

# Having Your Say -

## What happens to your comments on Development Applications?

This guide provides advice to people who have made a written submission about an application for development approval.

This guide also explains:

- The roles played by Councillors and Council Officers.
- The way in which you may take part in the Planning & Environment Committee Meetings.



# CITY OF RYDE

**What happens to the comments I make?**

All written comments received by Council must be considered before a decision can be made about the application. However, these reflect only some of many matters that Council must consider when it makes a decision on an application.

**Are my comments confidential?**

No – Council has a policy allowing submissions to be viewed by any interested person.

**What sort of issues does the Council look at when making its decision?**

This depends on the proposal, however, the Council must take account of state and local planning instruments and policies such as:

- The Ryde Local Environmental Plan (i.e. the Ryde Planning Scheme)
- State Planning Policies
- The NSW Local Government Act
- The NSW Environmental Planning and Assessment Act
- The Building Code of Australia
- Development Control Plans

A decision must also take account of other factors including:

- case law precedents;
- traffic and highway safety issues;
- layout and design of proposed developments;
- potential noise and smells;
- trees and landscaping proposals; and
- the amenity of neighbours.

The State Government and the Courts have also said that the Council must not allow certain issues to influence its decision. These include:

- loss of property value
- loss of view over other private land
- boundary or access disputes
- the applicant's motives
- possible future proposals
- matters covered by other laws; and
- personal circumstances.

## How is a decision made?

There are two methods:

### 1. Delegated Authority

Council officers have powers given to them by the elected Council to decide certain applications. The **majority** of applications are approved or refused under this delegated authority.

If the application about which you have made a submission is decided under delegated authority, you will be advised in writing of that decision.

### 2. Council

If an application is not to be decided by an officer, then an assessment report is written for the Council Planning & Environment Committee. If your comments are received within the time limit for making submissions (as advised in your notification letter), they will be included in the report.

An assessment report also includes recommendations from the assessing officer that take account of what you have said. The main recommendation to the Committee is either to approve or refuse the application, but the Committee does not have to follow it. Recommendations may also propose modifications to a proposal e.g. reduction in the height of a building.

The Planning & Environment Committee can approve or refuse an application under delegated authority, or may refer the application to a full Council meeting.

**Note: As previously stated, a majority of applications are determined under delegated authority. If the application about which you made a submission is to be determined by the Council, and you want to attend/address the Planning & Environment Committee on the matter, PLEASE CONFIRM THIS IN WRITING to the General Manager, Ryde City Council, Locked Bag 2069, North Ryde NSW 1670, providing suitable contact telephone numbers.**