

Housing Availability and Affordability (Planning and Other Legislation) Amendment Bill 2023

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May I Introduce myself? Bill Giles; I am and have been a resident on North Stradbroke Island for thirty years. I have an enduring interest in the economic, cultural and lifestyle futures of the island post sand mining and I am an executive member of the Dunwich sub-committee of the NSI Chamber of Commerce. I am writing on behalf of a group of business houses in Dunwich.?

Housing Availability and Affordability (Planning and Other Legislation amendment) Bill 2023

The Bill seeks to amend the Planning Act 2016 to optimise the planning framework's response to housing challenges.

The Bill proposes the following initiatives:

- the ability for the Planning Minister to acquire land and create an easement for critical infrastructure to support development*
- a new alternate development assessment pathway to facilitate development that is a priority of the state, for example affordable housing*
- a new zone to help local governments better sequence development and allow for detailed land use planning to occur.*

I am convinced there are multiple opportunities for such as joint ventures, private-public partnerships, cross subsidy innovations and private investment on North Stradbroke Island (NSI) that can help fill the economic void post sand mining on the island and offer numerous mutual benefits for such partnerships.

In 2011 when the Bligh Government was considering the end of sand mining on North Stradbroke it commissioned the Department of Environment and Resource Management to assess the consequences. Queensland Parks and Wildlife Service did so and wrote a thesis entitled *A Situational Analysis; A sustainable economic future for North Stradbroke Island/Minjerribah*

It examined the impacts of cessation of sand mining on production, incomes, employment and revenues derived from sand mining and received by governments.

It found "...there is substantial evidence to suggest that even with mining, the economy is currently under stress and demonstrates a lack of resilience. It stressed there needs to be investigation of innovative and cost effective models of infrastructure delivery such as joint ventures, private-public partnerships, cross subsidy innovations and private investment." (My emphasis)

Foresight can be described as; wisdom by virtue of planning prudently for the future. Seeing ahead; knowing in advance; foreseeing.

In 2015 when the Palaszczuk government decreed that sand mining on Stradbroke would cease and the NSI Economic Transition Strategy was conceived in lieu, it must have been obvious at the outset to those charged with planning the NSI ETS that eventually there would be large ex Sibelco property assets in Dunwich available for commercial development. The blocks of land in question are:

10-12 Ballow Road,
Lot/Plan 29/SL4907
Property Number 4564
Area 8,094 square metres

14-16 Ballow Road
Lot/Plan 76/SL4907
Property Number 33216
Area 6,531 square metres

8-22 Mallon Street
Lot/Plan 15/D90415
Property Number 4540
Area 20,740 square metres

1 East Coast Road
Lot/Plan 1/SP156237
Property Number 240890
Area 20,760 square metres

11 Cunningham Street
Lot/Plan 1/SP148593
Property Number 242300
Area 11,430 square metres

That is a total of 67,555 square metres all of which are leasehold and none of which are subject to Native Title. In the State Governments glossy brochure they are marked as "Points of Interest."

Still, over a decade later, there is no indication of "investigation of innovative and cost effective models of infrastructure delivery such as joint ventures, private-public partnerships, cross subsidy innovations and private investment." Therefore it must be assumed all will be reliant on Govt. funding.

At present priority one for the Dunwich Master Plan concocted by Department State Development, Industry, Local Government and Planning is "strengthening first impressions that NSI is an attractive destination." That is decorative rather than useful.

There would be many benefits in developing Dunwich as a residential hub for those who want an island lifestyle but want to avoid the hustle and bustle of the tourist hot spots. We need to prove that Dunwich is not only the gateway to Stradbroke but that it offers marketable opportunities. And, there is a very real need for affordable, permanent rental accommodation on the island to cater for employees of local businesses.

Nestled at the southern end of Moreton Bay NSI provides the perfect balance of business and lifestyle. The island offers significant opportunities for investors and businesses, with convenient access by reliable water transport to the mainland.

But there are impediments to achieving those goals and, to understand what are the influences that will determine Dunwich's future; we need to look at the big picture.

The North Stradbroke Island Economic Transition Strategy as it is written is a sop. It is anodyne. It is a pacifier in recognition of the void in the island's economy that was the result of ending sand mining with only four years notice. I liken it to palliative care for a person with a terminal illness. It is an insult to business minded islanders and, it is an obstacle to understanding and communication between multi-cultural groups on the island.

An article in the Brisbane Times newspaper itemized the regions the State Govt. is concentrating on for infrastructure development. Redlands City didn't rate a mention. So, how far into the future will it be before we see Govt. funded results on the ground?

