

New Planning Scheme Technical Reference Group

Terms of Reference
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1: Background

1.1 Current Planning Scheme

In 2020, Council undertook a review of the current planning scheme. The review found that, while the current planning scheme is generally operating well as a planning instrument, it could be improved in several important ways including:

- improving and strengthening alignment with more recent state, regional and local planning policy;
- shifting the planning horizon to 2041 and beyond;
- updating mapping to better reflect physical and environmental constraints and infrastructure projects;
- responding to emerging issues; and
- improving usability, accessibility and user experience through new technological platforms such as an electronic planning scheme.

1.2 Purpose of the New Planning Scheme Project

The purpose of the Project is to prepare a new planning scheme under the *Planning Act 2016* that will replace the current Sunshine Coast Planning Scheme 2014.

Council is committed to ensuring that the community, including practicing professionals and representatives of relevant peak bodies and industry associations, play a meaningful role in the preparation of the new planning scheme.

1.3 Terms of Reference

This Terms of Reference has been prepared to set out the working arrangements for the Technical Reference Group for the New Planning Scheme Project, including the purpose, role and responsibilities of the Group.

This Terms of Reference has been endorsed by the Manager Strategic Planning.

1.4 Responsible Council Manager

The Responsible Council Manager for the project is the Manager Strategic Planning.

2: Technical Reference Group

2.1 Technical Reference Group Purpose

The primary purpose of the Technical Reference Group (TRG) is to provide key technical input and feedback to council project officers during the preparation of the new planning scheme.

The TRG will provide technical feedback about the content and workability of the new planning scheme.

2.2 TRG Membership

The TRG is intended to comprise practicing professionals and representatives of relevant peak bodies and industry associations representing a diverse range of interests and disciplines, including development, planning, engineering, surveying, architecture, landscape and urban design, environment, and building. Members should:

- collectively represent the diversity of Sunshine Coast development industry professions;

- possess expert technical skill and knowledge in their field of expertise; and
- have demonstrated experience in the technical application and usage of **contemporary Planning Schemes within Queensland.**

The standing membership of the TRG will include up to 10 voluntary members drawn from the relevant peak bodies and industry associations.

Council officers in attendance at meetings of the TRG would typically include:

- Manager, Strategic Planning
- Manager, Development Services
- Coordinator, Planning Scheme & Projects
- Coordinator, Planning Assessment
- Coordinator, Engineering and Environment Assessment
- Other council officers or guest presenters as relevant from time to time.

2.3 Chairperson

The Chairperson of the TRG will be the Responsible Council Manager or their delegate. The role of the Chairperson will be to conduct and manage meeting proceedings with the objective of ensuring that meetings are run fairly and without bias.

2.4 Role and Responsibilities of TRG Members

TRG members should work effectively and efficiently with council officers to achieve the best outcome for the New Planning Scheme. Responsibilities of members include:

- taking reasonable steps to ensure that they are knowledgeable about the purpose of the group and the New Sunshine Coast Planning Scheme Project;
- volunteering their time and expertise in the wider public interest;
- actively and constructively participating in all meetings on an “as required” basis during the drafting and preparation stages of the New Planning Scheme;
- providing informed and considered comment and feedback;
- **providing input and guidance on how to respond to emerging issues;**
- **providing innovative approaches on how to achieve good-quality design to enhance the sustainability and liveability of the Sunshine Coast;**
- making, supporting and adhering to any final recommendations (acknowledging that members may express dissenting or competing views on particular matters which should be appropriately recorded); and
- ensuring that meeting notes are accurate and reflect a true and correct record of proceedings.

