-
Building and Maintaining Roads	-	-	-	-		-	-
<i>Looking after our Environment</i>							
Waste Management	2,000,000	-	-	(2,000,000)	11	-	-
<b>Total Loan Funds Utilised</b>	<b>2,000,000</b>	<b>-</b>	<b>-</b>	<b>(2,000,000)</b>		<b>-</b>	<b>-</b>
<b>Deferred Debtor Repayments</b>							
<i>Making Council Great</i>							
Financial Services	1,780	-	-	-		1,780	-
<b>Total Deferred Debtor Repayments</b>	<b>1,780</b>	<b>-</b>	<b>-</b>	<b>-</b>		<b>1,780</b>	<b>-</b>
<b>Asset Sales</b>							
<i>Connecting People &amp; Places</i>							
Libraries	500	-	-	-		500	15
<i>Growing our Economy</i>							
Real Estate Development	2,224,000	-	-	-		2,224,000	-
<i>Looking after our Environment</i>							
Waste Management	165,865	-	-	-		165,865	-
Sewerage Services	-	-	-	-		-	-
<i>Making Council Great</i>							
Fleet Management	593,048	-	-	-		593,048	-
<b>Total Asset Sales</b>	<b>2,983,413</b>	<b>-</b>	<b>-</b>	<b>-</b>		<b>2,983,413</b>	<b>15</b>
<b>Total Capital Revenue</b>	<b>15,022,702</b>	<b>115,698</b>	<b>313,567</b>	<b>(4,267,054)</b>		<b>11,184,913</b>	<b>1,938,521</b>

**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Budget Variation Explanations****Recommended changes to Revised Budget**

The following notes detail budget variations of \$5,000 or more (or if material to the overall program) from the Original Budget as at 1 July 2020 to the Revised Budget as at 30 September 2020, excluding monthly budget adjustments previously adopted by Council.

Notes	Details	Variation
<b>1</b>	<b>Swimming Pools</b>	
	<i>Capital Grants and Contributions</i>	(\$500,000)
	<i>Expenses from Continuing Operations</i>	\$19,683
	<i>Capital Expenditure</i>	(\$519,683)
	The Casino Pool Upgrade project will commence this financial year however it is expected that just over \$1million will be expended this financial year. Design work and tender approvals should be completed by March with a proposed start on the ground in April 2021. As such it is proposed to transfer \$500,000 to 2021/2022 to complete this project. In addition, \$19,683 is proposed to be transferred from capital expenditure renewals towards operating expenses relating to the change in contractors at the swimming pools.	
<b>2</b>	<b>Libraries</b>	
	<i>Capital Grants and Contributions</i>	(\$392,656)
	<i>Capital Expenditure</i>	\$10,986
	Council's original budget included grant income for the upgrade of the Evans Head Library. This funding was actually received in the previous financial year and as such the income budget of \$399,053 has been removed from this year. Offsetting this decrease in capital grants and contributions is an increase of \$6,397 in final funding for the Art Van Go project, which in addition to unspent grant funding from reserves of \$4,589, resulted in an increase to the capital expenditure budget of \$10,986.	
<b>3</b>	<b>Emergency Management</b>	
	<i>Capital Grants and Contributions</i>	\$30,000
	Council received a contribution of \$30,000 from Casino Aero Club Inc. towards the boundary adjustment with Council land on Neville Bienke Drive.	
	<i>Expenses from Continuing Operations</i>	\$10,000
	<i>Capital Expenditure</i>	(\$30,000)
	Council has a budget allocation of \$30,000 to be utilised towards technology upgrades for the Local Emergency Management Committee (LEMC). It is proposed to transfer \$10,000 of this towards the operating expenses of the LEMC and the remaining \$20,000 back into reserves to be utilised as required in the future.	

**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Budget Variation Explanations****Recommended changes to Revised Budget**

The following notes detail budget variations of \$5,000 or more (or if material to the overall program) from the Original Budget as at 1 July 2020 to the Revised Budget as at 30 September 2020, excluding monthly budget adjustments previously adopted by Council.

Notes	Details	Variation
<b>4</b>	<b>Sports Grounds, Park Facilities</b>	
	<i>Capital Grants and Contributions</i>	\$477,866
	Council was successful in receiving funding under the Local Roads and Community Infrastructure Program (LRCIP) part of which is for upgrade works at Coronation Park in Casino (\$405,000) and Coraki Caravan Park Amenities Deck (\$35,000). Funding was also successful under the Boating Now program for Coraki Riverside Pontoon (\$43,500) and Woodburn Riverside Jetty (\$95,528). Together these projects contribute to an increase in capital grants and contributions of \$579,028 with an additional small contribution of \$1,595 towards a memorial seat in Evans Head. Offsetting this increase is a reduction in budgeted capital grants for the Broadwater Youth Space and Coraki Caravan Park Amenities of \$102,757 due to grant funding being received last financial year.	
	<i>Expenses from Continuing Operations</i>	\$26,895
	An increase in operating expenditure is largely attributed to \$20,000 being reallocated from the environmental management focus area to coastal reserve biodiversity under parks. A further increase of \$10,787 is due to unexpended grant funding from the Rock Fishing Safety grant which was transferred out of unexpended grants reserves. These increases were offset by \$3,892 being transferred from operating expenditure to capital (see below) for electrical upgrade at the Casino Showgrounds.	
	<i>Capital Expenditure</i>	\$650,203
	The capital expenditure budget has increased \$650,203, largely due to the grant funded projects mentioned above as well as Council's contributions towards these projects, as outlined below:	
	Coronation PK - Upgrades LRCIP	\$405,000
	Coraki Caravan Park Amenities Deck LRCIP	\$35,000
	Coraki Riverside Pontoon Extension Boating Now	\$58,000
	Evans Head Memorial Seat	\$1,595
	Colley Park Carpark Final Seal	\$10,000
	Coraki Caravan Park Amenities Renewal - reduction in budgeted expenditure due to higher expenditure in the previous year	(\$16,905)
	Woodburn Riverside Park - Jetty Upgrade	\$127,370
	S/Ground Casino - Improvements to Pavilion and Office	8,174
	S/Ground Casino - Electrical Upgrade - transferred from operating expenditure	3,892
	Surf Club Evans Hd - Upgrades - funded from unexpended reserves	23,077
	Park Renewals - transfer to Casino Band Hall - Electrical re-wiring under Halls	(5,000)
		<b>650,203</b>

**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Budget Variation Explanations****Recommended changes to Revised Budget**

The following notes detail budget variations of \$5,000 or more (or if material to the overall program) from the Original Budget as at 1 July 2020 to the Revised Budget as at 30 September 2020, excluding monthly budget adjustments previously adopted by Council.

