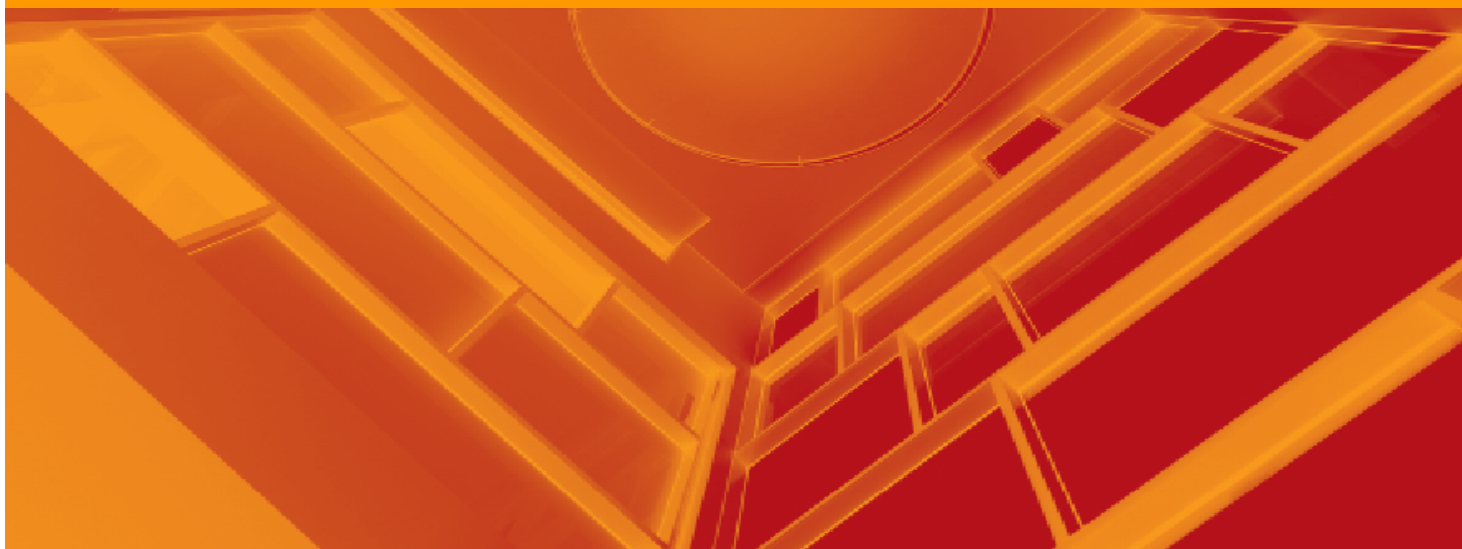


DRAFT RANDWICK CITY COUNCIL
DEVELOPMENT CONTROL PLAN

A Introduction

- A1 About this DCP
- A2 What is a DA?
- A3 Public Notification



About this DCP

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1 Introduction

1.1 Purpose of this Plan

This Development Control Plan (DCP) has been prepared under Section 74C of the Environmental Planning and Assessment Act (the Act) 1979 and the Environmental Planning and Assessment Regulation, 2000 (the Regulation).

This DCP provides detailed guidance for development applications (DAs) to supplement the provisions of the Randwick Comprehensive Local Environmental Plan (RLEP). The DCP includes objectives and controls for ensuring well designed, quality land use and development within the Local Government Area (LGA) to enhance Randwick City as a vibrant community and desirable place to live, work and visit.

It provides guidance to applicants in preparing development proposals, Council officers in assessing those proposals and for people making submissions on DAs.

This Plan replaces all DCPs formerly applying in the City in the one comprehensive DCP.

1.2 Objectives

The objectives of this DCP are to:

- Provide detailed guidance for development on the aims, objectives and controls of the RLEP;
- Support the integration of land use and transport planning in providing for housing and employment;
- Ensure quality design that reflects a site's character and context;
- Ensure development is economically, socially and environmentally sustainable;
- Ensure development demonstrates architectural merit and incorporates high quality materials and finishes; and
- Protect and enhance remnant native vegetation, habitat corridors, biodiversity and wetland areas.

