



28<sup>th</sup> Feb 2022

To whom it may concern,

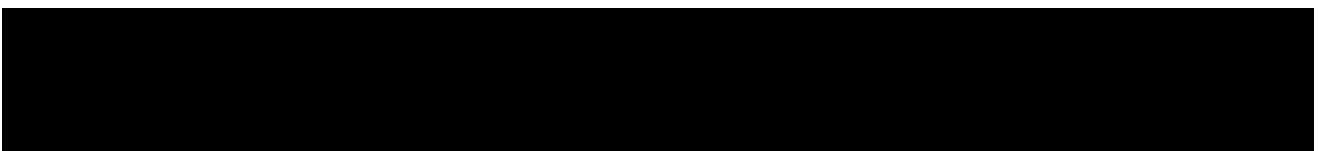
Please find following a submission on the Rezoning approach currently open for comment from the Woy Woy Peninsula Residents Association.

Thank you for your consideration and we would look forward to further consultation on this with you.

Many thanks and regards



Julian Bowker  
Secretary



## SUBMISSION: A new approach to rezoning

The Peninsula Residents Association strongly supports the thrust of the changes proposed in A New Approach to Rezoning: to bring rezoning practices in line with (and part of) the development application process.

In particular, we support the essential element of the process which ensures public comments are received before the council makes any assessment of the merits of a rezoning application.

We also support the removal of the council from the sponsorship of rezoning applications, other than on its own behalf.

The council should not be placed in a position of being both advocate and regulator, particularly of private proposals - a recipe for conflicts of interest.

While we do not oppose the requirement for "pre-lodgement" meetings, the minutes of these meetings should be exhibited with the other rezoning documents. These minutes should explicitly state whether any undertakings (express or implied) were given in the meeting, and if so what the undertakings were.

We do not support the Central Coast Council's submission for retention of an initial strategic merit test, nor its rejection of a judicial review process (through the Land and Environment Court) in favour of an administrative process.

Our submission is that the merit appeal process should be open to the community - for opponents as well as proponents.

The current process leaves the community faced with a fait accompli where, once the council and the local planning panel have taken a position, it is almost impossible to have community submissions considered with procedural fairness.

The new approach to rezoning should be accompanied with provisions for far greater integrity in the planning system - primarily by allowing far less discretion for the regulators both at the strategic level and at the application/proposal level.

Law and order in planning requires a clear expectation of the consistent application of the law to all citizens, without favour - as it does elsewhere in our Australian democracy. And it requires workable means to achieve it.

Variations from planning provisions in the interests of "better outcomes" will not satisfy this requirement unless those outcomes are specified in measurable terms.

Indefinite and unexplained assessments of rezoning applications, such as seen in the recent Planning Proposal 107 Macleay Ave, Woy Woy, should not be allowed. (Example provided in attachment.) The community should have an accessible mechanism to hold the assessors to account.

Julian Bowker  
Secretary  
Peninsula Residents Association

28 Feb 2022

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**SOURCE:**  
Central Coast Council Planning Proposal  
Lot 16 DP 255220 18 Macleay Avenue, Woy Woy  
File No: PP\_107\_2020 September 21 Page 11