



# ***TRANSPORT AND RESOURCES COMMITTEE***

**Members present:**

Mr SR King MP—Chair  
Mr LL Millar MP  
Mr BW Head MP  
Mr JR Martin MP  
Mr LA Walker MP  
Mr PT Weir MP

**Staff present:**

Dr A Beem—Acting Committee Secretary

## **PUBLIC HEARING—INQUIRY INTO THE ECONOMIC AND REGULATORY FRAMEWORKS FOR QUEENSLAND ISLAND RESORTS**

### **TRANSCRIPT OF PROCEEDINGS**

**TUESDAY, 23 AUGUST 2022**

**Airlie Beach**

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### **The committee met at 2.42 pm.**

**CHAIR:** Good afternoon. I now declare this public hearing for the committee's inquiry into economic and regulatory frameworks for Queensland island resorts open. Thank you all for your interest and your attendance here today. I would like to start by respectfully acknowledging the traditional custodians of the land on which we meet today and pay our respects to elders past and present. We are very fortunate to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander people, whose lands, winds and waters we all share.

My name is Shane King, the member for Kurwongbah and chair of this committee. With me here today are: Mr Lachlan Millar MP, the member for Gregory; Mr Bryson Head MP, the member for Callide; Mr James Martin MP, the member for Stretton; Mr Les Walker MP, the member for Mundingburra; and Mr Pat Weir MP, the member for Condamine, who is substituting for the member for Toowoomba North. On 21 February 2022 the Transport and Resources Committee resolved to conduct an inquiry into the economic and regulatory framework for Queensland island resorts. The purpose of today's public hearing is to assist the committee with its consideration of the inquiry.

The committee's proceedings are proceedings of the Queensland parliament and are subject to the standing rules and orders of the parliament. As parliamentary proceedings under the standing orders, any person may be excluded from the hearing at the discretion of the chair or by order of the committee. The committee will not require evidence to be given under oath, but I do remind witnesses that intentionally misleading the committee is a serious offence. You have previously been provided with a copy of instructions to witnesses, so we will take those as being read. These instructions are also available here today.

The proceedings are being recorded by Hansard. Media may be present and will be subject to the chair's direction at all times. Media rules endorsed by the committee are available from committee staff if required. All those present today should note it is possible you may be filmed or photographed during the proceedings by the media and images may also appear on the parliament's website or social media pages. I ask everyone present to turn mobile phones off or to silent mode. I also ask that any responses to questions on notice taken today be provided to us by 4 pm on Monday, 12 September 2022. The committee will hear from the following witnesses: from 2.45 pm to 3.30 pm Amanda Camm MP, the member for Whitsunday; and from 3.30 pm to 4 pm Whitsunday Conservation Council.

### **CAMM, Ms Amanda, Member for Whitsunday, Parliament of Queensland**

**CHAIR:** Welcome. Thank you for your attendance. Would you like to make a short opening statement before we go to questions?

**Ms Camm:** I would, thank you, Chair. Let me first welcome you, the deputy chair and the committee to the Whitsundays. I was really pleased to see that the committee has taken the opportunity to visit this region. I know that over the next few days you will be visiting incredible island resorts with beautiful natural assets, so I really appreciate it. My community really appreciates it as well. I would also like to acknowledge the traditional custodians locally here in my community, the Gia and Ngaro people. You will be travelling out on their lands tomorrow, so I pay my respects to elders past, present and emerging.

It is important to outline in my opening statement that as a community we do not have a determination here in this community. That sometimes does cause challenges and negotiations when it comes to collaborating, but certainly we have a community that is very passionate in particular about our Whitsunday Islands history. From a tourism perspective, that is an opportunity that could be capitalised on by not only our local community members but also the state government and our local government collaboratively working with traditional owner groups.

I did make a submission to the committee which I know you all would have seen. The Whitsunday electorate does include over 200 islands, many of which are not inhabited, but they are part of a pristine ecosystem we are very proud of. I would like to highlight not only my experience as the local member and representative of different stakeholder views—those who live on or operate

island communities and resorts—but also some of the challenges I have observed in my former roles both in economic development and as deputy mayor of Mackay Regional Council, where I oversaw planning and economic development with our planning committee, as well as our whole council not only endorsing a planning scheme—the first for our consolidated region of the Mackay local government area—but also some of the challenges I saw through natural disasters, whether that be Cyclone Debbie or bushfires, as well as planning approvals, extensions of leases, the sale of leases and development approvals in my time as the chair and some of the nuances that I observed and witnessed in that capacity that either trigger state government interest or I think could be helpful and insightful to the committee. I would also touch on and welcome any questions around insurance and the challenges that we see here in Far North Queensland, in particular for our islands.