Notes	Details	Variation
<b>5</b>	<b>Community Centres &amp; Halls</b>	
	<i>Capital Expenditure</i>	\$16,447
	An increase in capital expenditure is due to \$5,000 being transferred from parks renewals towards the re-wiring of the Casino Band Hall and a surplus \$11,447 from Insurance reserves towards the Rappville Common Rebuild.	
<b>6</b>	<b>Building and Maintaining Roads</b>	
	<i>Income from Continuing Operations</i>	(\$991,338)
	<i>Capital Grants and Contributions</i>	\$1,180,015
		<b>\$188,677</b>
	Council's original budget included funding of \$1,002,214 under the Local Roads and Community Infrastructure Program (LRCIP), however at the time of adopting the original budget Council had not made a decision on what projects the funding would be utilised for. As such, the income was budgeted for under operating income until such time as a decision was made. Since projects have now been identified, this income budget is being reallocated from operating income to capital grants and contributions across the relevant focus areas. An increase in operating income of \$10,876 is due to an approved Transport for NSW (TfNSW) project on Centre Street, Casino.	
	Further movements in capital grants and contributions include the addition of \$565,000 in LRCIP funding towards Ellangowan Road Bridge, as mentioned above as well as \$1 million from TfNSW towards the major upgrade of Woodburn-Coraki Road. It is also proposed to remove \$400,000 in budgeted capital grants as various funding programs are now announced.	
	<i>Expenses from Continuing Operations</i>	\$10,876
	The increase in operating expenditure is in line with the increase in operating income of \$10,876 towards an approved TfNSW project on Centre Street, Casino.	
	<i>Capital Expenditure</i>	\$39,501
	An increase in capital expenditure due to the proposed transfer of \$47,500 from the Bushfire Resilience Funding under community events towards a Public PA System in Casino CBD. A further increase of \$15,015 is due to speed signage works funded by TfNSW on 5 roads along with \$1 million towards Woodburn-Coraki Road major upgrade works. As mentioned above, Council budgeted \$1,002,214 under the LRCIP in the original budget with the budget now being reallocated to the nominated projects, of which \$565,000 will remain under roads for Ellangowan Road Bridge. It is also proposed to remove the \$400,000 in budgeted grant projects as various grant programs are now announced. It is also proposed to transfer the budget for the Casino Aerodrome Reseal works of \$175,800 into 2021/2022 financial year. \$10,000 was also reallocated from Casino reseals towards sealing of Colley Park carparking.	

**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Budget Variation Explanations****Recommended changes to Revised Budget**

The following notes detail budget variations of \$5,000 or more (or if material to the overall program) from the Original Budget as at 1 July 2020 to the Revised Budget as at 30 September 2020, excluding monthly budget adjustments previously adopted by Council.

Notes	Details	Variation
<b>7</b>	<b>Economic Development</b>	
	<i>Expenses from Continuing Operations</i>	(\$45,500)
	A decrease in operating expenditure due to \$47,500 in Bushfire Resilience Funding being allocated towards a Public PA System in Casino CBD. Offsetting this decrease is a \$2,000 addition to operating expenditure due to the Small Business Month grant being received.	
<b>8</b>	<b>Tourism</b>	
	<i>Income from Continuing Operations</i>	\$10,000
	<i>Capital Grants and Contributions</i>	(\$2,300,325)
		(\$2,290,325)
	The operating income budget has been increased by \$10,000 due to higher than anticipated sale of consignment items at the Visitor Information Centres. A decrease in capital grants is largely attributed to the transfer of \$2,425,555 for the Rail Trail project to 2021/2022. The budget for this project was estimated in early 2020. The rail corridor ownership and government legislation changes have held up progress but we now have some certainty going forward. The remaining \$1 million will be sent on master planning, detailed design and ideally on the ground work by 30/6/21. Council was also successful in receiving \$125,230 towards Casino Scenic & Heritage Walk project which offsetted the decrease in capital grants and contributions.	
	<i>Expenses from Continuing Operations</i>	\$10,000
	As mentioned above, Council has seen higher than anticipated sales of consignment items at the Visitor Information Centres, as such the operating budget has been increase in line with the increase in the income budget.	
	<i>Capital Expenditure</i>	(\$2,300,325)
	As mentioned above, the decrease in capital expenditure is in line with the decrease in capital grants and contributions with the transfer of part of the Rail Trail project (\$2,425,555) to 2021/2022 and the addition of the Casino Scenic Heritage Walk project (\$125,230).	
<b>9</b>	<b>Quarries</b>	
	<i>Income from Continuing Operations</i>	\$166,091
	<i>Expenses from Continuing Operations</i>	\$166,091
	The income and expenditure budgets for Woodview Quarry have been increased in line with the increase in sale and production of flood blend product since the natural disaster restoration works have increased demand.	

**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Budget Variation Explanations****Recommended changes to Revised Budget**

The following notes detail budget variations of \$5,000 or more (or if material to the overall program) from the Original Budget as at 1 July 2020 to the Revised Budget as at 30 September 2020, excluding monthly budget adjustments previously adopted by Council.

Notes	Details	Variation
<b>10</b>	<b>Real Estate Development</b>	
	<i>Capital Grants and Contributions</i>	(\$770,344)
	A reduction in capital grants and contributions with the transfer of part of the Casino Industrial Activation (\$770,344) project into 2021/2022. See further comments below.	
	<i>Capital Expenditure</i>	(\$1,013,323)
	A reduction in capital expenditure is largely due to the Casino Industrial Land Acquisition project, currently budgeted at \$1,500,000, being transferred into 2021/2022. Negotiations with the funding body have been finalised with works requiring completion by late 2021. The project milestones and payment timing required a removal of \$1.5m from 2021 year to 2022. Offsetting this decrease is the Reynold's Road Industrial Land purchase of \$355,000, along with \$51,677 for the purchase of the Rappville Church site. An additional \$50,000 was also transferred from reserves to fund the finalisation of the Canning Drive Residential Land Construction and \$30,000 towards the clearing and filling of Tuckerroo Crescent in Evans Head.	
<b>11</b>	<b>Waste Management</b>	
	<i>Income from Continuing Operations</i>	\$77,053
	<i>Capital Grants and Contributions</i>	(\$116,610)
		(\$39,557)
	Council was successful in receiving funding for the North Coast Region Waste Investment Report of which \$77,053 is expected to be received this financial year. A decrease in capital grants is largely due to the FOGO facility project being transferred into 2021/2022. The FOGO project is currently in the concept design phase and still requires a number of approvals prior to commencement. Council also received \$3,750 in final grant funding from EPA for the fencing of Nammoona and Evans Head which were completed last financial year.	
	<i>Expenses from Continuing Operations</i>	\$69,590
	An increase in operating expenditure with \$77,053 being received towards the North Coast Region Waste Investment Report, along with \$65,974 being allocated towards Education Booklets from the Better Waste and Recycling Grant Funding allocation for 2020/2021. These increases were offset by the removal of \$73,437 in interest on borrowings which will be discussed below.	
	<i>Loan Repayments</i>	(\$2,000,000)
	Council's original budget included \$2 million in loan borrowings for the construction of Cell 6 at Nammoona. As part of this project is being transferred into the 2021/2022 year, the loan borrowings are no longer required this year. This has resulted in the removal of interest expenditure and principal repayment budgets.	

**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Budget Variation Explanations****Recommended changes to Revised Budget**

The following notes detail budget variations of \$5,000 or more (or if material to the overall program) from the Original Budget as at 1 July 2020 to the Revised Budget as at 30 September 2020, excluding monthly budget adjustments previously adopted by Council.

