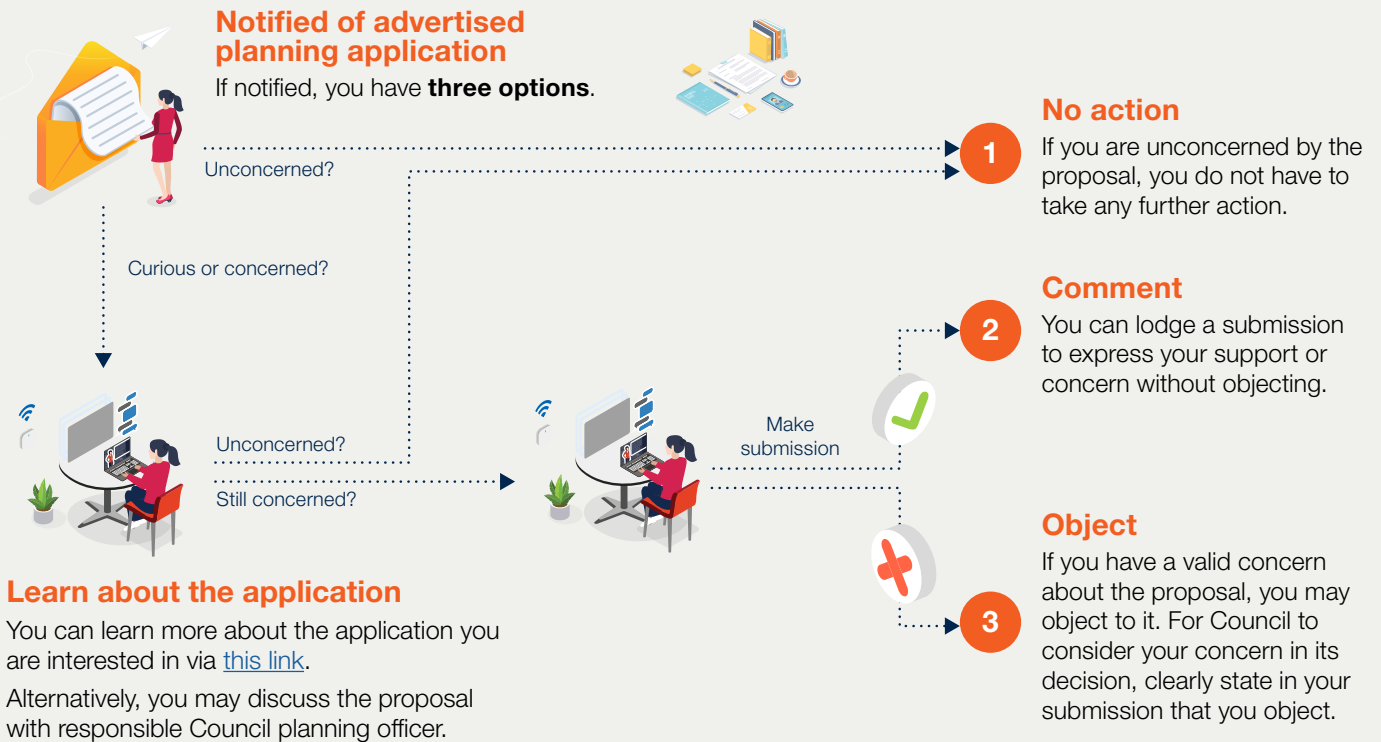


# Making an effective submission

## What can I do if I am notified of a Planning Application?

If you are notified of a planning application, it's a good idea to review the advertised application material.



### Factors that Council **cannot** consider in a Planning Permit Application

Although council must review all submissions, policies guide which matters are considered valid. The following are some examples of common submission grounds that may not be relevant to the assessment or within the scope of the Planning and Environment Act:

- **Loss of property values** – i.e. development in your area results in a reduction in your property's value
- **Side Fencing** – i.e. the impact a proposal will have on boundary fencing between two private properties. This is considered under the Fences Act, and should be discussed with your neighbour
- **Impact of the construction process** – i.e. if the construction process will create dust or damage property. This is covered in a building permit stage
- **Impact on availability of street parking** if an application does not seek to reduce the statutory car parking requirement.



### Factors that Council **can** consider in a Planning Permit Application

Each application is unique as different planning controls apply to different sites. Some examples of common submission grounds that can be considered under the Planning and Environment Act include:

- **Impact on the character of the neighbourhood** – however please note the number of dwellings are not components of neighbourhood character
- **Overlooking** – i.e. the proposed first floor balcony will result in overlooking of your bedroom/backyard
- **Overshadowing** – i.e. the proposal will result in unreasonable shadowing over your backyard
- **Lack of car parking** – however, this is only considered if the application is seeking to reduce the statutory car parking requirement.



## How do I lodge a submission?

You can make a submission via this link or email Council at [planning@bayside.vic.gov.au](mailto:planning@bayside.vic.gov.au). You can also send a hard copy of your submission to Council. If you send a hard copy, allow enough time for Council to receive your submission before it makes a decision. Submissions should be lodged within the 14-day notice period. Council will not decide on an application before the notice period ends. Late submissions will be considered if a decision has not yet been made.

## How to ensure your submission is effective so we can consider it

1

### Check that your submission can be considered under the relevant planning laws

Under existing planning laws, Council's ability to consider some submissions is limited. Council can only consider submissions that

- Relate to the applicable overlays in the Bayside Planning Scheme (e.g. heritage overlay), and
- Are within the scope of the Planning and Environment Act.

Review the application to understand what will be assessed, and for requirements that may be exempt from assessment. This can help ensure that Council can consider your concerns.

2

### Use the tips below to write an effective and objective submission

- Clearly explain how the proposal may impact you. If only a section of the proposal will impact you, highlight this. Use dot points to describe how each issue affects you.
- Keep your submission focused on the reasons a planning permit is needed.
- Provide evidence for your concerns where possible. Supporting images can be a great way to do this.
- We welcome any suggestions for solutions that might address your concerns.

You may contact Council for more information about the application, or for technical advice on the planning scheme. However, we cannot directly assist you to prepare your submission.

## What happens next?

Once you make a submission, you will receive an acknowledgement from Council. Petitions, or joint objections from the same address count as one submission. Council will send all correspondence to the first name listed on the petition.

The time taken for Council to assess an application and make a decision varies. This depends on the complexity of the application, submissions received, and whether or not the applicant chooses to host a consultation meeting. If a consultation meeting is to be held, Council will send you an invitation.

### Assessment and decision

The application will be assessed, and a decision made within the relevant planning assessment framework. Any submissions received must also be considered. In some instances applications will be decided at a Planning and Amenity Committee Meeting. If this occurs submitters will receive an invitation to this meeting from Council.

### Notice of decision and appeals (if required)

If you lodged an objection to an application, you will receive a Notice of Decision (NOD). The NOD will outline Council's position on the application and any conditions that will appear on a permit. The NOD is effective for 28 days and gives you an opportunity to appeal the decision to VCAT if you are not satisfied. Further detail on the appeal process can be accessed via [this link](#).

### Withdrawing an objection

You can withdraw your objection by writing to council if:

- you are satisfied with the outcome of negotiations with the permit applicant, or
- you do not want to pursue your objection.

Please note Council cannot accept a conditional withdrawal. If you withdraw your objection you will lose your right to apply to the Victorian Civil and Administrative Tribunal (VCAT) for a review.