I am sure that when you speak with some of the island resort proprietors you will come to understand that we are at a significant disadvantage in North Queensland because of high insurance costs. Also, coexistence is important in our protected areas and natural environment. Any sort of resort development needs to be looked at and considered in a sustainable manner into the future. I will touch on some of those resorts that exist which I think are actually impacting negatively on the natural environment in the Mackay local government area, including islands like Brampton Island, which is in sad disarray at the moment. Also of importance are dispute resolution processes, particularly for residents who live on island communities. There are some challenges about which I am sure many will make a representation to you over the next few days as to whom it is best they go to and who regulates some of those activities on those islands.

The last thing that I think is really important is the environmental management of our islands—who takes custodianship and responsibility for that—and the interactions between local government and state government departments, whether that crosses over from the Department of Resources right through to the Department of Environment and Science and then the other associated departments—whether it be tourism or state development and planning—that also have an interest in our island communities. Right now I see a real opportunity post COVID for our islands to reach their full potential in the interests of all Queenslanders from tourism opportunities but also for them to reach their full potential in the way they are managed sustainably into the future as part of what is an incredible ecosystem in the Great Barrier Reef Marine Park and in our natural environment here in the Whitsunday Islands. I am happy to take any questions.

**CHAIR:** Something you touched on grabbed me. In your submission you talked about the lack of integration of the three levels of government and the need for that to be further investigated and addressed. I do not know if you were touching on that when you were talking about leases in your previous and current roles. Can you touch on how you think that could be improved?

**Ms Camm:** The way I think about that is the example of Keswick Island. I would like to put on record that things have improved there significantly in terms of the relationship between the head lessee and the residents.

**CHAIR:** I saw that in the submissions, yes.

**Ms Camm:** I think that is important to note. Prior to that, with previous head lessees the relationship was broken down. I think the interaction between all levels of government is important because when it comes to ownership models of our leases the state government has carriage of that, but we have seen concern with some of our island purchases or negotiations of the headlease from local communities, residents and investors. They do not understand the due diligence process, for example, that the state government might take with a head lessee or how that process came to be before they award that lessee. An example that I think is quite similar is what we saw with the Darwin port. That was an asset that was negotiated for a lease and that was done by the state government. Similarly, with our island resorts the state government has the same responsibilities, but there may be national interest in the level of foreign investment. Because it is a lease, it sits under the Foreign Investment Review Board's oversight.

My concern there is from a due diligence perspective. What is the current state government process that is undertaken with due diligence and could that be further enhanced to be more transparent? That is important because when local government is the final approving body, or potentially the regulator of a development, they have no line of sight or no access as to how that head lessee was awarded or what was the due diligence behind that. It may sit in a commercial-in-confidence agreement. That might be fine, but having some framework or understanding around that and how that interrelates with federal government policy when it comes to investment and local government understanding of regulating a development or approving a development I think would be helpful for all parties, to ensure that all levels of government are on the same page.

The other area where there needs to be sight is when it comes to environmental approvals and impacts. The Great Barrier Reef Marine Park is governed under federal legislation. There are islands that sit within that that fall under state as well as federal legislation when it comes to the environment, and then you have local government as a product of state government. Whether it is investment decisions, planning approvals or environmental management, there is an overlay that does exist that is not currently recognised between all three levels of government which could be further improved.

**CHAIR:** We did previously hear—it could have been in another hearing—that there was meant to be another wharf but the Great Barrier Reef Marine Park Authority would not allow it, and this caused a lot of grief. I am not sure if that was Keswick Island.

**Mr WEIR:** It was Double Island.

**Ms Camm:** With Keswick Island there are future plans for marina development, and I question whether that would ever be able to be approved under current federal environmental approvals. That is okay potentially, but if the right hand is not talking to the left then that makes it very hard for investment decisions to be made.

**CHAIR:** And very frustrating for those involved.

**Mr WEIR:** You said things have improved at Keswick, which is good, but why have they improved? The lease has been transferred to another entity, but have the conditions of that lease been changed or altered?

