

October 7th, 2018
Committee Secretary,
State Development, Natural Resources and Agricultural Industry
Development
Parliament House,
George Street
Brisbane QLD 4000



Dear Secretary,

We are against the approval of the building of a retirement village and nursing home within the confines of Sanctuary Cove on the following grounds:

The proposal fails to meet the legislated requirements according to the second reading of the Bill of the Sanctuary Cove Resort Act which requires 75% of residential lot owners to approve any change which has a significant impact on residential lot owners.

The vote undertaken by the Principal Body Corporate (PBC) via the Residential Body Corporates (RBC) attracted less than a third of the total number on residential lot owners entitled to vote. Both the no or yes vote was carried in each RBC with fewer than 20% of their total voting entitlement being cast and is not a true representation of the wishes of the residents of Sanctuary Cove. Refer to E petition Pet Num 2486.

A proportion of the land under contract to be sold to Aveo by the Sanctuary Golf and Country Club Holdings Pty Ltd could not be on sold for residential use as stated in the Sanctuary Cove Golf and Country Club Holdings Pty Ltd Prospectus no land can be sold other than recreational.

A retirement village and/or a nursing home is not a proposed use in the Master Plan under the Sanctuary Cove Resort Act.

The proposed land currently has only 80 residential lot entitlements attached and Aveo wants to increase this number to 120 but they plan to build 170 retirement homes and a 70 bed nursing home on this land. The prospect of subdividing individual lots is excluded under SCRA and even if SCRA was altered to allow this, it would be significant change to SCRA, which would require a Special Resolution to be passed with a majority of 75% lot owners.

We along with over 1000 residents have a collective investment in Sanctuary Cove of some 2 Billion dollars.

We residents have built homes and invested under the existing provisions of the current Master Plan and the Sanctuary Cove Resort Act. We see no reason for the Master Plan or the Sanctuary Cove Resort Act to be changed. Any changes may impact on our quality of life and our investment.

The Queensland Government insists on an impact study before any retirement village or nursing home is given any approval. Aveo is seeking to include a new use for retirement village and nursing home under the Master Plan and the Sanctuary Cove Resort Act and as such they should be made to conform to the current Queensland Government legislation regarding impact studies for retirement villages and/or nursing homes. Aveo should not be given any exemption from this process.

Aveo's proposal is to build retirement homes without conforming to the government gazetted Development Control By-Laws. They plan to build high density retirement homes more akin to inner city living.

Aveo's plan is to put commercial and administration buildings plus a nursing home on land parliament designated as a residential zone.

The Minister only has the power to add to any zone an already approved use. Retirement and nursing home is not an existing approved use under the Sanctuary Cove Resort Act or its Regulations.

We believe the Aveo proposal is asking the Minister to take steps to go direct to Parliament and as such breach the procedures set down in the Sanctuary Cove Resort Act.

The Minister cannot add retirement villages and/or nursing homes as a new use under the Master Plan or the Sanctuary Cove Resort Act and if Aveo or the Primary Thoroughfare Body Corporate ask the Minister to go to Parliament to seek changes to the Master Plan or Sanctuary Cove Resort Act that is a separate procedure and application. This new procedure and application does not give the Primary Thoroughfare Body Corporate or Aveo any authority under the Act to make any submissions for changes to the Master Plan or Sanctuary Cove

Resort Act. The new procedure and application can only be made by the Principle Body Corporate by way of a Special Resolution under Part 2AA of SCRA carried by the Residential Body Corporates to include a new use.

The Minister promised at the Second Reading of the Act which became SCRA that no changes would be made by Parliament without the Special Resolution process being used.

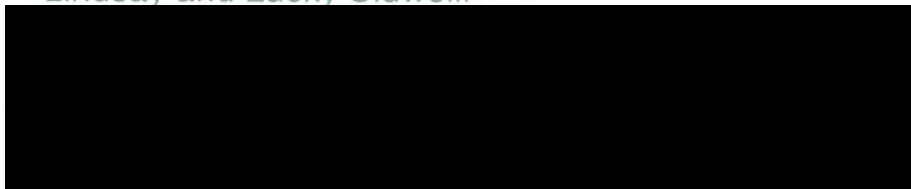
The PBC has signed a Deed of Agreement contrary the procedures laid down in Part 2AA of SCRA in allowing AVEO to build 160 to 180 dwellings on a site which only has 110 lot entitlements as registered under the Plan of Survey lodged with the GCCC.

Finally, the proposed legislation is not limited to the AVEO site. The Bill adds in Schedule 1 an aged care facility and a retirement village but does not defined the zone in which it applied to. Equally important the bill makes no safeguards for the protection of retirement home and aged care occupants as covered under the Queensland Retirement Villages Act.

October 7th 2018

Yours faithfully,

Lindsay and Lucky Sidwell.



Lucky Sidwell