



Recognising and upholding excellence in local government

Mail: PO Box 105  
Coolum Beach QLD 4573

Email: [mail@oscar.org.au](mailto:mail@oscar.org.au)

17 April 2021

Ms. Emma Thomas

CEO Sunshine Coast Regional Council (SCRC)

Email: Internet Mailbox CEO Office <[CEOOffice@sunshinecoast.qld.gov.au](mailto:CEOOffice@sunshinecoast.qld.gov.au)>

Cc:

Roma Stevenson - [roma.stevenson@sunshinecoast.qld.gov.au](mailto:roma.stevenson@sunshinecoast.qld.gov.au)

Jason Kruger – [jason.kruger@sunshinecoast.qld.gov.au](mailto:jason.kruger@sunshinecoast.qld.gov.au)

Cr. Maria Suarez and Cr. David Law as councillor representatives on the “Review of the classification and management of Council information” working group.

Cr Maria Suarez – [maria.suarez@sunshinecoast.qld.gov.au](mailto:maria.suarez@sunshinecoast.qld.gov.au)

Cr David Law – [david.law@sunshinecoast.qld.gov.au](mailto:david.law@sunshinecoast.qld.gov.au)

Dear Emma

**Re: Response to clarification on media report regarding the proposed additional SEQRP sites and other zoning matters amendment**

Thank you for the response relating to this issue prepared by officers on your behalf. OSCAR appreciates the advice relating to the Planning Regulation 2017 schedule 33 (Publicly accessible documents) as to when a council must or may make documents publicly available.

The advice relating to Ministerial Guidelines and Rules 2020, for amending or making a planning scheme and the preparation of a consultation report, is something with which we are very familiar.

We do however, acknowledge and appreciate that copies of submissions can be made available to individual councillors upon request.

As both the Planning Regulation and the Ministerial Guidelines are silent on the issue of whether submissions relating to amendments to a planning scheme must or may (or for that matter, must not or may not) be made publicly available, it would appear then that such a decision is at a council's discretion.

OSCAR therefore asks the following questions:

1. Who at SCRC made the decision not to make publicly available the submissions relating to the recent proposed amendments package?
2. Was the matter discussed with councillors before the decision was made?
3. Was a final decision voted on by Councillors at an Ordinary Meeting of Council? If not why not?

OSCAR recommends to SCRC that, at a future Ordinary Meeting, a motion be put that: “Submissions to the proposed additional SEQRP sites Zoning Matters Amendment be placed on the council website and made available to the community to read”.

As Council officers obviously have the discretion to make that decision then there may be no need for such a motion to be put. However, OSCAR's preferred option is that the Councillors vote on such a decision.

If SCRC is concerned about submitters' privacy details including phone numbers, addresses and signatures, Council could legally redact same under s47(3)(b) of the RTI Act.

Just because the process undertaken by SCRC to date appears to be that a council officer/s have determined that the submissions will not be made publicly available, does NOT mean that such a practice should continue.

OSCAR supports the recent SCRC initiative of 28 January 2021 "Review of the classification and management of Council information" where the second objective states:

*Be responsive to the interests of the community in being able to access Council information to the greatest extent possible and permissible;*

SCRC has taken steps to increase transparency in a number of areas, particularly the manner in which confidential items are managed and the ongoing live-streaming of SCRC Ordinary Meetings. These actions are to be commended and again we congratulate SCRC on these initiatives.

The Sunshine Coast community expects SCRC to 'raise the bar across the board'. Given recent community experience relating to both a Major amendment to the Planning Scheme at Twin Waters West and the approval to override the Planning Scheme at Yaroomba (Sekisui House), the community has lost confidence in the decision-making process of SCRC pertaining to Amendments of and/or decisions to Override the Planning scheme. Openness and transparency relating to Planning scheme matters is essential to rebuilding the trust of the community in Council processes.

We note in our request, 3 points in the Preamble to the RTI Act:

*(b) information in the government's possession or under the government's control is a public resource; and*

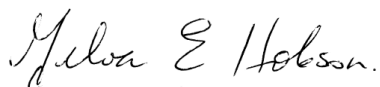
*c) the community should be kept informed of government's operations, including, in particular, the rules and practice followed by government in its dealings with members of the community; and*

*(d) openness in government enhances the accountability of government;*

We look forward to recognizing SCRC as one of the leaders in regard to transparency and that genuine information availability to the community becomes a hallmark of this council.

OSCAR has displayed its submission on its website and will encourage member groups who made submissions to display their submissions on their respective websites. Submitters with genuinely held opinions on such issues will have no objection to their views being known, particularly if their privacy is protected.

Yours sincerely

A handwritten signature in black ink that reads "Melva E Hobson". The signature is written in a cursive, flowing style.

Melva Hobson PSM

President OSCAR