**Ms Camm:** The improvements I have observed and which have been communicated to me from residents are that on-island management and personalities have changed, so it has come down to people. That does not give a safeguard to investors or residents that in fact there will be an outcome that is mutually beneficial for the long term. It just means that for a point in time now communication is open and that between onsite management and the head lessee there is two-way communication flowing. When it comes to the structures, the approvals that exist or the conditions of those approvals, none of that has changed. Just as with any development, it is only going to be as good as the people who have an obligation to carry those out.

What I would say about Keswick Island is that I think those improvements were brought about by the residents and the head lessee and onsite management. I cannot confirm whether departmental officers or even local government officials or their offices had any role in that. What has been reported to me is that it has really come down to the personalities on the island, and that has been a productive relationship. That should be a potential learning for this committee to look at, because any level of government cannot control personalities. All we can do is put in the safeguards and regulatory framework or legislation that protects the interests of not only head lessees but also those who invest and those who are residents of that island. I believe there is still a long way to go, but I think it is a step in the right direction.

**Mr WEIR:** How much input does council have into what is proposed for the island? When the lessee takes over an island he might have plans to build a resort, or it might be just structures or houses for people to come and stay for a short time. How much input does council have? In the end, it has to meet with their approval as well and the council has to be able to service that.

**Ms Camm:** Yes. I note that you have a submission from Mackay Regional Council, and the director will be giving evidence to the committee. It differs based upon each development approval. When an application is lodged with council, council will assess that application obviously with state interest checks. Depending on the style of the lease and the application, there will be a series of state legislation that has to be adhered to and looked at. Those state departments have to approve what is acceptable within the scheme, and then local government will have the final approval subject to whether a minister could step in, or the Coordinator-General with a large project.

The challenge that I experienced and from what I have seen in local government at different times—I will give you an example in my time: Brampton Island. Brampton Island had a development approval, an application for redevelopment of a resort that is in complete disarray. As far as I am concerned, it is actually a hindrance and should be cleaned up. The impact it is having on the natural environment I think is very negative. If it were here on the mainland, there is no way anyone would allow that to be the dwelling that it is. It is just in disarray. What we saw there was an application for a seven-star resort. There is a head lessee involved in the application. It is a foreign owned entity, but I do not think we should discriminate between foreign owned or Australian owned. In that situation, the development approval had not reached its milestones. It had come to the end of the approval process. I was notified—alongside the mayor—six months after the fact that a planning manager who sat in middle management had signed off for an extension of that approval to give them further approval without coming to the elected members, without bringing that decision back to council.

In some cases development approvals and extensions can be signed off under delegation. That is a normal practice of local government. I think when it comes to islands that have a significant natural asset value, that are away from the public eye quite frequently, that do not have council officers out looking at them every other week or driving past, that should have been reviewed more closely by both state government interest agencies and the local council I was part of. That option was not even provided to elected members or our planning committee; that option was done under delegation. It is a council's role to upkeep their delegation register. I am not a professional planner. I take guidance from my staff. Had I known that could have been extended without any check or balance by elected members to even have called in the proponent or the head lessee to ask why they had not reached their milestones and what was the plan—I think there should have been a trigger or some kind of tool that the council could have used to do that, or the state government through their interest check. There should have been a trigger to say, 'Why haven't you commenced? What are the challenges? Why should we give you another six years?' Now what we have seen occur is that the island still sits there with no investment and in fact a significant amount of debris and potential impacts on the natural environment, right next to a national park. I think it is in the interests of all stakeholders that council and state government agencies have a tool to review that approval extension.

**CHAIR:** So that approval extension had no conditions?

**Ms Camm:** No, it would have had conditions, Chair, and the extension may have been exactly to what their initial approval was. Back to the point of the three levels of government that have different interests, our environment changes rapidly, so to be able to just hand over extension after extension without further interrogation or questioning or even as a region saying, 'What does that asset mean to us as a community?' and then for that proponent to maybe have to go out and seek endorsement and support again under an approval process is concerning.

**CHAIR:** Yes, it is gobsmacking that there is another six years without, 'You will adhere to X, Y, Z during that time.' Wow!

**Ms Camm:** They would have had their existing planning approval, and I know that the Mackay Regional Council was saying that there is an existing approval and that that outlines the three main leases and that in mid-2016 the owner had discussions with the state to amend boundaries to do other things and they would have had to seek further approval to do those things, but they still had an existing approval that sat there with no action and no outcome.

