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21 November 2019

The Hon Michael de Brenni MP  
Minister for Housing and Public Works,  
Minister for Digital Technology and Minister for Sport  
PO Box 2457  
BRISBANE QLD 4001

**BY POST / EMAIL – [hpw@ministerial.qld.gov.au](mailto:hpw@ministerial.qld.gov.au)**

Dear Minister,

**Exemption for the sale of liquor in residential parks under the *Manufactured Homes (Residential Parks) Act 2003***

As you are aware, the Urban Development Institute of Australia (the Institute) is a national not-for-profit organisation representing the property development industry and the Queensland office is the largest of the state bodies. The role of the Institute is to assist our members to deliver jobs, diverse housing and thriving communities.

Presently, the sale of alcohol in residential parks under the *Manufactured Homes (Residential Parks) Act 2003* is not specifically exempt under the *Liquor Act 1992*, as applies in the case with retirement villages. In a retirement village, liquor can be sold to an adult who is a resident or an adult who is a guest of a resident with the quantity of liquor sold to the person to be not more than two standard drinks in a day. A residential park under the *Manufactured Homes (Residential Parks) Act 2003* is not included in the definition of a retirement village.

The homeowners of manufactured homes (residential parks) communities regularly have events where liquor is sold and consumed as part of the event. Presently, in order to comply with the *Liquor Act 1992*, it is necessary for these events to be fundraising events, where the sale of liquor is ancillary to that event.

Whilst there are clearly benefits in having fundraising events to raise money for the benefit of the community, it would be preferable if the exemption that is in place for retirement villages was also extended to residential parks under the *Manufactured Homes (Residential Parks) Act 2003*. Indeed, the Explanatory Notes that were published when the exemption for retirement villages was introduced back in 2009 noted in part:

*"The implementation process for the LOAAA has provided an opportunity to further review certain industry activities against the new harm minimisation risk framework so as to ensure, consistent with government policy, regulation is appropriate and minimises burdens on industry and the community. Where the supply of liquor in certain low risk premises is subsidiary and in small quantities, it poses minimal risk to the community and requiring a licence is an unnecessary regulatory burden. In this regard, hairdressers, limousines and retirement villages are premises where the sale of a small amount of liquor would not impact negatively on the community. These entities are not currently exempted from requiring a licence under section 12 of the Liquor Act 1992 if they sell or supply any quantity of liquor. An exemption under section 12*

would clarify licensing requirements for these entities by specifying the amount of liquor they can sell and under what conditions it may be sold before a licence is required under the Liquor Act 1992”.

The rationale for including retirement villages as part of the list of exemptions could apply equally to residential parks. Indeed, it appears the non-inclusion of residential parks was something of an oversight as the Government sought to limit regulatory burden with the exemptions in 2009 including retirement villages, hairdressers etc.

The Institute considers the sale of a small amount of liquor in residential parks would not impact negatively on the community. And as is the position with retirement villages, a similar restriction being imposed on the amount of liquor that can be sold to a person each day, namely two standard drinks, would be satisfactory.

The Institute is aware that this issue has generated quite a deal of debate within some residential park communities. Social interaction is a major attraction of the communities, but homeowners feel they are being restricted from a pleasure in their social interaction that others are able to enjoy. Whilst homeowners are happy for their social clubs to sell liquor as part of fundraising events, they firmly believe they should not have to conduct a fundraising event on each occasion when liquor is to be sold. We understand that many homeowners in residential parks would be very appreciative of a legislative change that provided greater flexibility in this area.

The Institute seeks your cooperation in providing this change for residential park homeowners. We consider there are very cogent reasons as to why residential parks under the *Manufactured Homes (Residential Parks) Act 2003* should be included in the list of exemptions in section 14B of the *Liquor Act 1992*. They are low risk premises and the supply of liquor in small quantities presents minimal risk to the community. It will also reduce the regulatory and financial burden on senior citizens in having to obtain a licence or permit, or indeed to conduct a fundraising event in order to be able to sell small quantities of alcohol.

Thank you for your attention to this matter. If you have any questions regarding this letter, please contact Manager of Policy, Martin Zaltron ([mzaltron@udiaqld.com.au](mailto:mzaltron@udiaqld.com.au)) on (07) 3229 1589.

Yours sincerely,

**Urban Development Institute of Australia Queensland**

A handwritten signature in black ink, appearing to read 'Kirsty Chessher-Brown', with a long horizontal flourish extending to the right.

Kirsty Chessher-Brown  
**Chief Executive Officer**