



# Making a Written Submission to Council

This information sheet provides guidance to members of the public who wish to make a submission to North Sydney Council on publicly notified proposals e.g. where Council writes to you or advertises proposals in newspapers or on websites inviting comments.

Examples of publicly notified proposals include:

- Development and planning applications and proposals
- Licences and leases on community land
- Statutory reports e.g. Delivery Program, Local Environment Plan, Plans of Management
- Policies e.g. Councillors Expenses and Facilities Policy, Codes of Conduct and Meeting Practice

Public exhibition documents are available to view at Council's Customer Service Centre, 200 Miller Street, North Sydney during business hours. Exhibition documents are also available at Stanton Library, 231 Miller Street, North Sydney during business hours and/or from Council's website [www.northsydney.nsw.gov.au/onexhibition](http://www.northsydney.nsw.gov.au/onexhibition).

## WHAT IS A SUBMISSION?

A submission is a comment received from a member of the public on an issue or proposal that Council is considering. Submissions can be in the form of a letter (hand written or typed) or sent in digital format e.g. email or fax.

Writing a submission gives you the opportunity to raise your issues or indicate your support or opposition to a plan or proposal. Submissions are considered by Council in the decision making process.

## SUBMISSIONS FOR DEVELOPMENT APPLICATIONS OR PLANNING PROPOSALS

In accordance with legislative requirements, Council considers applications as soon as possible as part of its service to local residents and applicants. As a result submissions must be lodged within fourteen (14) days as indicated in the notification letter. Should your submission be lodged after the close of this period it is possible that Council may have determined the application prior to receipt of your submission.

Submissions, including objection letters, which are made in relation to development or planning proposals in its entirety are considered to be open access information under the *Government Information (Public Access) Act 2009*. Open access information is available for inspection by members of the public and may be published in Council reports or on Council's website.



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It is important that submissions only contain information relevant to the development or planning proposal. Do not include information of a personal nature as submissions may be open to inspection by members of the public or published online.

Council officers assess development and planning proposals against criteria set down under legislation such as the *Environmental Planning and Assessment Act, 1979*. Issues such as moral objection, commercial competition or personal circumstances of an applicant or objector cannot be given weight in Council's assessment.

Local Environmental Plans, Development Control Plans and the Building Code of Australia are matters that must also be considered. These provide controls to assess the proposal. They include issues such as overshadowing, privacy, heritage, urban design and view corridors.

Your submission must clearly set out your concerns in order that they can be properly considered against the proposal. Some issues you may wish to consider in your submission relating to development or planning proposals include comments on views, floorspace, height, urban design, heritage, traffic and car parking, noise, landscaping, drainage, privacy and overshadowing.

Your comments will be considered in conjunction with Council's legal responsibilities, the interests of the community at large and the reasonable expectation and rights of the applicant. Council will carry out a balanced assessment of these interests in the analysis of any application and may vary the application of its "controls" on merit.

For more information refer to [www.northsydney.nsw.gov.au/daprocess](http://www.northsydney.nsw.gov.au/daprocess).

## DISCLOSURE OF POLITICAL DONATIONS & GIFTS

A person who makes a public submission objecting to or supporting a planning application or any development that would be authorised by the granting of the application, must make a disclosure of any reportable political donation or gift having regard to the relevant provisions of the *Local Government and Planning Legislation Amendment (Political Donations) Act 2008* No. 44 (see NSW Parliamentary Counsel's Office website [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)).

A person who makes a relevant public submission in relation to a planning application lodged with the Council must make a disclosure of any reportable political donation or gift made in the previous two (2) years until the date the matter is determined, to anyone by that person or any associate of that person including:



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- a) all reportable political donations made to any local councillor;
- b) all gifts made to any local councillor or Council employee. A reportable political donation made to a local councillor includes any donation made at the time the person was a candidate for election of the Council.

Disclosures must be made via the [Political Donations Disclosure Form](#).

### **SUBMISSIONS FOR PROPOSALS ON PUBLIC NOTICE**

Members of the public are entitled to lodge submissions to Council proposals which have been publicly notified by a letter from Council or an advertisement in local and/or state newspapers (e.g. Sydney Morning Herald) and/or Council's website. Proposals can include projects, policies, reports, plans, licences for use of community land and tenders.

Once the proposal has been publicly notified, the proposal and associated documentation is placed on public exhibition for the period advertised. The terms and conditions of the public exhibition are outlined in the public notice advertisement.