**CHAIR:** Yes.

**Mr WEIR:** What you are explaining here and what the committee has heard before and what is in the submissions is that these leases are issued and there are terms of the lease that are to be met, but it seems a regular occurrence that they are not being met. Would you say that that is part of the problem, because it seems that they are not being enforced? I am not sure whether that is all levels of government which compounds the problem.

**Ms Camm:** What I observe is that we have some head lessees and some proponents doing amazing things and doing the right thing—you will visit some of those tomorrow—and who take very seriously their agreements and have responsibilities, as well as their sublessees. I think that is an important point to make too. It is not just the head lessee; head lessees also have sublessees and they have expectations to uphold as well. What we have seen with islands such as Lindeman Island, Brampton Island and certainly South Molle Island is that there are a number of island resorts where we have seen that development has either stalled or not commenced or an approval has been granted saying, 'We will reach these milestones. We will achieve this development over a six-year period,' and those things have not been upheld.

I think the question that needs to be further interrogated is who is responsible for that and of which components, because many of these leases have components that are the responsibility of various different departments and, once again, various different levels of government. An example of that at the smallest and lowest form would be Keswick Island with their access with their boat ramp—and you will go there and see that—or their maintenance of the beach. Both issues there were part of their approval process. They have clear expectations that they have to commit to and both local government and state government would have responsibility and carriage of that, depending upon what the infrastructure is and what the beach management plan is.

I note that, particularly in regional areas, our state government departments and our local councils are not resourced necessarily to the level that allows them to go out to an island once a week, or once every six months for that matter, to check on those milestones. The challenge there lies with who then has the custodianship of that, who takes responsibility for that and is there any

reporting back to the relevant departments at a local or a state level to know that they are both undertaking the regulatory responsibility they have? In my experience in local government, that was not happening to an adequate standard that saw our beaches in particular of some of our islands being maintained appropriately, particularly where we saw turtle-nesting beaches—nor where we needed safe boat ramp access, which you will see yourself on Keswick Island, where both the local council and the state department are responsible. What I have observed is that it was put in the too-hard basket both in my time in council and since I have been the state member.

**CHAIR:** We are talking about the Department of Resources, but there would be other departments that would cross over there as well, and that is my question to you. There is confusion within the environment department and others that obviously would realise they have that but feel that another department is doing it. That could all be part of the red tape you are talking about. That is my question; it is not a statement.

**Ms Camm:** Yes, Chair, and I could not agree with you more in that I think there is a challenge over which department knows what they are responsible for, and then you look at, for example, National Parks. We have National Parks here that also would have a responsibility for components of the islands, and they are already under enormous pressure with the large amount of national parks that we have here. I think that also comes down to a matter of priority, and I am the first to advocate that in our region I understand the challenges of resourcing, of staff shortages and of just finding adequately qualified people.

We have a large national park on both our mainland here and multiple islands. Resourcing that adequately to reach the five-star standard that I am sure we would all love is unrealistic, but to have in a region such as ours—or a zone, whether it is Whitsundays or North Queensland or our southern Great Barrier Reef islands—a lead agency that people understand is the lead agency and the coordinator of these services I think could go a long way to help the head lessees with liaising, noting that the Department of Resources would have a very clear mandate of what its job is, as would the department of environment and as would those other departments. It does seem to me that there is not one lead agency when it comes to our island resort management like there may be on the mainland. It just seems to differ because it is out sight, out of mind.

**CHAIR:** Would that in your opinion—as you said, you are not a planner or anything but as a local member who cares about your area—be one lead agency, whether it be GBRMPA or state Resources or Environment or another one or council; that is, just one lead agency to liaise, because no-one wants more bureaucrats? That is the problem.

**Ms Camm:** No-one wants more bureaucrats; that is true. The first thing I would say is that each council is so different. My Whitsunday Regional Council has nowhere near the same amount of resources or capacity that Mackay Regional Council would have by sheer rate base, let alone geographical area, so I do not think it is fair that that is pushed on to local government. What I do think local government needs is very clear direction about what is their role in how they manage. An example of that that worked very well, for example, is emergency management. Our learnings after various cyclones, and in particular Cyclone Debbie, were that we have improved as a region—and I think this is the same for both council areas—how we engage and communicate with our island communities in that we have a plan for them in natural disasters. That communication was improved greatly through that time, as was process. Everyone knows that local government has carriage of that and we feel secure that that is within the resources and capacity that local government has.