Notes	Details	Variation
	<i>Capital Expenditure</i>	(\$2,022,987)
	As mentioned above, part of the budget for the construction of Cell 6 at Nammoona is being transferred into the 2021/2022 year and as such \$1,500,000 has been removed from the capital expenditure budget. Significant progress has occurred with this project including development of the new cell design. These designs require EPA approval which has proven to be an unknown. We are determined to start construction this financial year but have reassessed conservatively due to the EPA factor. In addition, \$550,000 has been removed for the FOGO project which is not expected to commence this year. It is also proposed to transfer \$24,000 from waste reserves towards the finalisation of cell capping at Nammoona. \$3,013 was also transfer from waste reserves for office equipment purchases.	
<b>12</b>	<b>Stormwater Management</b>	
	<i>Expenses from Continuing Operations</i>	\$15,000
	<i>Capital Expenditure</i>	(\$15,000)
	It is proposed to reallocate \$15,000 from drainage capital works towards maintenance due to higher than expected costs in cleaning of a GPT in Casino.	
<b>13</b>	<b>Water Supplies</b>	
	<i>Capital Grants and Contributions</i>	\$125,000
	Council was successful in receiving funding of \$125,000 under the Regional Tourism Bushfire Recovery Federal Government funding for a mural on the South Casino Water Tower.	
	<i>Capital Expenditure</i>	\$27,717
	A review of the capital works program for water supplies has resulted in a net increase of \$27,717 funded from water reserves.	
	<b>Water Mains - Casino</b>	
	East St - Wharf St South to 100 uPVC	Postponed until 2021/2022 due to new higher priorities (\$47,000)
	Raphael Pde Walker St to Hickey St	Postponed until 2021/2022 due to new higher priorities (\$60,000)
	Canterbury St Gitana to Gray St	Project completed under budget (\$2,291)
	Hickey St Hare St to Light St	Project completed under budget (\$4,865)
	Colches St; Cedar St to Farley St	Project completed over budget \$348
	Colches St; Lennox St to Stapleton Ave + Hare	Postponed until 2021/2022 due to new higher priorities (\$65,000)
	Farley St; Colches St to Jersey St	Project completed under budget (\$1,289)
	Colches St Railway Bridge Water Main Supports	Project completed under budget (\$15,286)

**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Budget Variation Explanations****Recommended changes to Revised Budget**

The following notes detail budget variations of \$5,000 or more (or if material to the overall program) from the Original Budget as at 1 July 2020 to the Revised Budget as at 30 September 2020, excluding monthly budget adjustments previously adopted by Council.

Notes	Details	Variation
	Hotham St 300mm - Nth St to Richmond St	New project identified \$40,000
	<b>Water Reservoirs - Casino</b>	
	Mural	New project, grant funded \$125,000
	<b>Water Treatment Plants - Casino</b>	
	Clear Water Pump Refurbishment	New project - refurbishment required \$71,000
	<b>Other</b>	
	SCADA Renewal	Transferred to maintenance, not capital in nature (\$10,000)
	Future Water Renewals	transferred to maintenance for water/sewer strategy (\$2,900)
	<b>Net decrease</b>	<b>\$27,717</b>
<b>14</b>	<b>Sewerage Services</b>	
	<i>Capital Expenditure</i>	\$6,574
	A review of the sewerage services capital works program resulted in an additional \$6,574 in capital works. See explanations below:	
	Sew P/Stn Cas - Pump Stn SCADA Renewal	Transferred to maintenance, not capital in nature (\$20,000)
	Sew STP Cas - TF No 3 West Replace Distribution Arms	New project \$13,114
	Sew STP Cki - Digesters - Condition Inspec & Refurb Strategy	Project completed as apart of other works. (\$10,000)
	Sew STP Cki - Inlet Works Screw Conveyor Spirals & Wear Bars	New project \$26,360
	Sewer - Future Renewals to be allocated	transferred to maintenance for water/sewer strategy (\$2,900)
		<b>\$6,574</b>
<b>15</b>	<b>Environmental Management</b>	
	<i>Expenses from Continuing Operations</i>	(\$14,500)
	A reduction in operating expenditure under the environmental health focus area is largely due to \$20,000 being reallocated to coastal reserve biodiversity under parks and gardens. In addition, \$5,500 was reallocated from engineering support towards a plan of management for Jabiru Wetlands.	
<b>16</b>	<b>Governance &amp; Advocacy</b>	
	<i>Expenses from Continuing Operations</i>	\$17,248
	An increase in operating expenditure is due to an additional \$20,576 being drawn from reserves to fund internal and external audit recommendations of a business continuity plan, governance health check and a fraud risk assessment. Offsetting this increase was a transfer of \$3,328 to engineering support for deed of releases.	

**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Budget Variation Explanations****Recommended changes to Revised Budget**

The following notes detail budget variations of \$5,000 or more (or if material to the overall program) from the Original Budget as at 1 July 2020 to the Revised Budget as at 30 September 2020, excluding monthly budget adjustments previously adopted by Council.

Notes	Details	Variation
<b>17</b>	<b>Customer Service</b>	
	<i>Expenses from Continuing Operations</i>	\$18,400
	An increase of \$18,400 in operating expenditure budget is due to \$10,000 being reallocated from finance to customer service for the security services involving cash collection to align with the actual expenditure costings. An additional \$8,400 was added to salary and wages from employment and training funding that has been received.	
<b>18</b>	<b>Information Technology Services</b>	
	<i>Income from Continuing Operations</i>	\$5,000
	An increase of \$5,000 in budgeted income due to higher than anticipated revenue from records access fees.	
<b>19</b>	<b>People &amp; Culture</b>	
	<i>Expenses from Continuing Operations</i>	\$50,000
	An additional \$50,000 in operating expenditure was allocated to the current budget towards compliance training from work, health and safety reserves.	
<b>20</b>	<b>Work, Health &amp; Safety</b>	
	<i>Expenses from Continuing Operations</i>	\$20,000
	It is proposed to allocate \$20,000 from work, health and safety reserves towards the current year's health and wellbeing program.	
<b>21</b>	<b>Financial Services</b>	
	<i>Expenses from Continuing Operations</i>	(\$13,400)
	It is proposed to reallocate \$13,400 from Finance to council offices and customer service focus area for security services, to better align actual expenditure with budgeted.	