Submissions which are made in relation to publicly notified proposals are considered to be public documents. Public documents may be published in Council reports and may be accessible upon request by any member of the public. It is important that submissions only contain information relevant to the proposal. Do not include information of a personal nature as submissions may be open to inspection by members of the public.

### **PETITIONS FOR PROPOSALS ON PUBLIC NOTICE**

Council accepts petitions for publicly notified proposals, including development applications or other public notices, provided they are in writing and include the name, address and signature of each petitioner. Petitions should include the name of the contact person for the petition. In the absence of this information, Council will consider the first name on the petition as the contact person and therefore, all correspondence associated with the petition will be forwarded to this person. Council's management of your personal information commences after a petition is received. For privacy reasons, only the substance of the petition and the number of signatories will be published. Note: the full petition will be available for viewing by Councillors only when it is presented to a Council meeting.

### **OTHER PETITIONS**

Council also accepts petitions regarding non-publicly notified proposals, i.e. proposals not on public exhibition, provided they are in writing and include the name, address and signature of each petitioner. Petitions should include the name of the contact person for the petition. In the absence of this information, Council will consider the first name on



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the petition as the contact person and therefore, all correspondence associated with the petition will be forwarded to this person. Council's management of your personal information commences after a petition is received. For privacy reasons, only the substance of the petition and the number of signatories will be published. Note: the full petition will be available for viewing by Councillors only when it is presented to a Council meeting.

Council strongly advises that you should not sign a petition if you have concerns about the use of your personal information e.g. name, address and signature. Council can not be responsible for the use of this information by third parties i.e. if the contents of the petition are made available to other people or organisations by the organisers of the petition.

### SUBMISSION CRITERIA AND PRESENTATION

A formal submission to Council must comply with the following guidelines:

- be lodged with Council before the final date specified in the public notice. Late submissions may not be accepted;
- be hand written or typed. Submissions can be in letter form or in digital form e.g. email or fax;
- include either the development application number or name of item being proposed in the title of the submission;
- submissions by letter should be signed and include the name, address and contact information of the person making the submission;
- submissions lodged by email should include information such as name, address and contact information. Council will not accept a submission if the sender's identity is not properly disclosed; and
- set out the reasons for your submission and the issues you wish Council to consider.

Alternatively for DA submissions use the online [DA Submission Form to Council](#).

Please note that submissions received may be included in Council's Business Papers and that these are available to the general public. Public access to the submissions will also be permitted under the *Government Information (Public Access) Act 2009* and may be published online.

Under Section 739 of the *Local Government Act 1993*, a person may request that their name and address be removed from documents available for public inspection, if disclosure would place that person or members of their family's personal safety at risk. Requests must be made in writing to the General Manager and you must clearly provide supporting information. You may be requested to provide a signed statutory declaration

## INFORMATION SHEET

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in support of your request. Note: Under the *Government Information (Public Access) Act 2009*, Council may publish business contact details.

You can lodge your submission with Council:

- by fax to 9936 8177
- by mail to the General Manager, North Sydney Council, PO Box 12 North Sydney NSW 2059
- by email to [council@northsydney.nsw.gov.au](mailto:council@northsydney.nsw.gov.au)
- in person at Council's Customer Service Centre, 200 Miller Street, North Sydney

A submission which does not conform to these conditions may not be valid and may not be accepted by Council.

### AFTER LODGEMENT

When a submission is received it is electronically scanned and registered in the corporate records management system and then forwarded to the relevant officer.

An acknowledgment letter/email will be sent to you to let you know that it has been received. When the matter is determined and/or reported to Council, your submission must be taken into account. Council officers will review all submissions received and draft a report identifying the outcomes of the public notification process to a meeting of Council. Council will attempt to notify the person who lodged the submission or petition of the Council's decision regarding the submission or petition.

Council will attempt to notify you when the DA is either under determination by Council staff, or on the agenda for a Monday night Council meeting. Alternatively phone the Council Meeting Agenda Hotline on 9936 8188 after 1pm on the Friday before the date of the scheduled Monday night meeting. Persons who have made submission on other planning applications are also advised of Council's determination for these applications. Council's online *Notify Me* email alert ([DA Tracking](#)) ensures that everyone making written submissions to DAs is given written notice of the determination of the application.

For more information contact Council on 9936 8100 or visit [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au).