When it comes to, for example, environmental compliance issues, there is an opportunity there I think to say, 'Who is the lead agency in that?' While we may have a government policy, what is practical on the ground? Is it really the department of environment or is it potentially a collaboration between multiple organisations and community groups as well? We have enormous community participation in our region with our tourism sector, our conservation sector and just everyday people who come and visit our region, for example, in citizen science. When I speak to tourism operators that go out to some of our amazing islands and are bringing back bags and bags of plastics—and doing it really well, and that is great—they are doing their bit. Then when I see an island resort that is just full of building supplies and debris and nobody has cared enough to do anything about that, then we are in conflict. So we have people who want to do good and we have departments that are doing the best they can, but then we have other examples where no-one has shown leadership or carriage in that place because there is a headlease that sits there.

**Mr HEAD:** What are some of the biggest obstacles to private investment and the financial viability of island resorts?

**Ms Camm:** The first I would say very broadly is red and green tape, but we need to narrow that because we do at times need red and green tape and we particularly need that in some of our beautiful, pristine areas, so we just need to make sure it is measured and it is appropriate. For me—and I can only speak to the stakeholders and the advocacy that comes before me—insurance is quite significant. I know that it is in limbo in terms of the reinsurance pool that we have advocated for in North Queensland, and it really only touches on homes and potentially small businesses. For our island communities—and when I know what Hayman Island or Hamilton Island pay in their insurance bills—anyone starting an island resort would be thinking twice based upon insurance. I understand that that is not necessarily an issue for the state government, but certainly the state government collects stamp duty on those very high insurance premiums and that is something that we do not necessarily see a return on. I think if those islands knew that the stamp duty they were paying was maybe contributing to some kind of resource that was supporting island management, that could be helpful in justifying their enormous costs.

I think the other part to invest up is the time frames around approvals, and that is once again the interaction between state and local government because time is money when it comes to development. I also think conditions of development approvals and particularly of resort developments. During the eighties the Whitsunday island resorts were abundant and plentiful when I was a child, and taking my own children to South Molle and Long islands was something that we did, but those models of resort development now are different with the changes in our Australian market where people want to choose in the global competitive market. However, what we maybe are not exploring well enough is the opportunity for ecotourism which would also look at combating some of the challenges around insurance.

When we see a proponent that comes forward with a large concrete resort development, I think they would struggle to make that stack up in the current environment when you are competing with international markets such as Bali and Thailand and others. Within the competitive advantage we have, which is our natural environment—the global brand that we have which is the Whitsundays and the Great Barrier Reef—and the challenges in getting building supplies right now and into the future, let alone getting them over to an island to enhance a development, I think there is a real opportunity for the state government and local governments to work collaboratively to look at zonings and to look at the style of resort development we want to see into the future. When you look to places like Tasmania or other parts of Australia where you see ecotourism is thriving, I witness it as an opportunity lost for Queensland.

I know that Keswick Island has put in an application around demountable glamping tents. What we do see here is an increase in people wanting to experience kayaking, hiking, sailing—all of the beautiful things you can do in the Whitsundays. Hamilton Island has proven its development stacks up, but it has a very different model. If it was a different site on some of the islands I have already mentioned, where we could look at working with proponents on a model of development that both is sustainable and combats some of the issues of insurance—with demountable glamping, if a cyclone is coming you just take it down and take it away. What that would mean is enhanced access. What that would mean is better management of our national parks on our islands.

Things would still need to be looked at holistically, but I think for investors coming to our region insurance costs are an impediment, and time and the red and green tape on planning approvals of traditional style of investment resort development is now outdated. We will only see an increase, I am sure, in sustainable development guidelines over the course of the future because of the sheer nature of where we exist here with the Great Barrier Reef, but also because of our climate. I think that is an area of improvement.

**Mr MARTIN:** The committee has heard some alternative views on foreign investment. Do you think island resorts should be allowed to be owned and operated by foreign investors?

**Ms Camm:** My view is, yes, they should. My view, though, is that with any level of investment by any head lessee or anyone who operates those resorts, foreign or otherwise, there should be a rigorous due diligence process. I believe there should be an accountability trigger in there if they do not uphold what they say they are going to do, and my view is that there should be a 'use it or lose it' clause in there as well if they cannot demonstrate why. My view on that extends to large land based island resorts. I have Laguna Quays, which sits just south, which is a foreign owned entity. I see that that same investor has delivered a great resort development in North Queensland yet has chosen to sit on this one and not do anything with it.