Richmond Valley Council Quarterly Budget Review Statement for the quarter ended 30 September 2020							
Cash & Investments Budget Review Statement							
Income & Expenses Budget Review Statement	Opening Cash and Investments 1/07/2020	Original Budget Net Transfer to/(from)	Approved Changes Carry-Overs from 2019/20	Approved Changes Monthly Adjustments	Recommended Changes for Council Resolution Sep	Interest Earned	Projected Cash and Investments 30/06/2021
General Fund - External Restrictions							
Unexpended Grant - Evans Head Landcare	2,823	-	-	-	-	-	2,823
Unexpended Grant - Roads to Recovery	189,259	-	(189,259)	-	-	-	-
Unexpended Grant - Regional Roads Block Grant	-	-	-	-	-	-	-
Unexpended Grant - Industry & Investment NSW Manyweathers Weir	4,393	-	-	-	-	-	4,393
Unexpended Grant - Richmond Valley Floodplain Risk Management Plan	6,750	-	-	-	-	-	6,750
Unexpended Grant - NSW EPA Better Waste and Recycling Grant	45,076	-	(64,172)	-	19,096	-	-
Unexpended Grant - NSW EPA Waste Less Recycle More - Establish Coraki Transfer Station	180,000	(180,000)	-	-	-	-	-
Unexpended Grant - Office of Env & Heritage - Koala Survey & Habitat Mapping	3,170	-	-	-	-	-	3,170
Unexpended Grant - NSW RFS Subsidy Northern Rivers Zone	-	-	-	-	-	-	-
Unexpended Grant - DFHCS Volunteer Grants Program Evans Head Rec Hall	182	-	-	-	-	-	182
Unexpended Grant - Public Library Infrastructure Redesign Evans Head Library	2,616	-	-	-	-	-	2,616
Unexpended Grant - NSW State Library Casino Library Redesign	4,480	-	-	-	-	-	4,480
Unexpended Grant - Elsa Dixon Aboriginal Employment Funding	73,213	(41,253)	-	-	-	-	31,960
Unexpended Grant - Rural Fire Fighting Fund - Brigade Amenities	-	-	-	-	-	-	-
Unexpended Grant - LPMA - Surf Club Grant	29,525	-	-	-	(23,077)	-	6,448
Unexpended Grant - NSW State Library - Expansion of Internet Equipment Access	37	-	-	-	-	-	37
Unexpended Grant - CPTIGS MR145 Woodburn Coraki Rd Bus Shelter	1,674	-	-	-	-	-	1,674
Unexpended Grant - RMS Natural Disaster 28 March 17 Flood Event Local Roads	174,658	-	-	-	-	-	174,658
Unexpended Grant - Stronger Country Communities Fund Round 2	249,985	-	(77,700)	(86,433)	(85,852)	-	0
Unexpended Grant - Local Government Association - Flying Fox Colony QE Park	16,475	-	-	-	-	-	16,475
Unexpended Grant - Crown Lands - Plan of Management Implementation	1,461	-	-	-	-	-	1,461
Unexpended Grant - Youth Participation	2,362	-	(2,362)	-	-	-	-
Unexpended Grant - Rock Fishing Safety	10,787	-	-	-	(10,787)	-	(0)
Unexpended Grant - RUCRL - Art Van Go	4,589	-	-	-	(4,589)	-	0
Unexpended Grant - Broadwater Hall Kitchen Upgrade	283	-	-	-	-	-	283
Unexpended Grant - Youth Basketball	3,246	-	-	-	-	-	3,246
Unexpended Grant - Bushfire Recovery	1,190,554	(730,000)	(460,554)	-	-	-	(0)
Unexpended Grant - Bushfire Resilience & Economic Recovery	178,864	(80,000)	(98,864)	-	-	-	(0)
Unexpended Grant - Northern Rivers Rail Trail	825,555	(350,000)	(275,555)	-	-	-	(0)
Unexpended Grant - Waste - Nammoona FOGO Compost Facility	116,454	(70,360)	(46,095)	-	70,360	-	70,359
Unexpended Grant - State Library of NSW - Evans Head Library Upgrade	399,053	-	-	-	(399,053)	-	-
Unexpended Grant - NSW Dept Plan, Indus & Env - Casino Showground Pavilion, Office & Fen	148,579	(140,405)	-	-	(8,174)	-	0
Unexpended Grant - COVID-19 Council Pound Grant	4,000	-	(4,000)	-	-	-	-
Unexpended Contribution - RUCRL Mobile Library Replacement Fund	144,462	36,400	-	-	-	-	180,862
Unexpended Contribution - Hannigan DA 2005/188 Benns Rd	10,338	-	-	-	-	-	10,338
Unexpended Contribution - Statecover WHS Incentive Works	294,096	(60,000)	-	-	(90,576)	-	143,520
Unexpended Contribution - Fire Fighting Infrastructure	10,000	-	-	-	-	-	10,000
Unexpended Contribution - Broadwater Sugar Mill DA Bridge Approaches	90,000	-	-	-	-	-	90,000
Unexpended Contribution - Casino Healthy Towns	2,700	-	-	-	-	-	2,700
Unexpended Contribution - RMS Regional Roads Block Grant	-	-	-	-	-	-	-
Unexpended Contribution - Insurance Claim Rappville Hall	-	(575,884)	-	-	575,884	-	-
Unexpended Contribution - North Coast Waste Investment Report	90,000	-	(90,000)	-	-	-	-
Unexpended Contribution - LEMC Technology Improvements from LCC & Kyogle Council	20,000	-	(20,000)	-	20,000	-	20,000
Unexpended Contribution - Broadwater Bridge Maintenance (LCC)	9,282	-	-	-	-	-	9,282
Domestic Waste Management	4,430,680	(1,497,458)	(63,435)	-	(7,367)	54,100	2,916,500
On-Site Sewerage Fees	193,922	-	-	-	-	2,400	196,322
Stormwater Management Service Charge	617,181	(435,072)	-	-	-	7,500	189,609

Richmond Valley Council Quarterly Budget Review Statement for the quarter ended 30 September 2020							
Cash & Investments Budget Review Statement							
Income & Expenses Budget Review Statement	Opening Cash and Investments 1/07/2020	Original Budget Net Transfer to/(from)	Approved Changes Carry-Over from 2019/20	Approved Changes Monthly Adjustments	Recommended Changes for Council Resolution Sep	Interest Earned	Projected Cash and Investments 30/06/2021
Section 7.11 - Infrastructure	2,495	-	-	-	(2,495)	-	(0)
Section 7.11 - Community Services	63,322	-	-	-	(28,501)	-	34,821
Section 7.11 - Recreation & Civil Facilities	1,051	-	-	-	(1,051)	-	(0)
Section 7.11 - Road Network (new)	122,367	-	-	-	-	1,500	123,867
Section 7.11 - Quarry Road Contributions	71,392	5,589	-	-	-	900	77,881
Section 7.11 - Ex Copmanhurst Roads	87,428	-	-	-	-	1,100	88,528
Section 7.11 - Ex Copmanhurst Community Facilities	4,947	-	-	-	(4,947)	100	100
Section 7.11 - Ex Copmanhurst Bushfire	9,348	-	-	-	(9,348)	100	100
Section 7.11 - Rural Development Heavy Haulage	2,866,427	(584,109)	-	-	-	35,000	2,317,318
Section 7.12A Development Contributions Plan	465,198	(29,400)	(50,000)	-	-	-	385,798
Contributions to Roadworks	103,993	-	-	-	-	-	103,993
Controlled Trust Funds	47,468	-	-	-	-	-	47,468
Bonds & Deposits (General Fund)	533,583	-	-	-	-	-	533,583
<b>Total General Fund External Restrictions</b>	<b>13,961,742</b>	<b>(4,731,952)</b>	<b>(1,441,996)</b>	<b>(86,433)</b>	<b>9,523</b>	<b>102,700</b>	<b>7,813,584</b>
<b>General Fund - Internal Restrictions</b>							
Employee Leave Entitlements	1,195,902	-	-	-	-	14,600	1,210,502
Employee Leave Entitlements - Richmond Upper Clarence Regional Library	48,783	-	-	-	-	600	49,383
Richmond Upper Clarence Regional Library	140,944	-	(41,540)	-	-	1,700	101,104
Unexpended Rates Variation	805,417	(281,000)	(475,698)	-	175,800	-	244,519
Financial Assistance Grant Advance Payment	2,712,400	-	-	-	-	33,100	2,745,500
Insurance Reserve	760,545	-	-	(173,214)	(587,331)	9,300	9,300
Plant Replacement	2,693,985	(592,885)	(10,000)	-	-	32,900	2,124,200
Real Estate and Infrastructure	2,772,283	(181,133)	(255,131)	(60,000)	272,979	33,900	2,802,898
Petersons Quarry	2,241,724	(553,282)	(68,708)	-	-	27,400	1,647,128
Woodview Quarry	1,513,228	(658,135)	-	-	-	18,500	873,594
Quarry Rehabilitation	208,408	4,000	-	-	-	2,500	214,908
Road Rehabilitation Reserve	1,272,679	259,735	-	-	-	15,600	1,548,014
Northern Rivers Livestock Exchange	118,767	(2,641)	-	-	-	1,500	117,628
Other Waste Management	1,593,447	(489,054)	-	-	-	19,500	1,123,893
Other Waste Management - Plant Reserve	2,087,630	(316,738)	-	-	-	25,500	1,796,392
Rural Road Safety Program	89,288	-	-	-	-	-	89,288
RMS State Roads Maintenance Contract	5,600	-	-	-	-	100	5,700
Public Cemeteries Perpetual Maintenance Reserve	246,752	(66,856)	(2,852)	-	-	3,000	180,244
Carry Over Works	115,811	-	(85,109)	-	-	-	30,702
<b>Total General Fund Internal Restrictions</b>	<b>20,623,592</b>	<b>(2,837,599)</b>	<b>(939,036)</b>	<b>(233,214)</b>	<b>(138,552)</b>	<b>239,700</b>	<b>16,714,890</b>
<b>Total General Fund Restrictions</b>	<b>34,585,334</b>	<b>(7,569,551)</b>	<b>(2,381,032)</b>	<b>(319,647)</b>	<b>(129,029)</b>	<b>342,400</b>	<b>24,528,475</b>

