



Recognising and upholding excellence in local government

Mail: PO Box 105
Coolum Beach QLD 4573

Email: mail@oscar.org.au

24 August 2020

Mr Warren Bunker

A/CEO

Sunshine Coast Regional Council

Dear Mr Bunker

RE: Declaration of COI by Mayor relating to the Twin Waters West DA and link to perceived COI re submitters

On behalf of OSCAR, we are seeking further information in relation to a recent declaration of Conflict of Interest that Mayor Jamieson made suddenly to Councillors immediately prior to the Ordinary Meeting of SCRC on 23 July 2020 and then in the meeting to the public.

His declaration related to the DA for Twin Waters West (TWW). At the beginning of the discussion re the TWW item he made the usual declaration re donors to previous election campaign who were party to the developer's application. However, he dropped a bombshell when he went on "with an abundance of caution" to link his declaration of conflicts to submitters to the original Development Application.

The Mayor indicated that he had received verbal advice from King and Co (LGAQ's lawyers) that morning.

OSCAR seeks responses to the following questions:

1. Who requested the advice from King and Co?
2. How was the advice obtained and when was it sought?
3. Has written advice now been received from King and Co?
4. Who paid for the legal advice?
5. Given the considerable angst that that sudden announcement caused to other Councillors and the disruption to the meeting, have you as Acting CEO sought other independent legal advice?
6. If the SCRC has sought legal advice we request that it be released in full in order for the community to assess whether their democratic rights have been curtailed for either contributing to future submissions or to candidate election campaigns.
7. We assume that SCRC sought advice relating to:
 - Whether a councillor has a Declarable Conflict of Interest relating to submitters to a DA or PS amendment and a contributor to their election campaign, regardless of the timing of the submission?
 - Is a Councillor required to declare and name contributors to his /her campaign where the contribution is below the donation threshold?
 - If such a declaration is determined to be required under the LG Act what is the time-frame to which this would apply to submissions made re an application.
 - If such a declaration is required does it include individuals who contributed time voluntarily to a candidate's campaign and who had made a previous submission to SCRC re the particular item/topic?

This issue has many potential consequences for councillors and the good governance of the Council but particularly for the community where some members who make submissions to a planning matter may either be

fearful of making a submission in case they are later caught up in this type of issue or who have made a submission to a DA some years prior to any LG election.

As this issue also relates directly to the SCRC and is about transparency for both Councillors and the community we appreciate your advice as soon as possible.

We look forward to your response.

Yours sincerely,

Melva Hobson PSM

President

Organisation Sunshine Coast Association of Residents (OSCAR)