1.3 Plan Name and Commencement

This Development Control Plan (DCP) is called the Randwick DCP. This plan was adopted by Council on XXXX and came into effect on XXXX.

1.4 Land to which this Plan applies

This DCP applies to all land within the Randwick Local Government Area (LGA).

1.5 Interpretation

Terms in this DCP generally have the meaning ascribed to them in the Dictionary to the RLEP or the Act. Where additional terms apply or the meaning of terms differs, definitions have been included in the glossary and relevant parts of this DCP.

A reference in this DCP to any Australian Standard or legislation includes a reference to any amendment or replacement as made.

Each DA will be assessed having regard to the RLEP, this DCP, the DA assessment matters listed in Section 79C of the Act, and any other policies adopted by the consent authority.

1.6 Relationship to other plans

This DCP should be read in conjunction with the provisions of the Act and the RLEP. If there is any inconsistency between this DCP and the LEP, the LEP prevails.

1.7 How to use this plan and structure

The structure and format of this DCP has been organised to enable the user to easily find relevant information for the preparation and assessment of a DA. It establishes a hierarchy of information from the general to the specific.

It has been divided into 6 parts (A-F) as set out below.

PART A INTRODUCTION

This Part sets the formal/legal framework for the DCP and includes the details of Council's notification policy for DAS, DCPs and LEPS.

PART B GENERAL CONTROLS

This Part will apply to all development applications and should be read first to determine how these provisions may apply.

This Part covers design, heritage, ecologically sustainable development, landscaping and biodiversity, trees and vegetation, recycling and waste, traffic, parking and access, water management and management plans. A development proposal will need to reference and address the relevant provisions for the type of development.

PART C RESIDENTIAL

This Part establishes provisions for all types of residential accommodation including low density such as dwelling houses and medium density residential. It also has separate sections on boarding houses and adaptable and universal housing.

It provides essential guidance on building envelopes, building design, setbacks, private open space, landscaped area, car parking etc. to assess development and ensure the impacts suitably managed.

A development proposal must consider the relevant provisions of this part in addition to the relevant general controls of Part B.

Some development proposals will also need to address the area specific controls in the medium density residential section for identified sites.

PART D COMMERCIAL/INDUSTRIAL USES

This Part establishes controls for commercial and industrial uses and comprises four sections:

- Specific commercial land uses
- Neighbourhood Centres
- Local Centres
- Industrial Areas

Development must address the provisions of this part and the relevant general controls under Part B.

PART E SPECIFIC SITES

This Part provides additional provisions for Specific Sites in the City. These provisions override similar provisions in other parts of the DCP unless otherwise noted.

The specific sites are:

- Bundock Street, Randwick
- Randwick Education/Health Specialised Centre
- Randwick Racecourse
- Prince Henry Site, Little Bay

PART F MISCELLANEOUS CONTROLS

This Part establishes provisions relevant to recreation zones, development adjoining areas with significant biodiversity, outdoor advertising, Sydney Airport (noise and height) and telecommunications and radiocommunications and must be referred to depending on the location and nature of the proposed development.

Development Applications

2 What is a DA?

A Development Application (DA) is a request that you can make to Council to carry out various types of development such as:

- Building a new building or structure for residential, commercial or industrial uses
- Alterations or additions to an existing building or structure
- Subdividing land or a building
- Changing the use of land or a building

A development application form with relevant supporting survey, drawings or plans and a written statement will need to be lodged with Council. To assist you in preparing and lodging a DA, Council has prepared explanatory guidelines (on the web and in hard copy).

Please refer to 'Building_and_Development' on Council's website at www.randwick.gov.nsw.au or contact the Customer Service Centre.

A step by step guide to obtaining consent for some common developments and an overview of how DAs are processed by Council, can also be viewed on Council's website.

