

To the Resident

The Privacy and Personal Information Protection Act 1998 (“the Act”) came into operation from 1 July 2000. We are writing to you to comply with the Act.

Information contained in any submission made to Council in relation to a Development Application may be personal information for the purposes of the Act.

However, details of any application including submissions (with name and address) will be made available to:

- ◆ officers within the Council for the purpose of assessing your submission;
- ◆ consultants who may be working for Council;
- ◆ the applicant/owner or their appointed representatives;
- ◆ general public by viewing Council’s website
- ◆ people who apply to view Council’s file relating to the application in accordance with the Government Information (Public Access) Act.

Further, details of any submission made by you (including your name and address) will be included in the report prepared by the Council’s Assessment Officers in respect of the Application. Council reports relating to Development Applications are public documents.

The supply of the information by you is voluntary. People who make submissions may choose to remain anonymous; however, should there be a need to substantiate matters contained in a submission made by you, anonymous submissions may be given less weight (or no weight) in the consideration of the Application.

If you make a submission in relation to a Development Application, Council will be collecting personal information from you in order to properly consider your submission.

If you would like to make a comment on the proposal, it must be in writing and must be received at Council by the closing date. Your comments should be restricted to the proposed development. Council accepts no responsibility for comments of a personal or defamatory nature contained in submissions.

Your submissions will be placed on Council’s website and used in assessing the application.

Contact the Assessment Officer for any specific advice or view www.willoughby.nsw.gov.au/Development/development-application-process/frequently-asked-questions.

You may make application for access or amendment to information held by Council.

Council is the agency that holds the information for the purposes of the Act.

Enquiries concerning this matter can be addressed to Council’s Governance Manager.

For additional information concerning the Development Application Process (including notification), please visit www.willoughby.nsw.gov.au under the Development, Development Process Section or visit Council’s Help and Service Centre, Level 4, 31 Victor St Chatswood.

**IMPORTANT ADVICE FOR COMMENTING ON DEVELOPMENT APPLICATIONS
(excluding those subject to appeal to the Land and Environment Court)**

1. When a development application is submitted to Council, owners of properties likely to be affected by the development are notified in writing by Council, and invited to inspect the detailed plans and application documents accessed from Council's website at www.willoughby.nsw.gov.au under Development – Application Tracking or at the Council's Help and Service Centre on Level 4, 31 Victor Street, and Chatswood from 8.30am – 5.00pm weekdays. Please contact Help and Service if assistance is required on 9777 1000. The notification letter contains details you will need if you decide to comment on the proposed development including the application number.
2. Once you have inspected the application, you can make a submission setting out any concerns you have about the proposal, or indicating why you believe the proposal should be supported or refused by Council. **You do not have to make a submission.**
3. Submissions must be in writing, addressed to the **General Manager, Willoughby City Council, PO Box 57, Chatswood NSW 2057**. Please quote the application number and the address of the development and provide a telephone number and email address to enable Council to contact you about your submission if necessary. You can use photos or sketches to clarify your concerns.
4. If you make a submission and have made a reportable political donation or gift to a Councillor or Council Officer within 2 years before making the submission you must attach a completed disclosure statement. For further information please visit www.willoughby.nsw.gov.au/Donations-and-Expenditures.html.
5. All submissions received within the notification period will be considered in the assessment of the application. Depending on the type of development, either Council Officers, the Willoughby Local Planning Panel (WLPP) or the Sydney North Planning Panel (SNPP) will determine the application. The determining authority is not bound to adopt or support a submission when making its decision. The assessment will involve consideration of the merits of all relevant matters.
6. **Submissions received after the close of the submission period but prior to the completion/determination of the application, will not be considered unless a correspondent makes a written request within the prescribed notification period and receives approval for extension of the period within which to make a submission.** The request must include the reasons for seeking the extension. The approval of the request is at the discretion of the *Authorised Officer* having regard to the reasons provided and taken into account the appeal provisions available to an applicant under the EP & A Act, 1979.
7. Some of the matters you might consider in a submission include: views, overshadowing, privacy, streetscape, bulk or scale of the proposal, landscaping, car parking, drainage, noise, and heritage. This list is not exhaustive and some of these matters may not be relevant to the application.
8. Time and staff constraints **do not** allow Council staff to provide a written response to your submission, although Council will acknowledge its receipt.
9. If you have specific questions or concerns you wish to discuss, please contact the Council officer responsible for the application. This officer is available by telephone or by appointment to explain the application and discuss your submission.
10. Council staff will inspect the site, consider all submissions and assess the development proposal in relation to Council policies and other statutory requirements.
11. The application will be determined by a Council officer under delegation by the WLPP or by the SNPP. If you want to know the progress of the application, please contact the nominated Council Officer or refer to Application Tracking on Councils website. It should be noted that

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applicants have a right of appeal to the Land and Environment Court against the determination authority's decision.

12. Please note that all submissions received, including the names and addresses of the persons making the submissions, may be accessed by any person.

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IMPORTANT ADVICE FOR COMMENTING ON DEVELOPMENT APPLICATIONS SUBJECT TO APPEAL TO THE LAND AND ENVIRONMENT COURT

1. Where Council notifies a development application that is subject to appeal to the Land and Environment Court, owners of properties likely to be affected by the development are invited to inspect the detailed plans and application documents accessed from Council's website at www.willoughby.nsw.gov.au under Development – Application Tracking or at the Council's Help and Service Centre on Level 4, 31 Victor Street, and Chatswood from 8.30am – 5.00pm weekdays. Please contact Help and Service if assistance is required on 9777 1000. The notification letter contains details you will need if you decide to comment on the proposed development, including the application number.
2. Once you have inspected the application, you can make a submission setting out any concerns you have about the proposal, or indicating why you believe the proposal should be supported or refused by the Court. You do not have to make a submission.
3. Submissions must be in writing, addressed to the General Manager, Willoughby City Council, PO Box 57, Chatswood NSW 2057. Please quote the application number and the address of the development and provide a telephone number and email address to enable Council to contact you about your submission if necessary. You can use photos or sketches to clarify your concerns.
4. If you make a submission and have made a reportable political donation or gift to a Councillor or Council Officer within 2 years before making the submission you must attach a completed disclosure statement. For further information please visit www.willoughby.nsw.gov.au/Donations-and-Expenditures.html.
5. All submissions received within the notification period will be forwarded to Councils solicitor in the Land and Environment Court proceedings.
6. Some of the matters you might consider in a submission include: views, overshadowing, privacy, streetscape, bulk or scale of the proposal, landscaping, car parking, drainage, noise, and heritage. This list is not exhaustive and some of these matters may not be relevant to the application.
7. Time and staff constraints do not allow Council staff to provide a written response to your submission, although Council will acknowledge its receipt.
8. If you have specific questions or concerns you wish to discuss, please contact the Council officer responsible for the application. This officer is available by telephone or by appointment to explain the application and discuss your submission.
9. The application will be determined by the Land and Environment Court. If you want to know the progress of the application, please contact the nominated Council Officer. Council will not contact individual correspondents to advise them when an application will be heard by the Land and Environment Court.
10. Please note that all submissions received, including the names and addresses of the persons making the submissions, may be accessed by any person.

GENERAL MANAGER

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