Richmond Valley Council Quarterly Budget Review Statement for the quarter ended 30 September 2020							
Cash & Investments Budget Review Statement							
Income & Expenses Budget Review Statement	Opening Cash and Investments 1/07/2020	Original Budget Net Transfer to/(from)	Approved Changes Carry-Overs from 2019/20	Approved Changes Monthly Adjustments	Recommended Changes for Council Resolution Sep	Interest Earned	Projected Cash and Investments 30/06/2021
<b>Sewerage Fund</b>							
<b>External Restrictions</b>							
Section 64 Headworks Contributions	3,873,838	11,400	-	-	-	88,600	3,973,838
Infrastructure Replacement	7,727,553	(1,193,223)	(29,833)	-	(9,474)	178,600	6,671,623
<b>Total Sewerage Fund Restrictions</b>	<b>11,601,391</b>	<b>(1,181,823)</b>	<b>(29,833)</b>	<b>-</b>	<b>(9,474)</b>	<b>265,200</b>	<b>10,645,461</b>
<b>Water Fund</b>							
<b>External Restrictions</b>							
Section 64 Contributions	1,950,114	118,700	-	-	-	31,300	2,100,114
Infrastructure Replacement	5,219,432	(133,785)	(241,112)	(180,000)	94,383	83,700	4,842,618
<b>Total Water Fund Restrictions</b>	<b>7,169,547</b>	<b>(15,085)</b>	<b>(241,112)</b>	<b>(180,000)</b>	<b>94,383</b>	<b>115,000</b>	<b>6,942,733</b>
<b>Total Restrictions (All Funds)</b>	<b>53,356,272</b>	<b>(8,766,459)</b>	<b>(2,651,977)</b>	<b>(499,647)</b>	<b>(44,120)</b>	<b>722,600</b>	<b>42,116,668</b>

**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Cash & Investments Budget Review Statement**

**Comment on Cash & Investments Position**

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**Investments**

Investments have been made in accordance with Council's Investment Policy.

Fair Value of Investments as at 30 September 2020 is \$54,091,849.

**Cash**

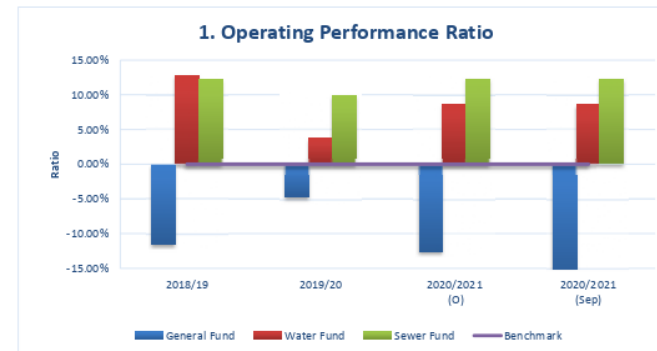
As at 30 September 2020, bank statements have been reconciled up to 31 August 2020.

**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Key Performance Indicators Budget Review Statement**

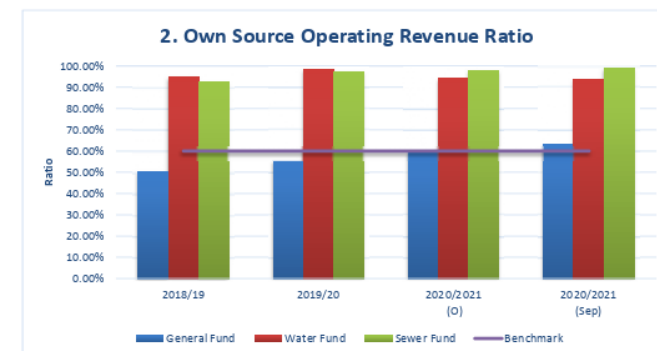
	Current Projection			
	General	Water	Sewerage	Total
	Fund	Fund	Fund	
The Council monitors the following Key Performance Indicators:				
<b>1. Operating Performance Ratio</b>	-16.84%	8.58%	12.28%	-9.19%
Total Continuing Operating Revenue <sup>(1)</sup>				
(excl. Capital Grants & Contributions) - Operating Expenses	(6,881,162)	587,607	1,092,232	(5,201,323)
Total Continuing Operating Revenue <sup>(1)</sup>	40,870,150	6,848,447	8,894,179	56,612,776
(excl. Capital Grants & Contributions)				
<sup>(1)</sup> Excludes fair value adjustments and reversal of revaluation decrements, net gain/(loss) on sale of assets and net share of interests in joint ventures.				
<b>Prior Periods:</b>				
Original Budget 2020/2021	-12.54%	8.62%	12.31%	-6.16%
2019/2020	-4.69%	3.68%	9.87%	-1.62%
2018/2019	-11.58%	12.80%	12.16%	-4.51%

Purpose: This ratio measures Council's achievement of containing operating expenditure within operating revenue.  
Commentary: Council's Operating Performance Ratio is below the benchmark of 0%. Council obtained a special rate variation over 4 years and has taken steps to address this ratio as part of the current 10 year Long Term Financial Plan.



<b>2. Own Source Operating Revenue Ratio</b>	63.12%	93.74%	98.89%	71.54%
Total Continuing Operating Revenue <sup>(1)</sup>				
(less ALL Grants & Contributions)	30,607,114	6,846,147	8,894,179	46,347,440
Total Continuing Operating Revenue <sup>(1)</sup>	48,489,688	7,303,447	8,994,179	64,787,314
<sup>(1)</sup> Excludes fair value adjustments and reversal of revaluation decrements, net gain/(loss) on sale of assets and net share of interests in joint ventures.				
<b>Prior Periods:</b>				
Original Budget 2020/2021	59.74%	94.21%	97.97%	68.52%
2019/2020	55.58%	98.57%	97.42%	65.25%
2018/2019	50.44%	95.04%	92.62%	60.52%

Purpose: This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.  
Commentary: Council's Own Source Operating Revenue Ratio is above the benchmark of 60% and indicates a trend towards less reliance on grants and contributions. Council obtained a special rate variation over 4 years and this will further support an improvement in this ratio.