DAs are assessed on their merits under the requirements of s79C of the Act which among other things requires consideration of environmental planning instruments (includes LEPs) and DCPs.

DAs lodged and received by Council can be tracked through Council's Online Services.

2.1 DA requirements

Seeking relevant information is an important first step in preparing a DA. Council offers a pre-lodgement meeting to identify key issues at an early stage. This service offers a meeting with relevant senior Council staff to provide early advice on a development proposal and is particularly useful for large or complex proposals. In addition a duty town planner is available during business hours for general planning enquiries.

The DA Guide and checklist is also a useful reference to ensure relevant matters are addressed in a development proposal. This is available on-line or at the Customer Service Centre.

A DA submission will require a Statement of Environmental Effects (as known as a S.E.E), context and site analysis, architectural drawings and survey plans to show what is being proposed and its impact (if any) on adjoining sites or the transport network. Depending on the development type the following may also be required:

- Landscape plans & planting schedule
- Drainage/stormwater management plans
- Transport and/or parking studies
- Acoustic/Noise report
- Contamination and remediation report etc.

Depending on the proposed development, several chapters of this DCP will need to be considered. For example, Part B General Controls is relevant for all DAs. Referral to other areas will be necessary depending on the type of development. For example, residential development such as alterations and additions to a dwelling house will need to also refer to Part C while Part D is relevant for commercial development.

Once the plans and SEE are ready, an application form will need to be completed and all material lodged with Council. A formal process of notification and assessment will then follow.

Note: Details of the assessment and decision process can be found on Council's website page 'Building_and_Development'.

2.2 Performance Based and Numerical Controls

Previous approach

Council's previous DCPs adopt performance-based provisions to guide development across the City. The control provisions typically consist of three components, namely:

- Objectives – state the intent of the control and what it is seeking to achieve
- Performance Requirements – extend and interpret the objectives and describe the qualities of a development which a proposal is expected to attain, in order to meet the objectives.
- Preferred Solutions – illustrate a way that the corresponding performance requirements and objectives are deemed to have been satisfied.

Under this system, the Preferred Solutions may comprise a numerical standard, e.g. setback distance in metres or external wall height in metres. However, if a proposal does not meet the numerical standard under the Preferred Solution, it may still be supported in so far as it successfully demonstrates that the Performance Requirements and Objectives are satisfied via an alternative design or arrangement. In this case, the alternative design or arrangement is deemed to comply with the Performance Requirements and Objectives.

This performance based approach allows for flexibility and innovation in building design and construction, while ensuring that Council's planning objectives are achieved. The numerical standard should not be seen as the opposite to a performance based control system, rather, it is a component of that system.

Current approach

The new Comprehensive DCP has a clearer and simpler structure than Council's previous DCPs, and will be easier to interpret and apply in the preparation and assessment of DAs.

The provisions are structured into two components, Objectives and Controls, with an Explanation section to aid the interpretation or provide background information to the controls.

The Controls contain both numerical standards and qualitative provisions. All DA proposals are required to address all relevant objectives and controls.

Therefore, the new DCP operates in a similar manner to the previous approach, where flexibility will be appropriately maintained to allow innovative design and construction. Clause 2.2 below outlines specific criteria against which a proposed variation to the numerical controls will be assessed. This will provide a transparent basis for assessment of any elements of a proposal that do not meet a numerical control.

2.3 Achieving the numerical controls

The numerical controls in this DCP must generally be complied with. Any proposed variation from the controls may be considered only where the applicant successfully demonstrates that an alternative solution could result in a more desirable planning and urban design outcome. This ensures that the DCP guidance has sufficient flexibility to recognise that every property has different characteristics based on their unique combination of site conditions, size, aspect and location.

