

Guidelines for Lodgement of Submissions on Applications

1. Who can lodge submissions?

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

2. 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 Regulations and vary depending on the type of proposal.

Notifications and advertisements will detail the land to which the application applies, a description of the proposed development 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 at which the application and accompanying documents may be inspected will also be detailed.

Enquiries may also be made at Council's Customer Service Centre, 2 Pulteney Street, Taree about any application that has been received.

3. Who should I address my submission to?

Your submission should be addressed to: Interim General Manager
MidCoast Council
PO Box 482
TAREE NSW 2430

Please include Council's Reference Number, eg; Application Number, File Number, etc in your submission.

4. 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 the notices Council provides to the public.

5. Can I look at the plans of the proposed development or building?

Yes, throughout the exhibition period, the plans can be inspected at Council's Administration Office during Council's business hours (8.30am to 4.30pm).

6. 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.

7. What happens to my submission?

All submissions received within the exhibition period are considered in the assessment of an application. This may also involve submission of a report to Council. If an application is referred to a Council meeting for decision, the public may inspect all submissions received at the time the Business Paper is issued. Submissions not subject to a report to Council may be inspected following determination.

Outcomes from Council meetings are available on our website.

8. Who can see my submission and when?

Apart from Council staff assessing the application, members of the public, including the applicant, property owner and other persons lodging submissions may inspect submissions:-

- If referred to a Council meeting, once the agenda or business paper issues for such meeting. Submissions can be inspected at our Customer Service counters during Council's business hours (8.30am to 4.30pm).
- If the application is determined by Council staff, once the determination has been made (ie consent or refusal issued).

It is therefore important that submissions address the planning and development concerns related to the application and not deal with other matters.

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

Yes, however you should be aware that a copy of your letter may be obtained by the applicant and the owner of the property. In general terms, the submission should reference the application and focus specifically on the planning and development issues relevant to the application.

A letter of complaint about the use of a property, addressed to the General Manager, may be lodged at any time. In these circumstances, the property owner is supplied with the substance or nature of the complaint, but not the name of the person who complained.

Anyone can also lodge an application for access to documents under the Government Information Public Access (GIPA) Act. These applications are dealt with under that Act.

10. Political donations and gifts disclosure statements

Anyone making a submission to Council in relation to specific planning applications 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 147(5) 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:

- (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 147(4) and 147(5) 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 147 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 147(9) for political donations and section 147(10) 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 [Department of Planning website](#) or [MidCoast Council website](#).