

Inquiry into the Economic Development and Other Legislation Amendment Bill 2018

Amend the Sanctuary Cove Resort Act 1985 (SCR Act)

Submission from Roy Anthony Wharton

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I make this submission as an extremely concerned resident, but I am also an elected member of the PTBC executive committee, an elected member of the PBC executive committee and the elected member's nominee for the Araucaria body corporate.

I would like this committee to change the words proposed in the "Amend the Sanctuary Cove Resort Act 1985 (SCR Act)" because they are fundamentally wrong, unfair to the residents of Sanctuary Cove and bear no resemblance to the original request made to Government.

I have been part of the deliberations to allow Aveo to build retirement facilities on a defined block of land which is outside the main gates of the Sanctuary Cove residential community.

This issue has been the subject of extensive consultation with residents with many different views being expressed, with some for, and others against. Aveo have responded positively to suggestions made by a committee of residents. However there has been only one issue canvassed, in the hundreds of hours of discussion, which was simply facilitating construction of retirement and aged care facilities on a block of land described in the deed of agreement as being within 700 metres of the Marine village and outside the security gates. Had there been any suggestion that retirement facilities could be contemplated anywhere within the community this Government committee would not even had to consider the matter, because the widespread opposition would have prevented it coming forward to Government as a consent issue.

One could surmise that his situation has been brought about by someone in Government wanting to take a short cut and write simple generic legislation, allowing a new use for any land within Sanctuary Cove. There are many issues in life and hence legislation, that cannot be satisfied by simple and expedient solutions, and you have an opportunity to right a wrong. A more elegant and meaningful legislative change could be achieved simply by accurately identifying the unique parcel of land to which an additional use can be allowed. Namely the Aveo owned block of land which is clearly separated from the general community outside the security gates, and would make an ideal location for the agreed facilities.

The draft legislation as written, if enacted, would enable a developer to potentially buy up properties and amalgamate them to construct retirement facilities in the middle of a quiet residential zone, to the detriment of neighbours, and the ambiance of Sanctuary Cove would be destroyed forever. Such a scenario was never contemplated either in the original legislation and is contrary to the wishes of the current residents who have made their home here. Consequently your assistance is sought to remedy this grave error and make it impossible for retirement facilities to be

built other than on the designated site. This will fully satisfy the intent expressed in the Ministers introductory speech.

“The bill proposes amendment to the Sanctuary Cove Resort Act 1985 to list a retirement village and residential care facility as potential future use at the resort. The proposed amendments will help Sanctuary Cove residents retire close to family and friends. Being able to stay close to home in an environment you love, surrounded by the people you love, is important for residents in all communities as they enter their later years.....”.

This community was set up by visionary commercial entrepreneurs aided by Government legislation to create a world class resort and the proposed legislation is the antithesis of the original intent.

I respectfully submit that the Government should not make this generic impost on the Sanctuary Cove community when it was never asked for, and a rewrite of this legislation be undertaken to ensure any additional use is restricted to a one off application to the Aveo parcel of land within 700 metres of the Marine village, identified in the original approach to Government.

Thank you for your consideration.

R A Wharton

11/10/18