Any proposals seeking to vary the numerical controls will be assessed against the following criteria:

- i) Consistency with the general objectives of the LEP, and the general objectives and specific control objectives of this DCP.
- ii) The degree or numerical extent of variation from the control.
- iii) The presence of any existing site constraints rendering strict compliance difficult to achieve, such as:
 - Site topography
 - Site orientation
 - Allotment configuration
 - Allotment dimensions
 - Existing building structures to be retained
- iv) Potential impacts on the structural stability, visual amenity, solar access, privacy and views of the adjoining properties as a result of the variation.
- v) Potential impacts on the public domain in terms of streetscape character, views and vistas and pedestrian amenity.
- vi) Whether strict compliance with the controls will or will not permit construction of a building with reasonable dimensions, internal amenity, open space provision and architectural character.

Public Notification

3 Public Notification

Public participation is a key part of the development assessment and plan making process. The Act and Regulation provide the statutory requirements for notifying the public about DAs, planning proposals including local environmental plans (LEPs) and development control plans (DCPs). Council's notification procedures in this DCP add to these legislative requirements and do not replace or reduce such requirements.

3.1 Objectives

- To ensure that members of the public are adequately informed of new development proposals, planning proposals/LEPs or DCPs that may affect them and have suitable opportunity to comment on that notified proposal, LEP or DCP.
- To identify local development likely to be of interest to the broader community.
- To provide certainty over the nature and extent of notification required in the assessment of proposals.
- To maintain and improve the efficiency of Council's administrative operations, by providing a clear process for public notifications.

3.2 Types of development that advertising and notification apply to

This DCP specifically sets out Council's notification and advertising provisions for:

- Local development (covers most development assessed by Council)
- Regional development (as specified in the Act and determined by the Joint Regional Planning Panel),
- Applications to modify development consent under Section 96 of the Act;
- Review of determinations under Section 82A of the Act; and
- LEPs and DCPs.

State significant development has its own requirements for advertising in the Act and Regulation and is not covered by this section.

Exempt and complying development are separately defined under the Act and do not currently provide for community input.

Explanations of the different types of development can be found on the Department of Planning and Infrastructure's website at www.planning.nsw.gov.au.

3.3 What is public notification?

Public Notification refers to the range of ways in which members of the public are advised and informed of an issue at hand, to provide opportunities for public feedback on that issue.

Public Notice may include:

- Written Notice – a letter to specified persons likely to be affected by a development proposal, LEP or DCP;
- Published Notice – an advertisement placed in a newspaper;
- Site Notice – a notice erected on the site of a proposed development; and
- Web Page Notice – a notice published electronically on the Internet for a LEP or DCP.

In addition, if a development proposal, LEP or DCP is likely to generate broad community interest, the Council may also undertake consultation measures such as:

- Consult with relevant interest groups such as Precinct Committees and Chambers of Commerce;
- Arrange public meetings/presentations, open days or other public forums; and/or
- Send media releases to media agencies.

To facilitate Aboriginal People's involvement in planning processes, consultation with the relevant Aboriginal Land Council may be undertaken in addition to notification. Council's relevant Projects Officer also liaises directly with Aboriginal People in Randwick City, assisting communities to understand the impact of planning decisions upon future generations of Aboriginal People and their cultural connection to Country.

3.4 Notification requirements for local and regional developments

Council will use one or more public notice methods depending on the anticipated impacts of the proposed development and consistent with the requirements of the Act.

Type of Application	Written notice	Published notice	Site Notice	Notification period (days)
Development requiring written notification*	Yes	No	No	14
Development requiring notification and advertising **	Yes	Yes	Yes	14
Designated Development Applications	Yes	Yes	Yes	30
Integrated Development Applications	Yes	Yes	Yes	30
Threatened species development	Yes	Yes	Yes	30

* refer to section 2.2 below

** refer to section 2.1 below

3.4.1 Development requiring notification and advertising

The following table lists the different types of development that must be advertised in each zone. All advertised development also includes written notification.

