



Speech by

Michael Crandon

MEMBER FOR COOMERA

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RESORTS AND OTHER ACTS AMENDMENT BILL

Mr CRANDON (Coomera—LNP) (8.50 pm): I rise to speak in the debate on the Resorts and Other Acts Amendment Bill 2009. Before I begin, I declare an interest in that members of my campaign team in fact live in two of the resorts affected by this legislation—Sanctuary Cove and Hope Island. They did a terrific job for me. Other members of the campaign team were from Helensvale, Eagleby, the cane fields and so on. They all did a terrific job, working well together. So I do not regard the people of Sanctuary Cove and Hope Island as anything other than ordinary people.

As the minister stated in his second reading speech, the bill is the first step in a two-phase reform package designed to simplify and modernise the complex plan and body corporate management framework surrounding six resorts—Sanctuary Cove, Royal Pines, Hope Island, Kingfisher Bay, Laguna Whitsundays and the Sheraton Marina Mirage. In this first step, the bill provides relief on a number of equity issues important to residents in the short term—issues such as representation on bodies corporate, provisions on financial disclosure, and dispute resolution and proxy use. The bill also addresses procedural issues—issues such as improved consistencies in address management, which is important in itself for emergency services use. Imagine, if you will, someone suffering a heart attack in a resort where appropriate address systems are not available to our Ambulance Service. A tragic end could result if they ended up going to the wrong address or went in the wrong direction.

Parts of the bill also move to improve administrative processes for the amendment of land uses to allow for improved planning outcomes and land use. The bill makes further improvements in relation to transparency and accountability of certain bodies corporate and builds better understanding of roles and responsibilities. Indeed, I am aware that negotiations are occurring between stakeholders to ensure equity issues are visible to all parties, and this is important due to perception issues by some of those parties who have certain concerns about where the developments are going.

As I stated earlier, this is an interim phase towards modernisation. This interim phase does outline requirements about who can represent residents. It increases financial disclosure. There is clearer access to dispute resolution. Importantly, the bill limits certain body corporate contracts to three years. It also introduces codes of conduct relating to breaches of the code and termination procedures. There is more transparency in the election process for certain body corporate representatives and clarification of the powers of bodies corporate. In short, this bill appears to deliver more certainty for the residents as to their future.

As is stated in the explanatory notes to the bill, the existing Sanctuary Cove Resort Act 1985, SCRA, does not provide a process to amend the Sanctuary Cove Resort approved plan, which outlines the zones, uses and future development for Sanctuary Cove Resort. Amendments to legislation have been made in order to amend the plan to achieve intended development outcomes. Natural justice is not compromised as a process was undertaken by Sanctuary Cove Resort to consult with stakeholders. One outcome of the bill is that it introduces a new application process in SCRA that is equivalent to the Integrated Resort Development Act 1987, IRDA.

To enhance natural justice, the amendment application process in SCRA and IRDA now requires a mandatory 30 business days for consultation, placing notices on potentially affected land and submission

of a 'certification of consultation' document that confirms consultation within resort communities, along with all comments received as part of that consultation. So there is a two-way process occurring to ensure that those who want to develop within the precinct are properly consulting with the communities.

It appears that developers, managers, residents and owners of the resorts under IRDA and SCRA have been invited to provide feedback on the provisions leading to the drafting of the bill. I note, however, that at least one group—the Sanctuary Cove Owners and Members Council—has indicated as recently as 21 May this year that it does not believe that sufficient consultation has occurred. From more recent discussions that I have had with other stakeholders, the concerns appear to be in hand. For example, where this body indicates concerns about unlimited residential development in the commercial precinct, as alluded to earlier, I have been reliably informed that indeed it is the developer's intention to place an absolute limit on all residential developments right across Sanctuary Cove. This overall limit is 1,922 residences. Furthermore, 50 residences, which is included in the 1,922 figure, will be the limit of any residential development in the commercial precinct. So right across Sanctuary Cove in this case there is an absolute limit of 1,922 residences, inclusive of no more than 50 in the commercial precinct. They are the indications that I have been given, and I am sure that further negotiation going forward from here will ensure all parties come to a satisfactory conclusion.

Coming back to my original comments that this is the first step in a two-phase reform package, I believe that there is sufficient opportunity to resolve any of these matters in the second and longer phase. I commend the bill to the House.