I think we have to look back as to why the due diligence is so important, not only from a financial, commercial or fiscal perspective but also from a human one, because people make investment decisions. Mums and dads—and you will meet some of them on Keswick Island—are not

from wealthy backgrounds. They have worked hard and they have poured their entire life savings, whether they come from a farming background or other areas, into these investments. There are some local artists over there who I know have poured their entire savings into building their home there—and you will see when you are there that it is an amazing landscape—but they have taken risks. If that head lessee or the investment that sits behind that head lessee does not stack up or decides to bail, they have not been able to undertake that due diligence like the state government is resourced to do. I think also from a corporate social responsibility perspective, the state government needs to have a lot of rigour and be able to justify that when things do not stack up.

**Mr MARTIN:** I have an additional question about due diligence. This is something else that the committee has already heard about, as to whether or not there is an issue around needing additional regulation, perhaps from additional due diligence. Is there a need for some additional regulations or is it a matter of enforcing what is already there? Do you think perhaps there need to be extra penalties for head lessees who do not do the right thing or who, for instance, sit on an investment and do not deliver what they said they would?

**Ms Camm:** Both. There is always the carrot approach, because we want to attract investment into our state. I certainly, as a local member for Whitsunday, want to attract investment into the Whitsunday Islands, but we want that to be the right investment. We want that to be an investment that aligns with our values as a state and as a region and aligns with the opportunity that we see. I think it is about both incentivising and giving assurity to investment, but it is also about accountability and the responsibility they have if they are granted approvals or leases. They sign a document. I mean, we all sign a document when we sign up for our driver's licence that we will uphold the road rules and when we do not there are pretty strict penalties; in fact, they have just gone up these last couple of weeks. There is accountability. I think that has been somewhat lacking, certainly from what I have witnessed, with some of the head lessees in my community.

**Mr WEIR:** If there was something you would advise this committee to progress, the main issue that might help to resolve this, what would it be? What would be the main thing?

**Ms Camm:** I think it comes back to the member for Stretton's points around the due diligence process, but also that penalties apply—or some kind of trigger or some kind of consequence—when you do not uphold what you have agreed to do. I think why this also differs from everyday normal planning and development applications is that if you are on the mainland you traditionally have a freehold title or you undertake a planning approval based on land use, and that land use is there until a planning scheme is changed or the state government changes a zone. Our islands are different, by the sheer geographical location and nature of them. They are natural assets. That is the point of difference and why we should expect a higher standard from our head lessees. When you travel the world—and you will see it tomorrow—you will see that we have some of the most beautiful, pristine environments; therefore, we should have a high standard. That does not necessarily have to be overburdened with red tape, but it should be very clear from the outset with any head lessee that signs up with the Queensland government, in my view, that they are signing up to do what they say they are going to do within the framework that we expect them to. A coalmine cannot operate outside of the rules or the approval process that it undergoes, yet islands in some of our most pristine waters have been able to.

**CHAIR:** Without putting words in your mouth, and also from what I heard earlier, do you think there should be clarity between levels of government as to who does what?

**Ms Camm:** Yes, I think that would be helpful. That is also helpful for the community. We saw in what was a very public campaign that went nationally, with Keswick Island, that our local community and even our residents did not know who to go to and which level of government was responsible for what, so I think it is important.

**CHAIR:** The other thing is—and we are waiting with bated breath—as we heard in estimates and which was clarified yesterday, that the minister has given a direction for the lessee on Double Island to do something monthly. We are not up to a month yet, so it will be interesting to see where that goes. That sort of thing you wholeheartedly endorse?

**Ms Camm:** Absolutely, and welcome.

**Mr HEAD:** You have touched on some of the issues that you see as causing problems with island resorts, but are you aware if there is anything in lease agreements that restricts or inhibits good management of island resorts? You said that some of the issues are around due diligence of the agreements. Is there anything in those lease agreements that might directly be a preventing factor to good management?

**Ms Camm:** That is preventing, sorry, good management?



**Mr HEAD:** Yes, that is stopping companies from managing them to the best of their ability?

**Ms Camm:** I think there would be things in there that are variable costs. While leases might be written in a way that is more from a legislative or a regulatory perspective, there needs to be understanding of the practicalities of what that means. To be able to, for example, say, 'Under your lease you will provide affordable access from the island to the mainland,' that could come at a considerable loss to that head lessee or that leaseholder if there is not a supplier that can provide that. We have seen that in our communities regionally. An example is air travel. If you need to get a helicopter off an island, you only have a small pool of providers who can do that. Would that be classed as safe? Yes. Would it be classed as affordable? Probably not. So there are some things that I think might be written into leases that are variable factors. Being able to understand what they are in a practical sense would be very important. However, once again, that comes back to due diligence of both head lessees and those regulating it, understanding what that means. A document may be drafted by a department that may have never visited a site, for example.