The NSI ETS promises that, "The QLD Govt. is committed to ...expanding the island's industries to ensure a strong, sustainable economy for all who live and work there." It reassures us that, "The strategy presents a range of exciting future opportunities for NSI including the ability to leverage \$40 million private sector and stakeholder investment." Yet the State Govt. is silent on that issue. It is not doing anything to promote private investment

One of the key considerations in developing a more diverse economic base for the island, and encouraging commercial investment, is to ensure land is available for development opportunities and for sustainable industries.


Physical infrastructure such as transport, sewerage and water, internet services, phone services, and community facilities are critical for economic activity to take place. And, all economic activity is subject to the availability of land and in particular, land which is physically suitable and appropriately designated for the proposed purpose.

67,555 square metres in the centre of Dunwich is currently available for development but by whom?

The issue of expansion of the availability of freehold land is complicated by the granting of Native Title in 2011. Following the determination, Indigenous Land Use Agreements (ILUA) were signed by the State and the Quandamooka people and by Redland City Council and the Quandamooka people. However the terms of ILUA remain confidential. Why, they should be I don't know and the Native Title Body Corporate (QYAC) has not shared its vision for the future with the rest of the community though they must have ideas and aspirations that will meet their particular needs.

The confidential status of the ILUAs can be defended on a legal basis but are they ethically defensible? Morally they are reprehensible. The ILUAs have divided a community whose maxim in times of adversity used to be “Mutual Support.”

A review of island demographics at this stage might be helpful. The 2016 census found there are 2,200 residents on North Stradbroke and that of those approximately 360 claim aboriginal birthright. Of those about only 100 are members of QYAC. The remainder either oppose or are ambivalent about QYAC’s agenda.



QYAC is a registered charity under item 1 of the legislation which refers to lists of funds, authorities and institutions. It has a GST concession; is exempt Income Tax and exempt Fringe Benefit tax. In addition to its role of Native Title Body Corporate QYAC is also a commercial corporation.

QYAC Business Services (QBS) is a business unit of QYAC – ABN 30457 275 826. Its subsidiaries are:

Minjerribah Camping, ABN 50-160-861-567 (Business name) and,
Minjerribah Camping Pty Ltd, ABN 56-150-491-526 (Entity name)

In the shadows of an uncertain future is the threat of Land Banking which is the practice of aggregating parcels of land for future sale or development.

While in many countries land banking may refer to various private real estate investment schemes, in Australia it refers to the establishment of quasi-governmental county or municipal authorities tasked with managing an inventory of surplus land.

QYAC can be considered a Municipality: An urban district having corporate status and powers of self-government

In December 2008, at the depths of the Global Financial Crisis, the Foreign Investment Review Board (FIRB) relaxed laws regarding foreign investment in Australian real estate. Under previous legislation temporary residents were only allowed to purchase a property for Principal Place of Residence purposes valued at up to \$300,000. Under new laws active since February 2009, this monetary limit has been removed.

It is possible for foreign individuals to create a registered company for the sole purpose of purchasing property in Australia and actively bypass the loophole fix. An example is the surrender of Native Title over Keswick Island on the central Queensland coast in return for compensation followed by the State’s award of a 99 year lease to China Bloom.

As of April 20, 2010, the COAG has agreed the Housing Supply and Affordability Reform Working Party will extend the land audit work to examine ‘underused examine private holdings of large parcels of land by mid-2010.

What does native title determination area” mean?

A.-The exercise of native title rights in exclusive use areas is subject to traditional laws and customs practised by the Quandamooka people and is also subject to all

other Australian laws including the underlying land tenure and related building, planning and environmental regulations and local laws that cover North Stradbroke Island. Only some of these rights are recognised in non-exclusive native title areas.

Our task now is not to fix the blame for the past, but to fix the course for the future.

The basis of a claim of success, or otherwise, of a project such as the NSI ETS depends on which unit of measure you use. By all means let us acknowledge the North Stradbroke Island of the past but not to the extent of thwarting the economic transition to the North Stradbroke Island of the future.

I have written to the various Ministers with responsibility for the NSI ETS over the years and stressed the need to re-evaluate the twenty three projects in the present strategic economic plan; to restructure it such that it encourages private investment and then explain in detail to us how the NSI ETS will fill the economic void post sand mining. Also what support we can expect until the process is complete. It needs to be a balanced business plan that will be used to secure the future for all of the island community. And it must include what incentives such as availability of freehold land, and opportunities there will be for commercial investors. "Silence" has been the loud reply.

At this time of great uncertainty about our future and the stagnant state of the NSI ETS, an opportunity to provide solutions to the housing crisis while underpinning the economic future for the island businesses and the residential community has become valid.

Leadership involves seizing the historical moment and, while great policy changes are best if bipartisan, the lack of bipartisanship should not delay their arrival.

Bill Giles

