



## Making a Submission

Under certain circumstances Council is required to notify and advertise development proposals that have been submitted to Council for assessment. This provides an opportunity for persons likely to be affected by the proposal to raise issues and provide input that may assist Council in its decision making process.

Council must consider a range of codes, policies and legislation when determining an application. These regulations provide parameters so applicants can base their expectations to carry out work on their property. Any submissions received by Council during the notification period will be considered in conjunction with legal responsibilities, the interest of the community and the reasonable expectation and rights of the applicant.

In making a determination, Council may have to balance competing interests. Where a particular application gives rise for concern, Council may initiate mediation/consultation to facilitate a solution. Therefore, if you are making a submission you may be contacted by Council officers if mediation/consultation is considered appropriate.

### Section 1: Information for making a submission

- (a) If you wish to support/object to a proposal, your submission must be in writing and clearly explain:
  - what specific aspects of the development proposal that you wish to comment on, and
  - your reasons for supporting/objecting to the specific aspects of the proposal that you have identified.
 Please note - your submission should address the information/issues specific to the development proposal, not general opposition to Council's planning schemes or policies.
- (b) If you make a submission, you are required to disclose information about any political donations or gifts. This includes political donations made to any local councillor or gifts to any local councillor or employee of Council made within two years prior to making a submission. Forms for making a disclosure are available on Council's website or from Council's Customer Service Office in Moruya. Refer to *Environmental Planning and Assessment Act 1979*, Section 147 (5) and (6).
- (c) Submissions should be made via Council's DA tracker module through our [ePlanning](#) web page. However, if you wish to make a submission via post, email or fax, it should be addressed with the details at the bottom of this page.
- (d) Council staff will be pleased to help you look at plans and specifications however they are not in a position to comment on the merits of the proposals, interpretation of plans/specifications or offer opinions relating to the proposal. Should you need assistance in this regard, you may wish to engage an appropriate tradesperson, building professional or the like.
- (e) Submissions must be received by Council within the notification/advertised period to ensure that your concerns are addressed.
- (f) All submissions received are recorded and fully considered in the context of the proposal. All persons making a submission will receive an acknowledgement letter.

- (g) **The applicant for the proposal has the right to be informed of the grounds of any submission and may also request access to the submission, including name and address of the author.**  
**Note: Personal defamatory remarks are not appropriate.**
- (h) If minor amendments are made to an application, you will not be re-notified. Submissions will be considered in the context of the amendment. However, you will be re-notified if Council considers that the application is significantly modified or a significant review of the consent conditions is sought by the applicant.

## **Section 2: Determining applications**

Applications will generally be determined by Council's development assessment officers, however there are some circumstances that will necessitate referral to the Ordinary Meeting of Council for determination. These are, in the main, very large developments or those that have a wide public interest.

## **Section 3: Addressing the Ordinary Meeting of Council**

- (a) Council will advise you if the development proposal will be referred to the Ordinary Meeting of Council and provide you with detail on how you can address the Council Meeting if you wish. Council will use the contact details that you have supplied in your submission. It is your responsibility to ensure that appropriate contact details are supplied.
- (b) If the Development Application is to be reported to the Ordinary Meeting of Council, a copy of the report is obtainable from Council's website, [www.esc.nsw.gov.au](http://www.esc.nsw.gov.au), under 'Inside Council' then refer to 'Council meetings', or accessed through Council's libraries or Council's Customer Service Centre, Moruya. Reports will be available after 3pm on the Wednesday prior to the Council meeting. Upon request, a hard copy of the report can be obtained from the front counter at Council's Customer Service Centre, Moruya.
- (c) Personal remarks must be avoided and comments are to be confined to five minutes. Protocols will be displayed on the overhead projector during the meeting. An extension of time may be granted by the Chairperson, if deemed appropriate.
- (d) Should a site inspection be necessary, the prior permission of the owner is required to enable persons making a submission to attend. Site inspections will be arranged by Council.
- (e) A copy of the Minutes of the Ordinary Meeting of Council is available on Council's website, [www.esc.nsw.gov.au](http://www.esc.nsw.gov.au), on the Friday following the meeting.
- (f) The public are welcome to attend these meetings, which are held in Council's Chambers. Meeting dates are available in Council's Noticeboard in the local newspaper and on Council's website, [www.esc.nsw.gov.au](http://www.esc.nsw.gov.au).