



Recognising and upholding excellence in local government

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Cr Mark Jamieson (Mayor)  
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Cr Terry Landsberg (Division 2)  
Cr Peter Cox (Division 3)  
Cr Joe Natoli (Division 4)  
Cr Winston Johnston (Division 5)  
Cr Christian Dickson (Division 6)  
Cr Ted Hungerford (Division 7)  
Cr Jason O'Pray (Division 8)  
Cr Maria Suarez (Division 9)  
Cr David Law (Division 10)

Ms Emma Thomas (CEO)

By Email  
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29 June 2022

TO: CEO, Sunshine Coast Regional Council (SCRC)  
AND TO: ALL COUNCILLORS

**RE: SUNSHINE COAST REGIONAL COUNCIL (SCRC) - PARTICIPATION IN THE UPCOMING SEKISUI/YAROOMBA HEARING IN THE PLANNING AND ENVIRONMENT (P&E) COURT**

As you are no doubt aware this matter has been listed for a further hearing in the P&E Court on 11 July 2022 for 4 days.

Following correspondence from both Development Watch Inc. and Friends of Yaroomba Inc. (such correspondence included as attachments to this letter), OSCAR members at our June General Meeting determined that OSCAR should write to SCRC Councillors and CEO requesting that Council *"take a neutral role"* in the upcoming Hearing.

OSCAR, makes this request based on the following:

1. The Supreme Court determined that there were errors of law in the previous decision of the P&E Court.
2. There were some 9,299 submitters with 3,167 of those from the Mount Coolum, Yaroomba and Coolum Beach areas opposing the proposed development. This is a significant number of people and failure by the P&E court "Trial Judge" to properly consider these submissions was one of the "errors of law" identified by the Supreme Court in its determination.
3. The community has had to raise in excess of \$500,000 to fund this case in both the P&E Court and the Supreme Court.
4. Council has not revealed its costs to fight its own community, however, given the number of legal Counsel and expert witnesses engaged by Council thus far, the cost to the ratepayers of the Sunshine Coast would be very significant indeed.
5. In addition, further costs were incurred when Council and Sekisui were ordered by the Supreme Court to pay Development Watch's costs of the Supreme Court action.

6. Council, by actively joining the July 11 Hearing in the P&E court and engaging further solicitors and legal Counsel will be adding more costs to those already incurred.

All of Council's costs are ultimately borne by the Sunshine Coast ratepayers.

Taking into account that current and future costs in this matter will be borne by ratepayers in times when the cost of living is on the rise and families across the LGA are under pressure to meet their everyday living expenses, OSCAR requests that SCRC take a neutral stance by adopting a submitting role only in the upcoming Hearing. SH Coolum Pty Ltd is a wealthy multi-international corporation well able to afford the expense of taking the lead role. By doing so, Council will not only be saving costs for its ratepayers but it will also be respecting the Court as it will still be a party to the proceedings albeit just taking a non-active role.

We encourage Councillors and Officers to make this call and seek to change SCRC's current approach.

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  
(Organisation Sunshine Coast Association of Residents)