Note:

In the table below the requirement for advertising applies to new developments only (not alterations and additions to existing)

Zone/Area	Development Types
Residential zones (R1, R2, R3)	Boarding houses; Commercial premises; Car parks; Community facilities; Child care centres; Multi dwelling housing; Passenger transport facilities; Places of public worship; Residential flat buildings; Serviced apartments; Health consulting rooms; Hostels; Hotel or motel accommodation; Recreation facilities (indoor); Recreation facilities (outdoor); Seniors housing; Shop top housing; Service station; Animal boarding and facilities.
Business zones (B1, B2)	Amusement Centres; Backpackers accommodation; Boarding houses; Car parks; Educational Establishments; Entertainment facilities; Function centres; Funeral Homes; Hostels; Hospitals; Hotel or Motel accommodation; Passenger transport facilities; Places of public worship; Recreational facilities (indoor); Recreational facilities (outdoor); Registered clubs; Residential care facilities; Residential flat buildings; Restricted premises; Retail premises (excluding shops; kiosks; restaurants or cafes; and takeaway food and drink premises); Service stations; Serviced apartments; Shop top housing; Veterinary hospitals.
Industrial zone (IN1)	All development in this zone except for Environmental protection works; Flood mitigation works; Home based child care; Home businesses; Home Occupation (sex services); Kiosks; Neighbourhood shops; Roads; Advertising structure.
Other zones (RU4, SP1, SP2, RE1, RE2, E2)	All development in these zones except for footpath dining and trading in the SP zones; Environmental protection works; Flood mitigation works; Roads.

Table 1: Development Requiring notification and advertising

The following types of development also require notification and advertising regardless of the zone and include new development and alterations and additions to existing development:

- Sex services premises,
- Restricted premises;
- Registered clubs
- Development requiring consent under the Infrastructure SEPP and other SEPPs;
- Development involving the demolition, damaging or defacing of a building or work that is a heritage item or that is situated in a conservation area, except where partial demolition only is proposed and, in the opinion of Council, the partial demolition will be of a minor nature and will not adversely affect the significance of the item or conservation area; or
- Development involving the use and works to a building or land relating to the conservation incentives for heritage items under clause 5.10(10) of the Randwick LEP.
- Any new commercial development with a gross floor area of 1000 square metres or more.
- Non-conforming uses.
- Tree works directly affecting adjacent properties (as per Part B, Section 5).

Note:

A development proposal may be exempt from advertising where that development is, in the opinion of Council, of a minor or ancillary nature and is not likely to result in any adverse impacts on the broader community.

3.4.2 Development requiring written notification

Applications types that require notification are those **not** listed in either:

- Section 3.4.1 - Development requiring notification and advertising; or
- Section 3.4.3 - Development that does not require notification or advertising

Note:

A development proposal may be exempt from notification where that development is, in the opinion of council, of a minor or ancillary nature and is not likely to result in any adverse impacts on the broader community.

3.4.3 Development that does not require notification or advertising

The following developments do not require notification or advertising

- Exempt Development;
- Complying Development;
- Building identification signs and business identification signs;
- Internal fit out of a building in a business or industrial zone;
- Property boundary adjustment;
- Strata and/or stratum Subdivision;
- Applications which in the opinion of the Authorised Officer, contain insufficient information to enable a proper assessment under the provisions of the Act and the application is to be determined by refusal for that reason.

3.5 Notification requirements for amending, modifying and reviewing applications

3.5.1 Amended applications

A DA may be amended or varied by the applicant (with the agreement of council officers) before the application is determined.

For amendments prior to determination of an application, Council may renotify:

- i) Those persons who made submissions on the original application.

Note:

If the amendments will have a lesser or the same effect as the original application (eg internal changes or external changes which cannot be seen from the correspondent's property) then re-notification is not required and submissions on the original application will be considered in the assessment.

- ii) Any other persons who own adjoining or neighbouring land (including those who were previously notified of the application) who may, in the opinion of Council, be further detrimentally affected by the amendments if carried out.

3.5.2 Applications to modify an existing consent (under Section 96 of the Act)

An applicant may lodge an application to modify a development consent or a deferred commencement consent under Section 96 of the Act. The modified development must remain substantially the same as the originally approved development.

