



Speech by

Hon. Stirling Hinchliffe

MEMBER FOR STAFFORD

Hansard Tuesday, 4 August 2009

RESORTS AND OTHER ACTS AMENDMENT BILL

Hon. SJ HINCHLIFFE (Stafford—ALP) (Minister for Infrastructure and Planning) (6.23 pm), in reply: I thank all members who have made a contribution to the debate on the Resorts and Other Acts Amendment Bill 2009. It enables a package of interim amendments to provide early relief to resort communities as part of a broader reform program to modernise both the Sanctuary Cove Resort Act 1985 and the Integrated Resort Development Act 1987.

As outlined, a two-phase reform process is underway to simplify and modernise the complex planning and body corporate management frameworks surrounding the six resorts established under those acts. The Resorts and Other Acts Amendment Bill 2009 is the first stage of reform, which introduces the resort communities to the concepts underlying the broad reform program. This bill addresses a range of pressing equity issues for resort residents and facilitates, improved planning and development outcomes in the short term.

As the member for Gympie mentioned in the second reading debate, the resorts legislation was introduced in the 1980s to provide a consistent framework for resort development. Picking up on the member for Gympie's quote of then Minister Hinze, this was landmark legislation at the time and sought to create exciting, innovative developments. However, just as there was a need over 20 years ago to strive for benchmark practices, there continues to be a need to deliver contemporary standards of planning and bodies corporate management. These standards have evolved a long way since the 1980s.

The Queensland government is amending the resorts legislation to ensure the resort communities transition into operational frameworks that are representative of contemporary best practice. This reform of land use planning for the resorts under the Sanctuary Cove Resort Act and the Integrated Resort Development Act complements the broadscale reforms that are to be implemented through the Sustainable Planning Bill presently before the House. Queensland's land use planning framework leads the nation. It is a benchmark towards which other states and territories strive.

I note that consultation has been discussed during the debate by just about every one of the speakers. Detailed consultation has occurred over a number of years and a broad spectrum of issues have been canvassed. This bill incorporates matters raised in consultation with stakeholders, including resort bodies corporate, resort owners and developers and residential stakeholder groups where that has been possible and appropriate.

In 2007, as has been mentioned in the debate, the government released a discussion paper titled *Resort development and management in the 21st century*. This discussion paper, which began the reform process, covered the basic concepts that are now covered in this bill. It was distributed across the resort communities. Since then the department has liaised with a broad range of stakeholders. I, too, have met with a majority of them. In that context I particularly acknowledge the work of the member for Broadwater and the member for Whitsunday. They played a constructive role in the resort communities that either are or were in their electorates as this legislation was developed.

In addition, I am advised that Sanctuary Cove resort in particular conducted its own consultation locally on the package of reforms relevant to that resort. I acknowledge the valuable role played by those stakeholders and the constructive and detailed feedback provided throughout this first stage of reform. The consultation and engagement of these stakeholders has played a significant role in the development of this bill.

While this bill represents the first phase of resort reform, the second phase of resort reform will also involve significant consultation and engagement with resort communities. Further, substantial legal and operational analysis will be undertaken to satisfactorily address the complex rights, interests, obligations and other detailed transitional issues which will form part of the resort management and development process.

As I have previously stated, the second phase of the broader resort reform aims to transition the six resorts into contemporary planning and land use frameworks and will achieve a clear separation between planning and body corporate issues. It will enable resort planning and development consistent with all other development currently under the Integrated Planning Act. I am confident that this will provide a vehicle for a more contemporary approach to resorts in the future which ensures the value of these communities to Queensland as key tourism and lifestyle venues.

In the meantime, this bill will address the pressing equity and procedural issues as a matter of priority and progress towards contemporary planning and management practice. The bill allows, for the first time, amendments to land uses at Sanctuary Cove resort. For more than 20 years land uses have been set in the Sanctuary Cove Resort Act and were unable to be changed without amendment through this parliament. I am sure that all members will agree that consideration of planning adjustments within the boundaries of the resort development is not consistent with contemporary planning practice and it is frankly not the best use of this parliament's time.

Some members opposite and some stakeholders have raised concerns with increased residential development at Sanctuary Cove. I can assure members and stakeholders that we have heard these concerns and, in addition to retaining the limit of 2,000 residential developments in residential zones, we intend to restrict residential development to residential zones through a subsequent regulation. The regulation will assign permitted uses to zones, and it is the government's intention to restrict residential development as a permitted use to residential zones only.

Some stakeholders sought the explicit statement of a limit of 1,922 residential lots. This has not been included in the bill because the current limit of 2,000, combined with the intention to restrict residential development to residential zones, is considered to provide adequate protection while allowing a small amount of flexibility if the needs of the resort change in the future.

These two measures ensure that unlimited residential development cannot occur at Sanctuary Cove resort as appropriate measures have been established to amend land uses. As a result of the government's continued willingness to listen to the community, I will seek to move three additional amendments.

Sitting suspended from 6.30 pm to 7.30 pm.

As I was saying before the dinner break, as a result of the government's continued willingness to listen to the community, I seek to move three additional amendments to address some minor technical issues, and I table the explanatory notes for the amendments circulated in my name. These amendments better facilitate the intentions of the community with respect to development in residential zones by adjusting the limits of residential entitlements in the site and the adjacent site, and these are in respect of the Sanctuary Cove resort; correct the definition to ensure that, where a boundary realignment is sought, affected landowners outside the site are properly consulted; and to correct a drafting error to ensure that development within the resorts remains subject to the requirements of the Building Act.

Tabled paper: Explanatory notes to Hon. Hinchliffe's amendments to the Resorts and Other Acts Amendment Bill [\[644\]](#).

The bill also amends two other acts, as has been mentioned by a number of speakers this evening—the Iconic Queensland Places Act and the Liquor Act. The bill, through amendment to the Iconic Queensland Places Act 2008, will clarify and confirm that building development applications are not captured within the ambit of that legislation. This amendment will make that intention absolutely clear and prevent unnecessary referrals of applications for building work in an icon place to the development assessment panels for consideration. As the member for Buderim and indeed other speakers have pointed out, amendments to the Liquor Act 1992 will improve the regulation of the sale of liquor in Queensland, striking a balance between minimising the harm liquor can cause in the community and reducing unnecessary red tape on industry. The amendments ensure that commercial special facility licences, other than those at airports and casinos, will be subject to ordinary trading hours. The amendments will also ensure that trading hours for industrial canteens in remote regions of our state will reflect the unique characteristics of each particular community, and I note the member for Whitsunday's comments with regard to mining camps that associate with her community.

Finally, the amendments will reduce unnecessary regulation while retaining appropriate protections for the community on low-risk operators such as florists and retirement villages that can sell small quantities of liquor responsibly to clients and residents as a subsidiary element of their wider business. While I am on my feet, I want to thank all of the stakeholders who have been a party to the long process of the development of this legislation and also the departmental officers who have extensively consulted, indeed over a couple of iterations of the proposed legislation, and worked towards this wider reform agenda for the resort communities. On that note, I commend the bill to the House.