



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



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 – (from 18 November 2020).

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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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 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.



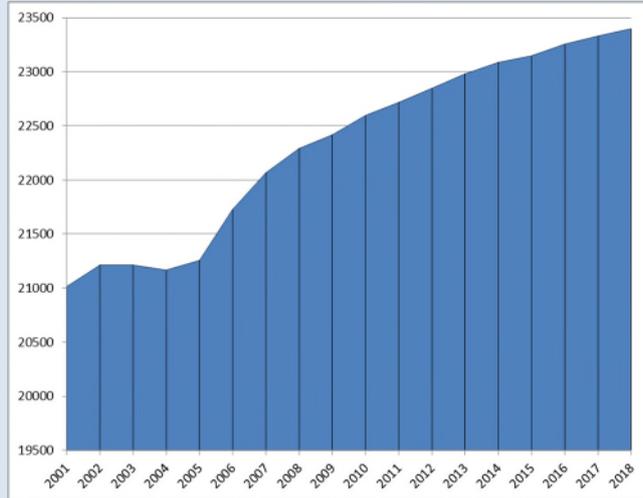
2. The Richmond Valley Community

Estimated Resident Population (ERP) in
2018

23,399

2016 Census -
23,256

2011 Census -
22,717



0.42% average annual population
growth (between 2011 & 2018)



14.7%
of residents
were born
overseas

90.5%
of households speak
English only

3%
of households have a non-
English language spoken
(Census 2016)

POPULATION

Who makes up the population
of the Richmond Valley?

The Richmond Valley's estimated residential population in 2018 was 23,399 persons, across six town and village areas (Broadwater, Casino, Coraki, Evans Head, Rappville and Woodburn) and numerous rural localities.

We are proud, close-knit communities, made up of many different demographic groups.

7.2%

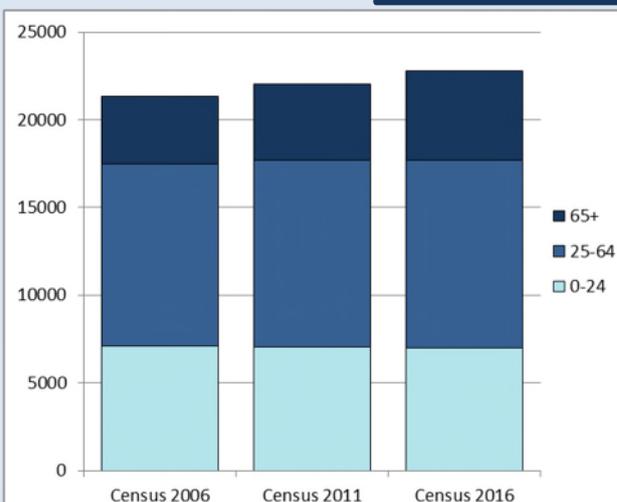
of residents are
Aboriginal/Torres Strait
Islander (Census 2016)

NSW average 2.9%
Australian average 2.8%



27%

of households do not
access the internet
(Census 2016)



22.4% of residents are aged **65+**

(2016 Census): an increase from

17.9% in 2006 Census, and

19.6% in 2011 Census

30.6% of residents are under **25**

years of age (2016 Census): a decrease from

33.4% in 2006 Census, and

32.1% in 2011 Census



3. Development Applications

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

3.1. Objectives of consultation for Development Applications

It is the objective of this Chapter to:

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

3.2. Consultation goal

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

3.3. Mandatory Requirements

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

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



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



Application Type	Minimum Consultation Period	Minimum Engagement Tools
6. Modification Application		
<p>A. Modifications involving minor error, misdescription or miscalculation</p> <p>Section 4.55(1) (or formerly s96(1)) of the Act</p>	<p>Nil</p>	<p>Nil</p>
<p>B. Modifications involving minimal environmental impact</p> <p>Section 4.55(1A) and s4.56 (or formerly s.96(1A) & s96AA respectively) of the Act</p>	<p>Nil, or</p> <p>14 days, if the original application was notified or advertised</p> <p>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</p>	<ul style="list-style-type: none"> • Written Notice
<p>C. Other Modifications where original DA was designated development</p> <p>Section 4.55(2) and s4.56 (or formerly s.96(1A) & s96AA respectively) of the Act</p>	<p>14 days, or</p> <p>such longer period as determined by Council having regard to the original application and the modification</p>	<ul style="list-style-type: none"> • As per original application* • Written notice to all persons that made written submissions to the original application or any subsequent modification application(s)
<p>D. Other Modifications where original DA was:</p> <ul style="list-style-type: none"> • not designated development; and • <u>notified or advertised</u> (other than Informal Written Notice) <p>Section 4.55(2) or s.4.56 (or formerly s.96(1A) & s96AA respectively) of the Act</p>	<p>14 days, or</p> <p>such longer period as determined by Council having regard to the original application and the proposed modification</p>	<ul style="list-style-type: none"> • As per original application* • Written notice to all persons that made written submissions to the original application or any subsequent modification application(s)



Application Type	Minimum Consultation Period	Minimum Engagement Tools
<p>E. Other Modifications where original DA was:</p> <ul style="list-style-type: none"> not designated development; and <u>not</u> notified or advertised (other than Informal Written Notice) <p>Section 4.55(2) or s.4.56 (or formerly s.96(1A) & s96AA respectively) of the Act</p>	14 days	<ul style="list-style-type: none"> Written notice to all persons that made written submissions to the original application or any subsequent modification application(s)
7. Review of Determination		
A. Review of Determination	Nil	
B. Review of Determination – where the original determination was refusal	14 days	<ul style="list-style-type: none"> In the same manner as the original application*; or If the original application was <u>not</u> notified or advertised, a written notice to those that made submissions on the original application, & to adjoining land owners
C. Review of Determination – where written submissions were received for the original application	14 days	<ul style="list-style-type: none"> In the same manner as the original application*; and Written Notice to those that made submissions on the original application
8. Determinations		
A. Notification of Determinations	Nil	<ul style="list-style-type: none"> Published Notice on Council's website Written Notice to persons that made submissions
B. Statement of Reasons	Nil	<ul style="list-style-type: none"> Published on Council's website
<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.
Internal works to any building having minimal environmental impact	●			
Minor Alterations to a development having minimal environmental impact		●		
Change of use-				
▪ Change of use—no new building works or minor internal/ external building works with no considered off site impacts	●			
▪ Change of Use—with off-site impacts to adjoining land only expected		●		
▪ Change of Use—with off-site impacts expected			●	
Remediation of Contaminated Land – Category 1 remediation work under SEPP55 (refer to clause 9 of SEPP55 for details of what constitutes a class 1 remediation work)				●
Extend hours of operation-				
▪ Extend hours of operation		●		



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



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



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



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

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



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



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



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

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



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

3.6. Can engagement requirements be varied?

Council may increase the Consultation Period

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



Manager Discretion to waive or reduce engagement requirements

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



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



Strategic Document	Minimum Consultation Period	Minimum Engagement Tools
<p>B. Draft Contributions Plan (S.7.11 or 7.12 (formerly S.94 and 94A) of the Act)</p>	<p>28 days (see clause 6 of Schedule 1 of the Act for exhibition requirements)</p>	<ul style="list-style-type: none"> • Published Notice on Council's website – including digital copy of the Draft Contributions Plan • Social Media post • Display Notice
<p>4. Paper Subdivisions (Schedule 7 of the Act) - (Development Plan)</p>		
<p>A. Paper Subdivision – Notice of Consent Ballot</p>	<p>14 days before ballot papers are issued (see clause 268ZB of the Reg for exhibition notice requirements)</p>	<ul style="list-style-type: none"> • Published Notice on NSW Planning Portal • Published Notice on Council's website – including digital copy of the Draft Development Plan • give notice to each council in whose area the land is situated <ul style="list-style-type: none"> ○
<p>B. Paper Subdivisions – Notice of Consent Ballot closing</p>	<p>28 days prior to Consent Ballot closing (see clause 268ZB of the Reg for exhibition notice requirements)</p>	<ul style="list-style-type: none"> • Signpost Notice on Land • Social Media post • Published Notice on Council's website (may be the same posting as in 4.A. as long as it meets the 28 day prior requirement)
<p>C. Paper Subdivisions – Notice of Adoption of Development Plan</p>	<p>Within 28 days of decision (see clause 268ZJ of the Reg for notice of adoption)</p>	<ul style="list-style-type: none"> • Published Notice on the NSW Planning Portal
<p>D. Paper Subdivisions – Notice of Development Plan Amendment</p>	<p>28 days</p>	<ul style="list-style-type: none"> • As per clause 268ZL of the Reg