- Section 96 (1) applications involve correction of minor errors and misdescriptions;
- Section 96 (1A) applications involve minimal environmental impacts;

- Section 96(1AA) applications seek to amend Land and Environment Court consents; and,
- Section 96 (2) applications involve other modifications.

Section 96 applications will be notified / advertised as follows:

Section 96 (1) application	No advertising or notification
Section 96 (1A) application	No advertising or notification
Section 96 (AA) application	Council will notify each person who made a submission in respect of the relevant DAs of the proposed modification by sending written notice to the last address known to the consent authority of the submitter. If the proposed modification may result in impacts that, in the opinion of Council, are not minimal, Council will also advertise and/or notify in accordance with this DCP.
Section 96 (2) application	Advertising and/or notification in accordance with this DCP.

Note 1:

A section 96(2) application may be exempted from notification and/or advertising where, in the opinion of Council, the proposed changes are not likely to result in any adverse impacts on adjoining or nearby land.

Note 2:

The EP&A Regulation requires councils to make reasonable attempts to notify submitters. This acknowledges that people's addresses may change and that after reasonable attempts to notify it may not be possible to do so for example, where no forwarding address is provided or is incorrect or incomplete etc.

3.5.3 Applications for a review of a determination

Applications made under Section 82A of the Act to review the determination of a development application or under Section 96AB to review a modification decision will be notified and or advertised in the same manner as the original application. Council will also notify each person who made a submission to the original application.

3.6 Procedures

3.6.1 Published notice (Advertising) procedures

Advertising procedures for Designated Development and State Significant Development are set out in the Regulation.

For other advertised development the following information must be included in the advertisement in a relevant local newspaper:

- (i) a description of the land (including the address) on which the development is proposed to be carried out,
- (ii) the name of the applicant and the name of the consent authority,
- (iii) a brief description of the proposed development,
- (iv) an invitation to inspect the application (including relevant plans and details);
- (v) details of where and when the application can be inspected;
- (vi) an invitation to make a written submission in relation to the development application to the consent authority,
- (vii) the period during which submissions can be made (notification period)

Note:

The notification period will begin the day after the published notice first appears in a newspaper, and the notification end date will be displayed in the advertisement.

Additional requirements for integrated development

In the case of development that is integrated development the published notice must also:

- (i) contain a statement that the development is integrated development, and
- (ii) state the approvals that are required and the relevant approval bodies for those approvals.

Additional requirements for threatened species development

In the case of development that is threatened species development, the published notice must also contain a statement that the development is threatened species development.

For LEPs and DCPs

The requirements for advertising a LEP or DCP is provided in the Regulation. The content of the advertisements is specified and the period for exhibition of a DCP. A draft DCP must be publicly exhibited for at least 28 days.

The exhibition period of a planning proposal for an LEP is determined by the Minister for Planning in accordance with the Act.

3.6.2 Written notice (notification) procedures

Applications which are to be notified by written notice will be sent a letter in the form of an email or standard mail.

When is notification sent?

Council endeavours to provide written notification as soon as practicable after a development proposal is lodged.

The notification period, for any person to make a written submission, will commence from the date stated in the notification letter.

Content of written notices

Written notification procedures for Designated Development and State Significant Development are set out in the Regulation.

Other notification correspondence will contain the following information:

- A description of the land (including the address) on which the development is proposed to be carried out;
- The name of the applicant and the name of the consent authority;
- A brief description of the proposed development;
- An invitation to inspect the application;
- Details of where and when the application can be inspected;
- A statement that any person may make a submission to Council, in writing, about the proposal and that if there is any objection to the proposal, the reasons for the objection must be included;
- The period during which submissions can be made (notification period) Note: the notification end date will be clearly displayed in the letter; and
- A statement that submissions are available for inspection by interested persons.

Additional requirements for integrated development

For integrated development, the written notice must also:

- Contain a statement that the development is integrated development, and
- State the approvals that are required and the relevant approval bodies for those approvals.

