

MAKING A SUBMISSION

Why have I been notified of the application?

Council notifies owners/occupiers who may be affected by a development proposal so that your comments can be taken into account when considering the application. This allows Council to make more informed decisions.

How long do I have to make a submission?

Submissions should be lodged within the period stated on the notification letter. Should your submission be lodged after the close of this period every effort will be made to include it in our assessment process, however, the application may have been determined prior to receipt of your submission.

What kind of submission can I make?

Submissions should relate directly to the work proposed and its possible impact on your property or the locality. Council staff can assist you in viewing plans and can answer questions on specific technical issues, but are not in a position to comment on the merits of the proposal.

What happens to my submission?

Council will send you a letter acknowledging the receipt of your submission. Your submission can be either emailed, faxed, posted or hand delivered. Council does not provide a specific response to the matters raised in submissions as these are addressed in the report prepared on the application. If minor amendments are made to an application before it is determined, you may not be renotified but your earlier submission will be considered. If more substantial amendments are made you will be renotified and further submissions can be made.

To what extent will Council consider my submission?

The matters which Council must consider are determined by laws such as the Environmental Planning and Assessment Act, 1979. The matters listed for consideration relate to environmental impact. Matters such as moral objection, commercial competition or personal circumstances 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 controls set the framework for an applicants' expectations to carry out work on their property. They address issues such as overshadowing, privacy, heritage and streetscape.

Advice concerning submissions on applications

Your comments will be considered in conjunction with Council's legal responsibilities, the interests of the community and the reasonable expectations and rights of the applicant. Council will balance these competing interests when making a decision.

Who determines the applications?

The 1 March 2018, the NSW Government amended the Environmental Planning and Assessment Act to prevent Mayors and Councillors from determining Development Applications and other DA related applications.

The majority of applications received by Council are determined by senior Council officers under delegated authority. A percentage of applications are determined by Council's Independent Hearing and Assessment Panel (IHAP), and some larger scale development proposals are determined by the Sydney Eastern City Planning Panel (the notification letter you received and the site notice advises when such applications will be determined by this Panel). Assessment reports

prepared by staff are checked and endorsed by senior officers before being finalised.

How do I know when a matter will be reported to the IHAP?

If you make a submission and the matter is required to be determined by the IHAP, you will be advised of the Panel meeting date in writing. IHAP meetings generally take place on a monthly basis on a Wednesday or Thursday and are held during normal business hours. These meetings are all held in the Council Chambers, 1A Marlborough Street, Drummoyne.

The Agenda for the meeting is available for viewing on Council's website at www.canadabay.nsw.gov.au at least one week prior to the meeting. The Agenda contains a copy of the assessment report and recommendation for every application on the agenda.

Objectors and applicants may request to address the Panel Meeting, but you must complete a Request to Address IHAP Meeting form and submit it to Council at least two (2) working days prior to the Panel meeting. Council's forms are available on its website, and a copy will be attached to the letter advising you of the IHAP meeting date.

What happens if Council refuses an application or imposes a condition which the applicant thinks is unreasonable or onerous?

An applicant may request Council to review the decision or appeal to the Land and Environment Court of NSW against any decision, or any aspect of a decision made by Council.

Will my representations remain confidential?

No. Submissions are made available to the applicant and can be viewed on the Development Application Tracking facility on Council's web site at www.canadabay.nsw.gov.au. Signatures on submissions are removed before being placed on the website. Personal details can only be kept confidential if that person satisfies Council's General Manager through a statutory declaration that the safety of that person or

their family would otherwise be at risk.

When must a person making a submission make a Disclosure?

When making a submission on a development application, you must disclose if you have made a reportable donation or gift within the last 2 years (and up to the time the matter is determined). If you make a donation or gift after your submission has been handed in, you must send a disclosure statement to Council within 7 days after the donation or gift is made.

A disclosure statement applies where donations have been made to anyone by you or any associated persons including;

- all reportable political donations made to any local councillor of the council, and
- all gifts made to any local councillor or employee of that council.

Notice of determination of the application

All people who prepare a submission will be notified of Council's determination of the application.

Where do I send my submission?

If you make a submission, please send it to either:-
council@canadabay.nsw.gov.au

or

General Manager

City of Canada Bay Council

Locked Bag 1470

DRUMMOYNE NSW 1470