



Planning Fact Sheets Making a Representation

Public involvement in decision-making is an important element of the resource management and planning system. To find out what developments are proposed in your area, look in the Public Notices and keep an eye out for signs on property fences and development applications displayed at your local council office.

Why should you make a representation?

- Councils have limited resources to investigate applications, therefore they often rely on the information provided by the applicant. If you have other information that you think Council should consider (for example, evidence of threatened species on the property), you should let Council know.
- Generally, you cannot appeal against Council's decision if you have not made an objection (a "*representation*").
- Council **must** consider all representations when assessing an application for a discretionary use.

What information should you gather?

Before making a representation, you should try to have a look at the following documents:

- *The development application, including any relevant plans or maps*
- *Any supporting documents, such as environmental impact statements, cultural heritage reports or draft forest practices plans*

You can inspect the development application and supporting documents at the Council office during the notification period. Councils may charge you a fee to take copies of the development application.

If the development involves a Level 2 activity, the Development Proposal and Environmental Management Plan (DPEMP) is generally available on the DPIW website at www.dpiw.tas.gov.au.

- *The planning scheme*

You can inspect the planning scheme at the local Council office or at the Resource Planning and Development Commission.

It is a good idea to get some expert advice about the development application (e.g. from a town planner, architect or scientist), particularly if the application includes technical details. Community members can also be a good source of information about the development site, such as details of threatened species that live on the site or the flood history of the area.

Your representation should point out any inaccuracies in the development application or the impacts described in the supporting documents.

How long have you got to make a representation?

The notice about the development application will include a closing date for representations. In general, you will have 14 days from the date of the notice to make a representation.

What should you say in your representation?

Representations do not have to be in any particular form. However, your representation should be clear and concise, include your name and contact details and a statement such as:

“I object to the application for [*describe the proposed development*] advertised on [*date*]”

For longer representation, summarise your key concerns at the start of the representation and use headings and page numbers to make it easy for the decision-maker to follow.

Wherever possible, you should frame your representation around the matters that the decision maker must consider when assessing the development. These matters may be set out in the relevant provisions of the planning scheme or the terms of reference for the DPEMP. Your representation should refer to these provisions and explain your concerns about the impact of the proposal on your property, your family or the environment.

Many groups submit a petition with their representation. Submissions are generally less effective than individual letters regarding the proposal, however they can be useful to demonstrate the level of community concern, particularly where people do not have time to prepare more detailed representations.

You should ask the Council to acknowledge that they have received your representation. You can also ask to meet with the planning officer to discuss your concerns, or to be given an opportunity to address a Council meeting about the proposed development.

Examples of issues raised in representations

- **That a proposal does not comply with the planning scheme.**

Identify which sections of the planning scheme you think the proposal does not comply with and *why* you think the development does not comply. For example:

The proposed development does not comply with section 12.5 of the planning scheme requiring the provision of at least 3 parking spaces for each unit. The proposed development only provides 6 parking spaces for 5 units.

- **That a proposal will generate a detrimental amount of traffic.**

You should identify any current traffic problems and explain how these will be exacerbated by the proposed development. For example:

The proposed development will significantly increase the amount of traffic using Narrow Road. This road is currently in poor condition and is not suitable for heavy vehicles. An increase in the volume of traffic, and use of trucks during the construction phase, will make it necessary to upgrade the road to ensure the safety of residents and road users.

- **That a proposal will have a detrimental impact on the environment, such as loss of native vegetation, increased nutrient run-off into waterways and damage to dune systems.**

The development is contrary to clauses 1.1.1, 1.1.2 and 1.1.11 of the State Coastal Policy 1996 in that the development will not protect valuable ecosystems and ecological features in the coastal zone. In particular:

- *the area of the development site represents one of the few remaining areas of extensive coastal vegetation in the northeast of Tasmania*
- *the need for appropriate fire management will result in the clearing of significant areas of the development site.*

OR

Irrigation and fertilisation of the recreation area of the proposed hotel is likely to increase the water table and change nutrient levels. This will have an adverse impact on the neighbouring wetland area.

- **That a proposal will have a detrimental impact on neighbourhood amenity, such as increased noise, odour, overshadowing or changes to streetscape.**

You will need to identify the problem that will be caused and what effect this will have. For example:

The proposal to extend the hours of operation for the warehouse will mean that the noise of fork lifts will continue until midnight. The warehouse is located only 20 metres from our home and the increased noise will disturb our enjoyment of our property.

OR

This suburb is characterised by low density, heritage-style cottages. The proposal for a high density, modern apartment building is completely out of character with the area.

What happens after you submit your representation?

After the notification period ends, a Council officer will review all of the representations and prepare a report to Council. The council must consider all representations when determining whether to approve a development application.

It is often worth liaising with the relevant planning officer about the progress of the development application and bringing any new information to their attention.

Once Council makes its decision regarding the proposed development, everyone who made a representation will be notified in writing. You will then have 14 days to lodge an appeal against the decision with the Resource Management and Planning Appeal Tribunal (see ***Planning Fact Sheets – Appealing Against a Planning Permit***).