Additional requirements for threatened species development

For threatened species development, the written notice must also contain a statement that the development is threatened species development.

Extent of notification

Each notification is expressed as a minimum and may be increased (not reduced) at the discretion of the assessing officer, considering the nature and the likely impact of the proposal.

When notifying adjoining owners of the land of a development proposal, the Council will send letters to all owners within a 40m radius measured from each boundary of the development application site. This approach is indicated in the diagram below.



Exceptions to notification

- On very large sites where the proposed development is confined to a small area and in Council's opinion, is of such a scale that it is unlikely to impact on the amenity or enjoyment of land that may adjoin its boundary. This exception would apply to large sites such as the University of NSW.
- Where small changes to the rear of a building or property may only be of interest to adjacent owners, only these owners will be notified.

If land is owned or occupied by more than one person, a written notice to one owner or one occupier is taken to be a written notice to all the owners and occupiers of that land.

Notifying across Council boundaries

When a development proposal is likely to affect owners of land outside Randwick City, the Council will contact the neighbouring Council for details to send written notices out to these persons.

Strata schemes & Community/Neighbourhood Schemes

For strata titled properties, a notice will be sent to Owners Corporation as well as the owners of each strata unit. Tenants will not be separately notified.

For community/neighbourhood schemes a notice will be sent to the Community and/or Neighbourhood Association as well as the members of the association. Tenants will not be separately notified.

Returned Written Notices

Letters and emails notifying owners are sometimes returned to the Council for various reasons including incorrect addresses. In these cases, Council will check its records and if an address needs correcting, will re-send the letter or email.

The public exhibition period will NOT be formally extended where a written notification is delayed in this manner. Council may, however, give that person an extension of time to make any submission, up to a maximum 14 day extension on the submission period.

3.6.3 Site Notice procedures

For all developments that require a published (advertised) notice, Council will erect (and later remove) a Site Notice on a sign post or board at the proposed development site. The site notice should clearly display the following information:

1. A clear, bold heading – DEVELOPMENT PROPOSAL
2. Development application number
3. Name of the applicant
4. Address of the site
5. A brief description of the proposal
6. Plans including:
 - A location plan; and
 - Elevation/s (if applicable)
7. The place/s, dates and times that the application and supporting documents can be inspected.
8. An invitation to make a submission.
9. The period during which submissions can be made (notification period). The notification end date will be clearly displayed on the sign

Council will endeavour to replace any notices if advised that these have been illegally removed, however, a notification period shall not be deemed invalid due to unauthorised removal or replacement of a site notice.

3.7 Procedures for Planning Proposals/LEPs and DCPs

Planning proposals/LEPs and DCPs are advertised in a local paper in accordance with the Act.

Draft LEPs and DCPs are normally exhibited shortly after Council resolves to do so.

For site specific or localised LEPs or DCPs Council will only notify owners and adjacent land owners. For more comprehensive or extensive plans notifying all neighbouring properties is not always feasible as they may refer to the whole city area or significant portions of it. In determining the extent of notification Council will consider the extent of the application of the plan. In all cases the LEP or DCP will be advertised in a local newspaper and relevant information also placed on Council's website.

The closing date for submissions will be specified in notifications and advertisements.

The submissions procedures in the following section of this part apply to the extent relevant for DCPs & LEPs.

3.8 Submissions

3.8.1 Submissions periods

The submissions period is the same as the notification/exhibition period. In the case of development proposals this is usually 14 days and for DCPs 28 days.

The consultation period for planning proposals/LEPs is determined by the Minister in accordance with the Act. For further advice on community consultation see "A guide to preparing planning proposals" published by the NSW Department of Planning.

As there are different types of development and plans, the exact period will be stated in the advertised notice or the written notice.

Council must receive hardcopy submissions by 5pm on the last day of the notification/exhibition period or emails by midnight of the last day.

If a notification/exhibition period finishes on a weekend, then the closing date for submissions will be extended to the Monday (or next working day, if a public holiday).

