

Submission on 'A New Approach to Rezoning'

The Rezoning Process

In our experience the rezoning process is initiated by a proponent seeking to rezone a property, or set of building lots, in order to maximize investment and increase the 'yield'.

The 'yield' is the profit margin, best optimized by an increase in FSR and/or zone height of the property.

The original zoning is usually put in place to preserve the character of an area, maintain privacy of adjacent areas, minimize shading of public places, and other reasons related to community well-being.

The proponent (developer) approaches Council with an outline proposal for the site, and in discussions with Council, develops a planning proposal comprising most of the documents required for a DA. This proposal will typically have architect's rendering of the building, traffic and local impact statements, but no BASIX or Statement of Environmental Effects.

When the Council is satisfied with the developer's proposals, it will pass it on to the Local Planning Panel for consideration. The LPP considers the proposal in a private agenda item at the LPP's regular meeting. The proposal is championed by the planning department staff of the Council.

This process can take 2 years, and once approved by the LPP, the item will be scheduled for consideration at a Council meeting.

Up to this point, the community has had NO involvement in the process, is totally unaware of the developer's intentions, and community opinion has not been sought.

The Council and the developer have colluded to produce a rezoning which, in many cases, is detrimental to the community and not in the public interest.

The planning proposal is forwarded to the DPIE for consideration, and the community opinion is again ignored.

The New Approach to Rezoning

We are encouraged that the 'new approach' will 'improve transparency and the consultation process'.

We are not in favour of any process that makes it easier or quicker for the developer to rezone a property to the detriment of the community.

We abhor the thought of giving 'private proponents control and responsibility for rezoning requests', and the quality of the planning proposals is the responsibility of the Council.

Giving proponents 'greater access to state agencies' would appear to side-step Council processes and eliminate community involvement and comment.

Development of the New Approach

The New Approach engaged Councils with meetings, plus workshops with state agencies, and meetings with regional planning panels and industry.

There were no meetings with any community groups.

Community and the New Approach

We'd like to see the community consulted early in the rezoning process, with a mandatory exhibition period prior to Council decision making, and certainly prior to a proponent submitting directly to state agencies.

The current process allows Councils to present rezoning to the LPP without public knowledge.

Rezoning decisions primarily affect the community, and community involvement should be an integral part of the process.

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