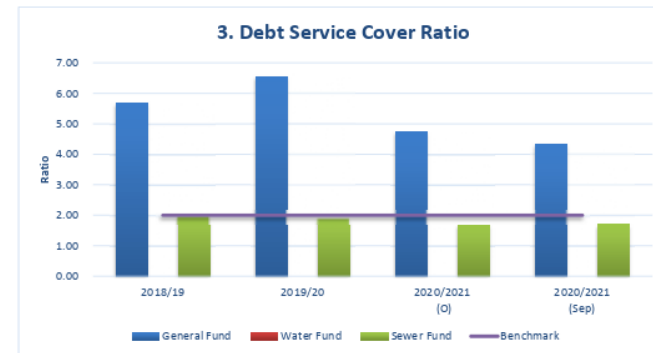


**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Key Performance Indicators Budget Review Statement**

	Current Projection			
	General	Water	Sewerage	
	Fund	Fund	Fund	Total
<b>3. Debt Service Cover Ratio</b>	<b>4.33</b>	<b>0.00</b>	<b>1.69</b>	<b>3.51</b>
Operating Result <sup>(1)</sup> before capital excluding interest and depreciation/impairment/amortisation (EBITDA)	7,079,312	2,358,640	3,439,991	12,877,943
Principal Repayments + Borrowing Interest Costs	1,633,936	0	2,035,565	3,669,501
<sup>(1)</sup> Excludes fair value adjustments and reversal of revaluation decrements, net gain/(loss) on sale of assets and net share of interests in joint ventures.				
<b>Prior Periods:</b>				
Original Budget 2020/2021	4.73	0.00	1.69	3.72
2019/2020	6.55	0.00	1.90	4.52
2018/2019	5.67	0.00	1.99	4.20

Purpose: This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.  
 Commentary: Council's Debt Service Cover Ratio (General Fund) is above the benchmark minimum of 2.0, whilst Sewerage Fund is below the benchmark of 2.0. Water Fund is debt free.



**Richmond Valley Council Quarterly Budget Review Statement  
for the quarter ended 30 September 2020**

**Contracts & Other Expenses Budget Review Statement**

Income & Expenses Budget Review Statement

**Part A - Contracts Listing** - contracts entered into during the quarter

Contractor	Contract detail & purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)
Nil					

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
3. Contracts for employment are not required to be included.

**Part B - Consultancy & Legal Expenses**

Expense	Expenditure YTD \$	Budgeted (Y/N)
Consultancies (including Capital Expenditure)	44,277	Y
Legal Expenses (including Capital Expenditure)	42,039	Y

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision-making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Comments:

All consultancies and legal expenses incurred to date are within budget allocations. All figures exclude GST.



## **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***

**November 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 17 November 2020, and became effective when published on the New South Wales Planning Portal website – [www.planningportal.nsw.gov.au](http://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



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Richmond Valley Council  
Community Participation Plan 2020



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## 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.

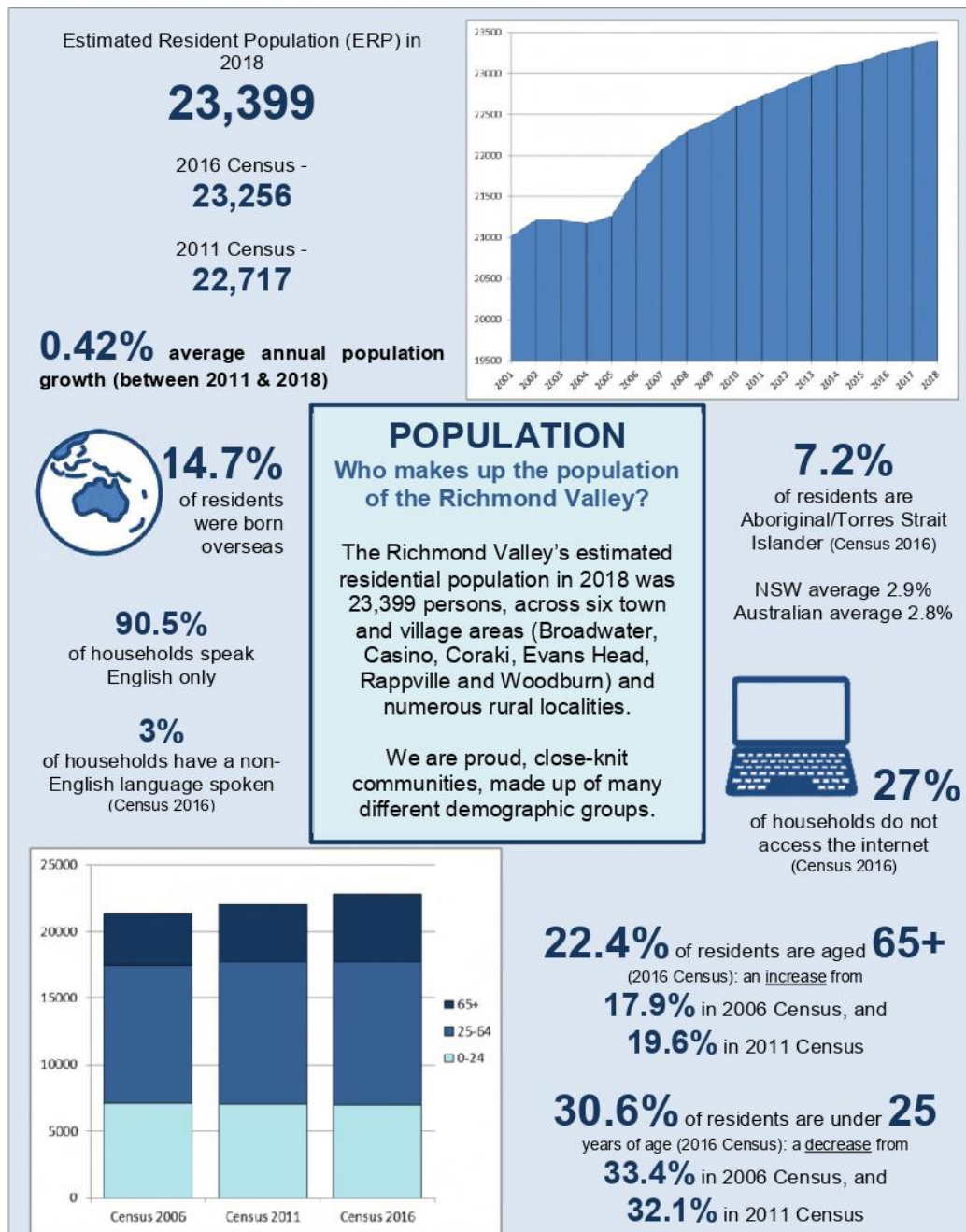
#### **1.14. Changes for when ePlanning services are introduced**

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.