The notification end date will be clearly displayed in all written, published and site notices.

Late submissions

Acceptance of late submissions will be considered in extenuating circumstances, and at the discretion of the Council officer assessing the development proposal, LEP or DCP.

Notifications of public holidays

To ensure that members for the public are given adequate notice of any development proposal, LEP or DCP, a notification/exhibition period will not be initiated during any Christmas/New Year period from the 15 December to the 14 January.

Upon request Council may grant an extension of time, up to a maximum of 7 days, to affected parties wishing to comment on a development proposal notified over other school holiday periods.

3.8.2 Making a submission

Viewing the proposal during exhibition periods

Applications, LEPs and DCPs and supporting documents are available for inspection, on Council's Website, at Council's ground floor Customer Service Centre, 8.30am-5pm, Monday to Friday, at Randwick City Council 30 Frances Street Randwick.

Copies of some plans and accompanying documents can be obtained upon written request and payment of photocopying fees.

Lodging submissions

When making a submission to Council in response to a development proposal, LEP or DCP the submission should:

- Be in writing and addressed to the General Manager;
- Be delivered by hand, mailed, emailed or faxed to:

The General Manager
Randwick City Council
30 Frances Street
Randwick NSW 2031

Fax 9319 1510

Email: general.manager@randwick.nsw.gov.au

- Clearly indicate the name and address of the person making the submission;
- Clearly indicate the application number and address of the development proposal or the title of the plan; and
- Detail any objections and give reasons for the objection/s. If possible, the submission should include any possible amendments that could be made to overcome the objection/s.

Note:

While DA information is on the web and available via social media only those submissions made via Council's email address (as above) or via letter will be accepted

Public access to submissions

Submissions are kept on file and may be accessed by other members of the public under the Government Information (Public Access) Act 2009. Persons making a submission should keep this in mind and seek legal advice before making statements that could be adverse or defamatory to other persons.

Acknowledgement of submissions

Council will NOT formally acknowledge submissions on any development application, however; Council may elect to contact the submitter to clarify issues or objections.

Where the submission comprises a petition, all future contact will be sent to the head petitioner or, where not nominated, the first petitioner supplying contact details.

Submissions received in response to an LEP or DCP will be acknowledged. This may be electronically or via a letter in the post.

Viewing submissions

Applicants may be invited to view any submissions made on their development proposal, LEP or DCP and may be given the opportunity to amend their proposal.

Consideration of submissions

Council must consider ALL submissions received in the submission period before determining a development proposal or reporting a LEP or DCP. Council must also consider all issues raised in the submissions in assessing the proposal or finalising the DCP or LEP. In this regard, it is not the number of submissions received but the extent and weight of issues raised that Council must consider. An objection does not necessarily mean that an application or plan cannot proceed. The matters raised must be considered and balanced against a number of factors such as relevant plans, policies, guidelines and the wider public interest. Where issues can be addressed proposals or plans may be amended.

Council acknowledges that it will not always be possible to resolve differences between neighbours and personal disputes between neighbours will not be considered.

Anonymous submissions will not be considered.

Notification of a Council meeting

If a DA, DCP or LEP is placed on the Council Meeting Agenda, the applicant and any person who made a written submission will be notified of the time and date of the Council meeting.

Under Council's Policy, one person may speak for and one against each Agenda item. Further information on public meetings can be obtained from Council's Public Officer or on Council's website.

Notice of determinations

Council will send a letter notifying the Determination of an application, as soon as possible following the determination, to each person that made a submission.

After reporting the final DCP or LEP to Council, a letter or email will be sent to each person who made a submission, advising of the outcome.

3.9 Other provisions**Translation assistance**

Council provides written advice on letters in the major non-English languages spoken locally.

Council can also arrange for translation of written notices or to discuss development proposals.

Deficient applications

The Council may not notify and/or advertise a development application which, in its opinion, is deficient because it is incomplete or inadequate.