There are practical, tangible things that a head lessee needs to do if they are going to undertake the management of an island—that they have been to the island and they understand the community that services that island. The department then regulating that also should have knowledge and understanding of that. I think sometimes we are well intended with regulatory reform or with frameworks or legislation, but the way it translates practically is where it can fall down.

**Mr MARTIN:** You were talking about a potential lead agency. Can you expand on that? In particular, does this lead agency come with additional costs to the state government? If it includes additional inspections and things like that, who should pay?

**CHAIR:** I think it might be council.

**Ms Camm:** I can only speak to experience. As an example, I will give you an experience in a planning sense. My area has a designated aquaculture zone. The department of agriculture, for example, has a lead agency in that. You would have to check with the departments which one took that lead, but in my electorate I have two strategic areas of aquaculture with the Tassal prawn farm—the largest prawn farm in Australia—which is in the north of my electorate and they have a subsequent site at Bloomsbury. To make investment easy and to also then be able to coordinate both issues around, for example, energy supply, water supply, environmental management—all of those things—one of the government departments took a lead on that and then became the facilitator. One could ask, 'Was there an extra cost?' I do not believe there was. I believe in the interests of the final investment decision, for the department to justify taking a person and that person being the liaison, that probably saved the department significant time, energy and resources because that person was the go-to.

An example of that within Queensland—whether it be State Development and Planning or the Department of Resources, for example—is that there is a lead who takes carriage of island resort developments. That might be happening now in leases; however, once again, if I point to the aquaculture zoning area, that was about practicalities on the ground—working with proponents and working across departments—and that was a success story, in my opinion. That is something that may be able to be further explored when it comes to Queensland islands and resort development that sits with one of the departments having a coordinator or a lead that has oversight that can help our head lessees or those investors actually navigate the various departments of approvals and different levels of government. That could be something. That person I know locally did work with local government, that resource within the department, as well as the proponents, as well as across departments, and that was very helpful.

**CHAIR:** I suppose it is a statement, but I ask you to comment: when you spoke earlier—I threw in council as well there—you did point out the different resources that each council has due to the rate base—

**Ms Camm:** Correct. They are very different.

**CHAIR:**—and the further north you go, like with the Cook council—

**Ms Camm:** Yes, they would not have the capacity. In North Queensland, the state department has carriage of a number of planning approvals for some of our Indigenous councils, for example. I certainly would not advocate that that coordination is done at a local government level but that there be good engagement with local government.

**CHAIR:** After I asked it, I just thought that through. Do you think a federal entity, like the Great Barrier Reef Marine Park Authority, may, as an oversight, as an umbrella, have that—

**Ms Camm:** My personal and professional view is that they would not be well placed, but I think they would find it helpful if they had someone within the state that they could coordinate with when it came to, for example, the island management piece as well.

**CHAIR:** So a liaison.

**Ms Camm:** A liaison, yes.

**CHAIR:** There being no further questions, thank you very much once again for your attendance here today. As always when are you sitting on that side of the table, you will be provided with a copy of the transcript and there will be a copy on the committee's webpage in due course. Thank you once again for your time.

**Ms Camm:** Thank you, everyone, for your time. I appreciate it.

**CHAPMAN, Ms Faye, Secretary, Whitsunday Conservation Council**

**FONTES, Mr Tony, President, Whitsunday Conservation Council**

**CHAIR:** Welcome. Thank you for your attendance here today. Would one of you like to make a short opening statement?

**Mr Fontes:** We would like to thank the committee for the opportunity to speak. My name is Tony Fontes and I have been in the Whitsundays for about four years. My colleague is Faye Chapman. I will not tell you how long she has been around for because she will get angry with me. We are speaking on behalf of the Whitsunday Conservation Council but, being long-time residents of the Whitsundays, we are also speaking on behalf of ourselves because we care a great deal about our region.

The author of our fantastic submission that was sent to you—Jacquie Shiels—sends her apologies. She decided it was more important to be sailing the Whitsundays than talking to you.