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### 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
<b>1. Development Application for Local Development</b>		
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"> <li>Informal Written Notice</li> </ul>
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"> <li>Written Notice</li> </ul>
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"> <li>Published Notice on Council's website - including a digital copy of the application</li> <li>Written Notice</li> <li>Social Media post</li> </ul>
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"> <li>Published Notice on Council's website - including a digital copy of the application</li> <li>Written Notice</li> <li>Social Media post</li> </ul>

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Application Type	Minimum Consultation Period	Minimum Engagement Tools
<b>2. Designated Development</b>		
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"> <li>Published Notice on Council's website – including a digital copy of the application &amp; EIS</li> <li>Written Notice</li> <li>Display Notice</li> <li>Signpost Notice on the Land</li> <li>Social Media post</li> </ul>
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"> <li>Published Notice on NSW Planning Portal</li> <li>Published Notice on Council's website – including a digital copy of the application &amp; EIS</li> <li>Written Notice</li> <li>Display Notice</li> <li>Signpost Notice on the Land</li> <li>Social Media post</li> </ul>
<b>3. Integrated Development</b>		
A. Integrated Development (other than Nominated Integrated Development)	As per minimum engagement requirement elsewhere provided in this CPP	<ul style="list-style-type: none"> <li>As per requirements for the Development Application</li> </ul>
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"> <li>Published Notice on Council's website – including a digital copy of the application</li> <li>Written Notice</li> </ul>
<b>4. Threatened Species Development</b>		
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"> <li>Published Notice on Council's website – including a digital copy of the application</li> <li>Written Notice</li> </ul>
<b>5. Regionally Significant Development</b>		
A. Regionally Significant Development	28 days	<ul style="list-style-type: none"> <li>Published Notice on Council's website – including a digital copy of the application</li> <li>Written Notice</li> <li>Social Media post</li> </ul>

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Application Type	Minimum Consultation Period	Minimum Engagement Tools
<b>6. Modification Application</b>		
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"> <li>Written Notice</li> </ul>
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"> <li>As per original application*</li> <li>Written notice to all persons that made written submissions to the original application or any subsequent modification application(s)</li> </ul>
D. Other Modifications where original DA was: <ul style="list-style-type: none"> <li>not designated development; and</li> <li><u>notified or advertised</u> (other than Informal Written Notice)</li> </ul> Section 4.55(2) or 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 proposed modification	<ul style="list-style-type: none"> <li>As per original application*</li> <li>Written notice to all persons that made written submissions to the original application or any subsequent modification application(s)</li> </ul>

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



### 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.
<b>Internal works to any building</b> having minimal environmental impact	●			
<b>Minor Alterations to a development</b> having minimal environmental impact		●		
<b>Change of use-</b>				
▪ 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			●	
<b>Remediation of Contaminated Land</b> – Category 1 remediation work under SEPP55 (refer to clause 9 of SEPP55 for details of what constitutes a class 1 remediation work)				●
<b>Extend hours of operation-</b>				
▪ Extend hours of operation		●		

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Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
<ul style="list-style-type: none"> <li>Extend hours of operation—so as to operate outside any of the following times-               <ul style="list-style-type: none"> <li>⇒ between 7.00 am to 5.00 pm Monday to Friday, or</li> <li>⇒ between 8.00 am to 12 noon Weekends and Public Holidays</li> </ul> </li> </ul>			●	
<ul style="list-style-type: none"> <li>Extend hours of operation—so as to operate at any time-               <ul style="list-style-type: none"> <li>⇒ between 10.00 pm to 7.00 am Monday to Friday; or</li> <li>⇒ between 2.00 pm to 8.00 am Weekends and Public Holidays.</li> </ul> </li> </ul>				●
<b>Building Height-</b>				
<ul style="list-style-type: none"> <li>Building height of any development-               <ul style="list-style-type: none"> <li>⇒ 3 storeys or greater; or</li> <li>⇒ where the building height will exceed 10 metres above existing ground level</li> </ul> </li> </ul>				●
<b>Development with a value of work exceeding \$20M</b>				
				●
<b>Demolition-</b>				
<ul style="list-style-type: none"> <li>Demolition of a building—excluding heritage items</li> </ul>		●		
<ul style="list-style-type: none"> <li>Demolition—heritage listed item</li> </ul>			●	
<b>Agriculture-</b>				
<ul style="list-style-type: none"> <li>Extensive agriculture</li> </ul>			●	
<ul style="list-style-type: none"> <li>Intensive plant agriculture</li> </ul>				
<ul style="list-style-type: none"> <li>Intensive livestock agriculture</li> </ul>				●

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Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
<b>Farm buildings-</b>				
<ul style="list-style-type: none"> <li>Farm buildings</li> </ul>	●			
<ul style="list-style-type: none"> <li>Farm buildings—within 50 metres of a dwelling not located on, or associated with, the land</li> </ul>		●		
<b>Keeping of certain animals (non-commercial)-</b>				
<ul style="list-style-type: none"> <li>Keeping of certain animals (non-commercial)-               <ul style="list-style-type: none"> <li>⇒ &gt;10 Dogs</li> <li>⇒ &gt;20 fowl and poultry</li> <li>⇒ keeping of rooster(s)</li> </ul> </li> </ul>		●		
<b>Animal boarding or training establishments</b>				●
<b>Residential Accommodation (including ancillary structures)-</b>				
<ul style="list-style-type: none"> <li>Single storey dwelling-houses.</li> <li>Minor alterations and additions to a dwelling.</li> <li>Ancillary structures with minimal impact on adjoining land.</li> </ul>	●			
<ul style="list-style-type: none"> <li>Dwelling houses up to two storeys.</li> <li>Ancillary structures up to 2 storeys</li> <li>Dual occupancy</li> <li>Secondary dwellings</li> <li>Shop top housing: where no alterations to commercial floor space</li> <li>DCP Variation request for Building Line Setback; Building Height Plane; Floor Space Ratio/Site Coverage; or minimum landscaped area</li> <li>Significant additions to any of the above (As determined by Assessing Officer, Management or the DAP)</li> </ul>		●		

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

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Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
<ul style="list-style-type: none"> <li>Office premises</li> <li>Business premises</li> <li>Retail premises – ⇒ including additions (As determined by Assessing Officer, Management or the DAP) ⇒ may incorporate Shop top housing</li> <li>Minor alterations and additions to a Commercial Premises, or ancillary structures, with potential impact to adjoining land only</li> </ul>		●		
<ul style="list-style-type: none"> <li>Industrial retail outlets</li> <li>Wholesale supplies</li> <li>Veterinary hospitals</li> <li>Any other type of Commercial Premises (or retail premises) not elsewhere defined including- Restaurants, Cafes and Kiosks</li> </ul>			●	
<ul style="list-style-type: none"> <li>Amusement centres</li> <li>Entertainment facilities</li> <li>Registered clubs</li> <li>Pubs</li> <li>Function centres</li> <li>Service stations</li> <li>Highway service centres</li> <li>Sex service premises</li> <li>Home occupation (sex services)</li> </ul>				●
<b>Restricted premises-</b>				
<ul style="list-style-type: none"> <li>Restricted premises- ⇒ within existing commercial premises, and ⇒ occupying floor area &lt;100m<sup>2</sup>, and ⇒ displays not visible from street</li> </ul>		●		
<ul style="list-style-type: none"> <li>Restricted premises</li> </ul>				●

