

DEVELOPMENT APPLICATION SUBMISSION FACT SHEET

Who can lodge submissions?

Anyone can lodge a written submission relating to development applications that have been lodged with Council.

How do I find out about applications on which I can lodge a submission?

There are a number of ways in which the public is advised of applications that have been lodged with Council. The method of advice, and the period during which submissions may be made in relation to an application, are governed by the Environmental Planning and Assessment Act 1979, and vary depending on the type of development. Notifications and advertisements will detail the land to which the application applies, a description of the proposal and the name of the applicant. Details of the consent authority, the period during which submission may be made in respect of the development and the place(s) at which the application and supporting documents may be inspected will also be detailed.

Applications currently on exhibition are listed on Council's website: www.hilltops.nsw.gov.au under the section 'have your say'.

How do I lodge a submission?

Your submission must be made in writing to Council via either email or post as listed in Council's public notice. Your submission should clearly identify the Development Application Number, subject property address and should be received within the notification period.

When can submissions be lodged?

To ensure consideration is given to your submission, it should be received by Council during the exhibition period. The exhibition period is the length of time that an application is available for public comment. Advice of this period is given in Council's public notice.

What do I need to provide?

We need your name and postal address and the Development Application Number with your submission so we can keep you updated. If you provide an email address Council will communicate by email.

In the case of a petition only the head petitioner will be sent Council correspondence and it is the responsibility of that head petitioner to keep all the co-signatories advised of the progress of the application.

Who can see my submission?

Under the Government Information (Public Access) Act anyone can apply to view submissions. They will also be included in Council business papers, which are made available on our website or in court proceedings.

Do I have to give reasons for my support for or objection to an application?

Yes, you should include in your submission your reasons for supporting or objecting to the application, based on the planning and development issues relevant to the application.

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What happens to my submission?

All submissions received within the exhibition period are considered in the assessment of an application. Submissions will also be attached to Council reports. Outcomes from Council meetings are available on Council's website: www.hilltops.nsw.gov.au.

Are amendments to applications renotified?

Not always. Under Council's Development Control Plans, there are instances where amended plans are not required to be notification. Renotification does not occur when the amended application is substantially the same development and does not result in a greater environmental impact.

Amendments to applications that are substantial will be notified in the same manner as the original notification and to each person who made a submission to the original notification. In the case of submissions made by petition, only the head petitioner will be notified.

Will questions be answered if I ask them in a submission?

No.

If I lodge a submission on an application, can I also include a complaint about the property or an activity on the property concerned?

No. The submission should reference the application and focus on the planning and development issues relevant to the application.

How do I lodge a complaint about a property?

A complaint may be lodged at any time using a complaint form available at Council's Administration Offices. In some circumstances, the property owner is supplied with the substance or nature of the complaint, but not the name of the person who complained.

How do I ask questions about an application?

Contact Council's Customer Service Team on 1300 445 586.

Political donations and gifts disclosure statements

Anyone making a submission to Council in relation to any development application need to make themselves aware of disclosure obligations that may exist, under the Environmental Planning and Assessment Act 1979, in relation to political donations and gifts.

Making a public submission to a council

Under section 10.4 of the Act a person who makes a relevant public submission to a council in relation to a relevant planning application made to the council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any associate of that person within the period commencing 2 years before the submission is made and ending when the application is determined:

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- (a) all reportable political donations made to any local councillor of that council.
- (b) all gifts made to any local councillor or employee of that council. A reference in sections 10.4 of the Act to a reportable political donation made to a “local councillor” includes a reference to a donation made at the time the person was a candidate for election to the council.

How and when do you make a disclosure?

The disclosure of a reportable political donation or gift under section 10.4 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning application or submission if the donation or gift is made before the application or submission is made, or
- (b) if the donation or gift is made afterwards, in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation or gift is made.

What information needs to be in a disclosure?

The information requirements of the disclosure are outlined in the Act under section 10.4 political donations and for gifts. Copies of the Disclosure Statement Templates, which outline the relevant information requirements for disclosures to a Council, Minister or the Department of Planning, are available from the NSW Department of Planning, Industry and Environment’s website: www.planning.nsw.gov.au or Council’s website: www.hilltops.nsw.gov.au.