



Making a Submission to Council

August 2020

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
- Plans/strategies and policies/codes

Public exhibition documents are available to view through Council's website and associated pages include:

- Have Your Say - <https://yoursay.northsydney.nsw.gov.au>
- Application Tracking System - <https://apptracking.northsydney.nsw.gov.au>

Depending on the volume of the documentation, Council may make a hard copy available for inspection at Council's Customer Service Centre and Stanton Library during business hours. The availability of such a hard copy will be included in the notification material and/or respective webpage.

For more information refer to Council's *Access to Information Policy* and the Council website.

WHAT IS A SUBMISSION?

A submission is a comment received from a member of the public or an organisation/group on a publicly notified proposal. Submissions can be in the form of a letter (handwritten or typed) or sent in digital format e.g. online submission form or email.

Making a submission gives you the opportunity to raise your issues or indicate your support or opposition to a publicly notified 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 generally must be lodged within the fourteen (14) day notification period or as indicated



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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 open access information under the *Government Information (Public Access) Act 2009*. In the interests of public transparency, submissions in their entirety will be available to the applicant and other interested persons via Council's website and associated pages e.g. Application Tracking System (unless the submitter has specifically requested such be withheld) and in some instances content from submissions will be included within Council Officer's reports.

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 will be open to inspection by members of the public and published online.

Council officers assess development and planning proposals against legislative criteria 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 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 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.

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*



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Amendment (Political Donations) Act 2008 No. 44 (refer to NSW Parliamentary Counsel's Office website 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:

- 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 OTHER 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 on Council's website (and/or YourSayNorthSydney site).

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 or Council's website (and/or YourSayNorthSydney site).

Submissions which are made in relation to publicly notified proposals are considered public documents. Public documents can be published in Council reports and are 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 only, including development applications, provided they are in writing and include the name, full address and the original signature of each petitioner (signatures must not be pasted on, photocopied or transferred in any way). Any additional requests for telephone numbers or emails should be clearly stated on the petition as optional. Online petitions are not accepted (e.g. Change.org).

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



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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.

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 handwritten (legible) or typed and submitted by post, email or digital format e.g. online submission form. It is preferable that DA submissions are made via the online [DA Submission Form to Council](#).
- include the development application number/address or project name in the title of the submission.
- submissions 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.
- set out the reasons for your submission and the issues you wish Council to consider.

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 at the time of making your submission - use the Submission Cover Sheet or provide a separate cover document which specifically indicates the reason/s why **all or part** of your submission should not be made publicly available. You may be requested to provide a signed statutory declaration 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 (together with the Submission Cover Sheet) with Council:

- by mail to North Sydney Council, PO Box 12 North Sydney NSW 2059
- by the respective email address advertised
- 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.



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AFTER LODGEMENT

When a submission is received it is registered in the Council's electronic document management system and then forwarded to the relevant officer for action.

An acknowledgment letter/email will be sent to you advising you that your submission has been received, unless it has been specifically advised at the commencement of the public exhibition period acknowledgement of individual submissions will not be given. Online submissions will receive an automated acknowledgment.

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. The decision/outcome will be made available respectively via Council's website (including Application Tracking) and/or YourSayNorthSydney site.

Interested parties of DAs need to register their email address online via Application Tracking 'Notify Me' function to receive email notifications as the DA progresses and to be notified when the DA is either under determination of Council staff, or on the agenda for the North Sydney Local Planning Panel.

Note: Registration for 'Notify Me' must be completed for each DA of interest.

For more information contact Council on 9936 8100 or visit www.northsydney.nsw.gov.au.

SUPPORTING DOCUMENTS

- Access to Information Policy