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Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
<b>Tourist and visitor accommodation-</b>				
<ul style="list-style-type: none"> <li>Farm stay accommodation</li> <li>Bed and breakfast accommodation</li> <li>Alterations that do not increase occupant numbers or increase the building foot print area.</li> </ul>		●		
<ul style="list-style-type: none"> <li>Additions to Tourist and visitor accommodation that alter the occupant numbers or increase building foot print area.</li> <li>Primitive Camp Ground</li> <li>Tourist and visitor accommodation not elsewhere defined in this Table</li> </ul>			●	
<ul style="list-style-type: none"> <li>Backpackers' accommodation</li> <li>Hotel or motel accommodation</li> <li>Serviced apartments</li> <li>Eco-tourist Facilities</li> <li>Caravan Parks</li> <li>Camping grounds (other than primitive camp grounds)</li> </ul>				●
<b>Industrial development, Rural Industry and Storage-</b>				
<ul style="list-style-type: none"> <li>Light Industry</li> </ul>		●		
<ul style="list-style-type: none"> <li>General Industry</li> <li>Boat building and repair facilities</li> <li>Vehicle body repair workshops</li> <li>Vehicle repair stations</li> <li>Storage premises</li> <li>Depots</li> <li>Warehouse or distribution centres</li> <li>Rural Industry—with gross floor area &lt;500m<sup>2</sup></li> <li>Storage Premises</li> </ul>			●	

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Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
<ul style="list-style-type: none"> <li>Heavy Industry</li> <li>Heavy Industrial Storage Establishments</li> <li>Extractive Industries</li> <li>Potentially Offensive or Hazardous Industry</li> <li>Offensive or Hazardous Industry</li> <li>Rural Industry—with gross floor area of 500m<sup>2</sup> or greater</li> </ul>				●
<b>Infrastructure (Water and Waste)</b>				
<ul style="list-style-type: none"> <li>Water and Waste reticulation systems—where a large part of the infrastructure will be located below the ground</li> </ul>		●		
<ul style="list-style-type: none"> <li>Water and Waste Infrastructure—not elsewhere defined</li> <li>Alterations or additions to water and waste infrastructure</li> </ul>			●	
<ul style="list-style-type: none"> <li>Water reticulation systems—where a large part of the infrastructure will be located above the ground</li> <li>Sewage systems</li> <li>Waste or resource management facilities</li> <li>Water storage facilities</li> <li>Water treatment facilities</li> </ul>				●
<b>Electricity generating works-</b>				
<ul style="list-style-type: none"> <li>Capacity to generate up to 10Kw</li> </ul>		●		
<ul style="list-style-type: none"> <li>Capacity to generate &gt;10Kw</li> <li>Wind turbines—located on land zoned R1, R5, RU5, IN1</li> </ul>			●	
<ul style="list-style-type: none"> <li>Electricity Generating Works—capable of generating &lt;10Mw</li> </ul>				●

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

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

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

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Local Development Type	Item			
	1.A.	1.B.	1.C.	1.D.
<ul style="list-style-type: none"> <li>Flashing or Animated Signage</li> <li>Advertising Structures- ⇒ with a display area for each sign up to 10m<sup>2</sup>; and ⇒ total signage area on the land &lt;20m<sup>2</sup></li> <li>Signage—not elsewhere defined in this Table</li> </ul>		●		
<ul style="list-style-type: none"> <li>Signage—with a height &gt;8 metres above existing ground level</li> <li>Signage—with a display area &gt;10m<sup>2</sup></li> </ul>			●	
<b>Miscellaneous-</b>				
<ul style="list-style-type: none"> <li>Environmental protection works</li> </ul>	●			
<ul style="list-style-type: none"> <li>Cemeteries for private burials</li> <li>Exhibition homes</li> <li>Exhibition villages (consisting of &lt;6 dwellings)</li> </ul>		●		
<ul style="list-style-type: none"> <li>Exhibition villages (consisting of more than 6 dwellings)</li> <li>Flood mitigation works</li> <li>Boat Building &amp; Repair Facilities</li> </ul>			●	
<ul style="list-style-type: none"> <li>Open cut mining</li> <li>Extractive Industries</li> <li>Temporary Uses—where the use would otherwise be prohibited in the Zone</li> </ul>				●

### 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 (or equivalent) has discretion to waive or reduce engagement requirements in 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 on the application 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
<b>1. Community Engagement Plan (CPP) (Div.2.6 of the Act)</b>		
A. Draft Community Engagement Plan (CPP) (Div.2.6 of the Act)	28 days	<ul style="list-style-type: none"> <li>Published Notice on Council's website – including digital copy of the draft CPP</li> <li>Social Media post</li> <li>Display Notice</li> </ul>
<b>2. Planning Instruments (Part 3 of the Act)</b>		
A. Draft Local Strategic Planning Statement (S.3.9 of the Act)	28 days	<ul style="list-style-type: none"> <li>Published Notice on Council's website – including digital copy of the draft LSPS</li> <li>Social Media post</li> <li>Display Notice</li> </ul>
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"> <li>Published Notice on Council's website – including digital copy of the Planning Proposal &amp; Gateway Determination</li> <li>Written Notice</li> <li>Social Media post</li> <li>Display Notice</li> </ul>
C. Draft Development Control Plan (Div.3.6 of the Act)	28 days	<ul style="list-style-type: none"> <li>Published Notice on Council's website – including digital copy of the Draft DCP and links to the LEP</li> <li>Written Notice</li> <li>Social Media post</li> <li>Display Notice</li> </ul>

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Strategic Document	Minimum Consultation Period	Minimum Engagement Tools
D. Local Growth Management Strategy or any other Strategy requiring community engagement under the Act	28 days	<ul style="list-style-type: none"> <li>Published Notice on Council's website – including digital copy of the Draft LGMS</li> <li>Written Notice</li> <li>Social Media post</li> <li>Display Notice</li> </ul>
<b>3. Infrastructure Contributions and Finance (Part 7 of the Act)</b>		
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"> <li>Published Notice on Council's website – including digital copy of the Draft Planning Agreement</li> <li>Social Media post</li> <li>Display Notice</li> </ul>
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"> <li>Published Notice on Council's website – including digital copy of the Draft Planning Agreement</li> <li>Social Media post</li> <li>Display Notice</li> </ul>

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Strategic Document	Minimum Consultation Period	Minimum Engagement Tools
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"> <li>Published Notice on Council's website – including digital copy of the Draft Contributions Plan</li> <li>Social Media post</li> <li>Display Notice</li> </ul>
<b>4. Paper Subdivisions (Schedule 7 of the Act) - (Development Plan)</b>		
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"> <li>Published Notice on NSW Planning Portal</li> <li>Published Notice on Council's website – including digital copy of the Draft Development Plan</li> <li>give notice to each council in whose area the land is situated <ul style="list-style-type: none"> <li>o</li> </ul> </li> </ul>
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"> <li>Signpost Notice on Land</li> <li>Social Media post</li> <li>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)</li> </ul>
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"> <li>Published Notice on the NSW Planning Portal</li> </ul>
D. Paper Subdivisions – Notice of Development Plan Amendment	28 days	<ul style="list-style-type: none"> <li>As per clause 268ZL of the Reg</li> </ul>



#### 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](mailto: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?

Disclose 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

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## 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 ( <i>see Item 6 within the Table to clause 3.3 of this CPP</i> )
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 notices, 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 days 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 and by Social Media post. 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/>

- ***Social Media – Richmond Valley Council Facebook Page***

Where this CPP requires notices to be posted on Social Media the default will be Council's Facebook page.

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

- ***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 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](mailto: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](mailto: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](mailto: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](mailto: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 prepare 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.