

Who can make a submission?

Any person who may be affected by a proposed development, is welcome to make a submission in response to a Development Application (DA).

In making a submission, it is recommended that you consider the following:

1. Property owners or anyone obtaining consent from the property owner, are entitled to make an application to develop their property.
2. Council is obliged to consider Development Applications within a legal framework established by the Environmental Planning and Assessment Act 1979 and related documents. That framework grants landowners certain entitlements. For example, it may zone land for residential flat buildings, in which case the landowner is entitled to build a residential flat building, provided other criteria specified in the planning documents are met.
3. Most development requires Council to notify adjoining neighbours, however anyone can make a submission on any Development Application, whether they received a letter or not.
4. Council may either approve or refuse an application.

How do I make a submission?

To make a written submission on a proposal, you may email (council@cityofparramatta.nsw.gov.au) or post it to PO Box 32, Parramatta, NSW 2124. Your submission should clearly identify the DA Application Number, subject property address and should be received within the notification period.

All submissions must specify the name(s) of the writer(s), their property address and e-mail contact information.

Your submission must relate only to the proposed development and should clearly set out any concerns you have, such as privacy, overshadowing, view loss; landscaping, noise, streetscape, car parking, building bulk etc. (NB this is not an exhaustive list).

Council will acknowledge in writing the receipt of all submissions. All written submissions will be taken into consideration when assessing the application but a detailed response to individual submissions cannot be given.

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

Note: Individual households represent only one objection to a DA irrespective of the number of individual objections received or signatures provided on behalf of that household.

How are the submissions considered?

Council considers all submissions that are lodged against an application as required under Section 4.15(1)(d) of the Environmental Planning and Assessment Act 1979.

Submissions are assessed against the controls that apply to the site / development and the potential impact that development will have on individual properties or the area as a whole.

The lodgement of a submission does not imply that Council will refuse the application.

Are the number of submissions important?

Yes. The number of unique submissions has a bearing on whether a matter is determined under senior management delegation or by the Parramatta Local Planning Panel. Notwithstanding the number of submissions, it is important to note that the matters raised in the submissions are of primary importance in assessing a development proposal.

Will my submission be made public?

Any submission received will not be made available on the City of Parramatta Council website.

Any submission received relating to a development application will be made available subject to an informal request for access to information under the Government Information (Public Access) Act 2009 (GIPA).

If such a request is received, your submission, including your name and address, may be made available. Should you wish to have this information withheld, please clearly state this in large text at the beginning of your submission and Council will consider this.

Please refer to Council's 'Access to Information Policy' for further details regarding access to Council held information.

Who discloses a political donation or gift?

In accordance with Section 147 of the Environmental Planning & Assessment Act 1979 and the Local Government & Planning Legislation Amendment (Political Donations) Act 2008, any person who lodges a written submission either objecting or supporting a Development Application must also make a disclosure if the person has made a reportable political donation or gift.

You may obtain a 'Disclosure Statement of Political Donations & Gifts' form from Customer Service or download it from the City of Parramatta Council website.

Detailed reportable donation disclosure requirements are outlined within that form.

Are amendments to plans re-notified?

Under the Development Control Plans that apply to the City of Parramatta, there are instances where amended plans are not required to be re-notified. This occurs when the amended application is substantially the same development and does not result in a greater environmental impact.

Amendments to applications that are deemed to be 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 being made by petition, only the principal author or first signatory will be notified.

The DA Assessment Process

In simple terms, a DA follows the below process:



During the above process, the DA must be considered in accordance with the requirements of the **Environmental Planning and Assessment Act 1979** (EP&AA) and the planning instruments and policies of Council. In determining a DA, Council considers the following matters:

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

Copies of the planning instruments and codes can be found on Council's website via the [Development Control Plans](#) page (under the "Business & Development" > "Planning" menu).

Further information on the EP&AA can be found at: <https://www.legislation.nsw.gov.au/#/view/act/1979/203>

Who decides?

Council receives in excess of 1,000 DA's each year, with three main levels of decision making.

Senior Management:

If there are less than 10 unique submissions received for a DA and the application conforms to the relevant planning controls, it is dealt with by Senior Management under the delegated authority of the Council.

Parramatta Local Planning Panel (PLPP).

If 10 or more unique submissions are received for a DA, the application is determined by the PLPP. If the application is scheduled to be determined by PLPP, all persons who prepared a submission will be contacted and advised of the meeting date/time.

PLPP generally meet to determine development applications on the third Tuesday of each month at 3.30pm. The public is welcome to attend these meetings which are held in the Civic Room at the Rydalmere Operations Centre (unless otherwise advised of a location change).

An "[Application to Address the Panel](#)" form can be obtained from Council's website via the [Local Planning Panel \(LPP\)](#) page (under the "Business & Development" > "Planning" menu) and must be submitted to Council's Governance Team by noon the day before the meeting.

Further information relating to addressing the Panel at the meeting can be obtained by contacting Council's Governance Team on 9806 5325.

Please note that all applications for residential flat buildings with 4 or more storeys and a cost of works less than \$30 million will be determined by PLPP; regardless of the number of unique submissions received.

Sydney Central City Planning Panel (SCCPP)

Major developments with a cost of works more than \$30 million; and certain community type developments with a cost of works more than \$5 million, will be determined by the regional panel for the area. The panel for Parramatta is SCCPP.

For all levels of decision making, submissions relevant to the application are carefully considered before a decision is made.

Conciliation Meetings

Where an application receives **more than 7** unique submissions, the applicant can choose to attend a Conciliation Meeting with concerned residents, elected Councillors and Council staff. These meetings are held if the applicant agrees to attend the meeting.

Conciliation Meetings are not held where an applicant has lodged an appeal (prior to a decision) with the Land & Environment Court due to the Court process and timing.

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

Any person may track the progress of a DA on Council's website via the [My Development](#) portal (under the "Business & Development" > "Planning" menu) or alternatively, you may wish to contact the Development Assessment Officer directly.

Following the determination of an application, all persons who made a submission will be notified of the decision.

Post Determination

What happens if I do not agree with Council's decision?

As an objector or local resident, there is limited scope to overturn a decision made to approve or refuse a DA that is determined by Council's Senior Management, the PLPP or the SCCPP. There are two options available being an **Objector Appeal** or a **Judicial Review**.

Judicial Review is a review of administrative decisions and conduct under planning or environmental laws. They relate to matters of law (not a reassessment of merit). Any person contemplating such an appeal is strongly urged to seek independent legal advice.

Objector Appeals to the Land and Environment Court only apply to designated developments. A designated development is typically a development that is likely to have a significant impact on the environment, such as a mine, quarry, marina or an abattoir.

If an application is refused, the applicant can ask for the decision to be reviewed by the PLPP or appeal the decision in the Land and Environment Court within six months of the decision being made. Objectors to the development will be kept informed of the review and appeal process.