

Making a Submission to a Development Application

Who can make a submission?

Any person who feels that their property or locality may be impacted by a proposed development may make a written submission in response to a lodged development application (DA). In making a submission, it is recommended that you consider the following:

1. An application to develop a parcel of land may be made by the landowner(s) or anyone obtaining consent from the landowner(s).
2. Council is obliged to consider DAs within a legal framework established by the Environmental Planning and Assessment Act 1979 and related documents including the Wollondilly Local Environmental Plan 2011, Wollondilly Development Control Plan 2016 and the Wollondilly Community Participation Plan.
3. Although Council may write to adjoining and adjacent neighbours inviting their comments, anyone can make a submission on any DA, whether they received a letter or not.
4. Matters raised in submissions should be planning-related, such as the potential impact of the proposed development in terms of scale, privacy, access, noise, dust etc.
5. Council may either approve (with or without conditions) or refuse a DA. If an application is refused, the applicant can appeal the decision to the Land and Environment Court.

How do I make a submission?

Use Council's DA Tracker to make a submission online. You may also email or send a written submission to Council. All submissions must specify the name(s) of the writer(s) and respective address and telephone.

Submissions can be submitted by:

Online: Lodge online through the DA Tracker

Email: council@wollondilly.nsw.gov.au

Post: Chief Executive Officer
Wollondilly Shire Council
PO Box 21
PICTON NSW 2571

In Person: Hand delivered to Council's Offices at 62-64 Menangle Street, Picton

If the submission is an objection, the reasons for your objection must be clearly explained in the submission. It is important that submissions only contain information relevant to the DA and must be lodged within the period specified in the notice, advertisement or on the website.

Petitions

Petitions to Council, whilst not as effective as individual unique submissions, can assist in conveying community concerns about a proposal. Both the quality and quantity of petitions can help put your case. If you are organising a petition, you must ensure that people signing the petition are aware that Council may publish the petition on Council's website, including any details signatories provide.

Petitions received by Council must:

- Include the name and address or suburb and signature of the supporters to the petition
- Set out the request or submission of the petitioners on each page
- Include the name and address of the person submitting the petition (head petitioner)
- Be addressed to the Council and the original provided to Council.

Does the number of submissions that Council receive determine the outcome of the application?

The number of submissions alone does not determine the outcome of the DA. However, the matters raised in the submissions and the potential impacts of the development are of primary importance in Council's assessment of the application.

What happens if I make a submission?

Council must consider all matters which have been raised within any submission before making a decision regarding a development application. You may request that your name and address not be disclosed, however, it is important to note that confidentiality cannot be guaranteed as the Government Information (Public Access) Act 2009, Local Government Act 1993 and Environmental Planning and Assessment Act 1979 all provide measures for possible access to certain documents by the applicant and members of the public.

It is important that you clearly express your concerns in writing as Council cannot accept verbal representations. For this reason Council will only engage with submitters if the assessment officer requires clarification regarding an issue raised or needs to undertake a site inspection to better understand the issues.

How is a decision made?

Development Applications must be considered in accordance with the Environmental Planning and Assessment Act 1979 and the planning instruments and policies of Council. In determining a DA, Council is requested to consider the following matters:

- Provisions of the relevant planning instruments and policies;
- Likely impacts of the proposed development;
- Suitability of the site for the proposal;
- All submissions regarding the proposal; and
- The public interest.

Who discloses a political donation or gift?

Any person who makes a submission regarding a development application to Council is required to disclose all reportable political donations made to any local councillor or any gifts made to any local councillor or employee of that council. This applies to the period commencing two years before the application is made and ending when the application is determined. A Disclosure Statement of Political Donations and Gifts form may be collected from Council offices or downloaded from Council's website. Detailed reportable donation disclosure requirements are outlined within that form.

Who decides?

Council receives a large number of DAs each year. The majority of these applications are for relatively minor works such as alterations and additions to dwelling houses and are dealt with by officers under the delegated authority of the Council.

Submissions relevant to the application are carefully considered before such a decision is made. The application may either be approved or refused. A letter is sent to all those who made an individual submission explaining the reasons for either decision.

For significant or contentious DAs the application is determined by the Local Planning Panel (LPP) or the Sydney Western City Planning Panel. If the application is to be determined by the LPP, all persons who prepared an individual submission will be contacted with details of the meeting date and time. Submitters will be offered an opportunity to address the panel in person about their submission. The LPP meets on the third Thursday each month. The public are welcome to attend these meetings which are held online or in the Council Chambers at 62-64 Menangle Street, Picton.

Withdrawing a submission

If you decide to withdraw your submission in respect to a planning application or do not wish to pursue your submission, you can withdraw it by writing or sending an email to Council.

How do I find out what is happening with the assessment of the application?

The DA Tracker on Councils website shows the current progress of all development applications, visit <https://tracking.wollondilly.nsw.gov.au/>