

25 March 2021

Melva Hobson PSM
President OSCAR

Via Email: mail@oscar.org.au

Dear Melva

CLARIFICATION ON MEDIA REPORT REGARDING THE PROPOSED ADDITIONAL SEQRP SITES AND OTHER ZONING MATTERS AMENDMENT

I refer to your letter, dated 22 February 2021, regarding an article in the Sunshine Coast Daily on 16 January 2021, entitled “*Views on zoning shake-up to be kept secret*”.

In relation to the questions outlined in your letter, please refer to the following response.

Schedule 22 (Publicly accessible documents) of the *Planning Regulation 2017* outlines the documents that a local government must or may make publicly available.

Section 5 of Schedule 22 specifically requires that Council keep copies of submissions to development applications available for inspection and purchase by members of the public until such time as a development application is finalised. Council is also required to publish any submission to a development application on its website. One of the reasons for this is because submitters to development applications have legal rights to commence or join appeals relating to those development applications and must therefore be directly contactable by all parties with a relevant interest.

No such requirement applies to submissions received in respect to planning schemes, planning scheme amendments or other planning instruments provided for under the *Planning Act 2016*.

Therefore, Council does not make individual submissions and details of submitters publicly available when undertaking a consultation process in relation to a planning scheme amendment or any other policy matter.

The *Minister's Guidelines and Rules 2020* sets out the requirements that a local government must follow when amending or making a planning scheme. In relation to a major amendment, Council must prepare a Consultation Report about how the local government has dealt with properly made submissions. The Consultation Report is to be provided to

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each person who made a properly made submission, made available to view and download on Council's website and made available for inspection and purchase.

In this regard, subsequent to public consultation on a proposed amendment, a report is presented at a Meeting of Council about the outcomes of the consultation process. This report generally includes, for Council's consideration, a copy of the Consultation Report, which provides a summary of submissions received, details of the key issues raised in submissions and Council's response, including any recommended changes to the proposed amendment in response to the matters raised during the consultation period.

Upon request, copies of submissions received in relation to a proposed planning scheme amendment can be made available to individual Councillors.

I trust that this appropriately responds to the questions OSCAR has raised. If you have any further queries in relation to this matter, please do not hesitate to contact either Roma Stevenson (Senior Strategic Planner) on (07) 5420 8945 or Jason Krueger (Coordinator Planning Scheme and Projects) on (07) 5420 8710.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Emma Thomas', with a small dot at the end.

Emma Thomas
CHIEF EXECUTIVE OFFICER