2.5 Code of Conduct

Members of the TRG have a duty to discharge responsibilities entrusted by Council and the laws made under the Australian Constitution according to the highest standards of conduct. The following principles should be observed by all members of the Group and should be read in conjunction with the *Public Sector Ethics Act (Qld) 1994*. TRG members will

- demonstrate respect for fellow members, Councillors, Council employees;

- avoid situations in which any private interest, whether pecuniary or otherwise, conflicts or might reasonably be thought to conflict with their role as a member of the TRG;
- not engage with the media or participate in public forums in relation to the activities of the TRG without prior agreement of the Responsible Council Manager;
- not use information obtained in the course of their TRG duties to directly or indirectly gain an advantage for themselves or for any other person;
- not discuss or publicly disclose information gained in the course of their TRG duties without prior approval of the Responsible Council Manager;
- not solicit or accept from any person any remuneration or benefit for the discharge of their duties;
- not solicit or accept any benefit, advantage or promise of future advantage for themselves, their immediate family or any business concern or trust with which they are associated, from persons who are in, or seek to be in, any contractual or special relationship with Council;
- not accept any gift, hospitality or concessional travel offered in connection with the discharge of their duties;
- avoid actual or potential conflicts between their duties to the TRG and their personal interests. Members should also be aware of possible perceived conflicts of interest; and
- comply with all other Council policy, procedures and requirements.

2.6 Ethics, Confidentiality and Conflict of Interests Declarations

TRG members may receive confidential information through the course of their involvement with the TRG and they will have an obligation to protect the confidentiality of that information.

TRG members must not, at any time, disclose confidential information in any form without the guidance and consent of the Responsible Council Manager. A breach of confidentiality is not consistent with the Code of Conduct stated in the TRG Terms of Reference and may result in the termination of that member's appointment to the TRG.

As part of the appointment process, members will be required to complete an Ethics, Confidentiality and Conflict of Interests Declaration.

If required, the member may also be requested to sign a Confidentiality Deed as part of their membership of the TRG.

Members should update their declarations of interest as they become aware of any real, perceived or potential conflicts.

2.7 Termination of Member's Appointment

All TRG members must represent their organisation and act in a way which is consistent with the TRG Terms of Reference. Any actions by a TRG member which are:

- inconsistent with the TRG Terms of Reference may require a revaluation of the nominated TRG member
- in breach of the TRG Terms of Reference may result in the termination of the members appointment.

2.8 Proxies

Proxies will not be permitted to attend a meeting.

2.9 Guest Presenters

From time to time, invited guests may make presentations to the meeting and/or provide information, advice and opinion about a topic. These invited guests do not have any other role in the meeting.

2.10 Voluntary Representation

Representation on the TRG will occur by the council directly approaching relevant peak bodies and industry associations seeking a suitable representative to be nominated. Council will invite a practicing professional from each peak body and industry association to be the representative member on the TRG.

2.11 Tenure

Unless otherwise determined, appointments to the TRG are only for the duration of the Sunshine Coast New Planning Scheme project.

2.12 No Payment

Participation in the TRG is voluntary and no payment shall be made by Council for attendance or disbursements.

3: TRG Operations

3.1 Meetings and Procedures

Initially, at least one TRG meeting is proposed to be held leading up the commencement of the preliminary (non-statutory) consultation phase of the New Planning Scheme Project. This meeting is likely to occur in October/November 2021 (specific date to be confirmed). Further meetings of the TRG are intended to be held initially on a quarterly basis over the life of the New Planning Scheme Project. However, more frequent meetings may also be convened at key project milestones.

Meetings are anticipated to occur during business hours for a length of two hours (e.g. 9:00am to 11:00am). Date claimers for specific meetings will be distributed to members once the TRG is formed.

3.2 Meeting notes

The key discussion points, outcomes and actions from each meeting will be confirmed prior to the close of the meeting by the Chairperson and recorded in the meeting notes. Meeting notes will be prepared for each meeting and circulated with the following meeting's agenda for confirmation at that meeting.

3.3 Media Statements

All media communication with the TRG will only occur via the Chairperson through media statements jointly prepared and endorsed by the Chairperson and Council's Communication Branch.