4.4. How can the Public view Strategic Planning Documents?

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

Council Customer Experience Centres

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

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

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

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

Website

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

- **On-Exhibition Page**

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



5. Submissions

5.1. Submission Period

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

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

5.2. Making a submission

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

Submissions:

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

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

What should a submission include?

Submissions must be in writing and should include the following:

- reference to the application or planning matter;
- if an objection, give reasons for the objection;
- the postal address or email address of the person(s) making the submission; and



- public disclosure of political donations or gifts, if the submission is in relation to a development application or planning proposal.

5.3. Petitions

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

5.4. Anonymous Submissions

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

5.5. Submissions to be Public Documents

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

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

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

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



5.6. Defamatory Statements or Language

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

5.7. How Council deals with Submissions

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

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

5.8. Declaration of Political Donations

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

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

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

Who should make a Disclosure?

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

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

How and when to make a disclosure

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

- in, or in a statement accompanying, the relevant planning matter if the donation or gift was made before the application or submission was made; or



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

What is a Reportable Political Donation or Gift?

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

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

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

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

Offences

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

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

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

Further Information

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

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

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

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

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

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

Part 1 Mandatory community participation requirements

Division 1 Minimum public exhibition periods for plans

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



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 .

Letterbox Drops

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

- ***Australia Post***

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

- ***Hand Delivery***

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

Rate Notice Inserts

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

Livestreaming of Council Meetings

Council meetings are livestreamed simulcast on:

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

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

Public Access at a Council Meeting

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

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



- **Registering for Public Access**

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

Public Hearing

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

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

A Public Hearing will be conducted if:

- required by a Gateway Determination on a Planning Proposal;
- reclassifying “community land” to “operational land” under the *Local Government Act 1993*, or changing the category of “community land” as part of a Plan of Management; or
- Council decides to conduct a Public Hearing (due to an issue; or where a submission has raised an issue of such significance to warrant a hearing).

Display Notices in Council's Libraries

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

Mobile Library - Drop In interviews

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

Public Forums/Meetings

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

- **Group Sessions**

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



- **Small Group Sessions**

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

Meet with Community Groups/Schools

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

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

Interviews by appointment

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

Pop Up Stall/Information Stand at venues or events

- **Pop up Stall**

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

- **WalkShop**

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

Online or Telephone Surveys

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

- telephone poll or survey
- online survey
- Facebook



Annexure D. Council Planning Functions

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

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

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

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

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

- **Nominated Integrated Development**

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

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

- **Threatened Species Development**

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

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



because the development is likely to significantly affect threatened species.

- ***Designated Development (Part 4)***

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

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

- ***Regionally Significant Development***

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

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

- ***Modification of Development Consents***

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

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

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

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

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



- **Paper Subdivisions**

‘Paper subdivisions’ denotes land comprising lots that have recognition only on paper and, in most cases, with no formed roads, drainage, reticulated water, sewer or electricity. Most paper subdivisions have existed for many years, some originating as long ago as the late 1800s or early 1900s. Such land is likely to be largely undeveloped, often with little or no development potential under existing land use zonings, which is made all the more difficult due to there being a large number of individual property owners.

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

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

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

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

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

- **Community Participation Plan**

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

- **Local Strategic Planning Statement**

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

A LSPS must:

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



- **Local Growth Management Strategy**

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

- **Planning Proposals**

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

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

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

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

- Preliminary assessment by Council—(where Council did not 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.