**Ms Chapman:** No, actually she is at a Landcare project, cleaning up rubbish.

**Mr Fontes:** We cannot disagree with that now, can we? As you may note in our submission, our point of view and our concerns regarding the success and failure of island resorts may differ a little bit from the perceived focus of this inquiry in that we do not see the government regulations and the support that islands receive or do not receive as being the main reasons for their success or failure, so you are off the hook for the moment.

It is a lot more complex than that, as I am sure you have learned from talking with many other people. No amount of government regulations and support for development and/or refurbishment of resorts can make them survive if the markets, climate change, declining health of the reef, logistical difficulties and poor business decisions dictate otherwise. We certainly do not have the answers to the inquiry. We have some suggestions though.

Just as an aside, being a conservation group, we are also concerned about the direct and indirect impacts that are associated with island resorts, which are few but important. Amanda has done a great job of stealing a lot of our thunder, so if I say a few things you have heard pardon me for that.

**CHAIR:** That is all right.

**Mr Fontes:** Some of these impacts that we are concerned about would be litter above and below the water. There is light and noise pollution. If you are out on the Whitsundays at night, you will realise what I am talking about. Islands are also a source of pesticides, herbicides and nutrient run-off that harm what we are all here for, and that is the Great Barrier Reef. There are biosecurity risks that a lot of people do not realise—the introduction of feral animals and feral plants, which includes a lot of the exotic plants you see on resorts. There is the loss of national park lands and increasing visitor numbers leading to overcrowding. That is the environmental side.

We do have some suggestions. We see that your role is to ‘enable appropriate development that supports strong social, environmental, economic and cultural outcomes’—a grand motherhood clause. An appropriate development should be sustainable both environmentally and, of course, economically. Over the long term our focus is the environment side. To meet this goal and look at the policy that you may develop in the future, we would suggest you focus on the following points. Some of these may be a bit controversial, and we hope we can elaborate during your questioning period.

We feel that the Whitsundays needs a visitor carrying capacity. We are reaching saturation. Visitor experience, if it has not already, will start to deteriorate because we are loving this place to death. No new greenfield sites should be developed in national parks. Most of the islands are national parks, as you know. Some have resorts on them already. Those that do not should not see resorts in the near future. We do not want to give away any more national park. Those that have national parks, if they are refurbishing or redeveloping, stay within the footprint. That is what we mean by no new greenfield development.

As part of the approval processes—I think this is something Amanda drove home very well—for new resorts or refurbishing old resorts there should be an agreed, fully costed, funded, legally binding plan for repair or removal of structures should they become damaged or abandoned. We

have three in our backyard here that have been damaged and abandoned and nobody is copping the costs except for us.

You need to take into account the increasing climate change impacts. This has to be incorporated into any resort designs in the future and has to be realistic. It is changing and not for the best. It has to be addressed at the approval stage. Obviously, if we go back to those impacts, proactive plans for managing environmental weeds, litter, hazards and waste should be a requirement for any lease in a national park.

Jacque worded this next one very well. Resorts should not be dependent on complex ownership structures which foster disputes, buck-passing or legal stalemates over who is finally responsible or when things finally go wrong. I am sure you have bumped into that a few times. There is a lot of talk about who is in charge—feds, state and council. That is complex because everybody want wants a bite of the pie. Everybody needs to have a bite of the pie, but we feel quite strongly, based on local experience, that local councils should have the smallest bite of the pie. They do not have the expertise to deal with the complexities of an island resort.

Last but not least, you may be happy to hear that many of the government regulations that are out there we think are fine, but compliance is poor. This, again, is something Amanda really drove home and she gave some examples. We can give examples too but we probably have other things to talk about. Rather than develop new regulations or more red tape, or whatever you want to call it, it is a matter of enforcing those fine regulations that are already out there and making the resorts comply. That is the end of our introduction. Thank you very much.

**CHAIR:** You said we would see and hear light and noise pollution if we were here at night. That is not fireworks or something like that, is it?

**Mr Fontes:** No.

**CHAIR:** Could you expand on that a little bit? It has piqued a bit of interest over here.

**Mr Fontes:** Without going too far off on a tangent—I think you might have asked the question, Shane: would the Great Barrier Marine Park Authority be interested in getting involved at a greater level? I can tell you right now that that ain't going to happen. Their hands are full and they are stretched beyond their budget. They are aware of this problem. They have zoned the Great Barrier Reef but particularly the Whitsundays because we have 40 per cent of the visitation of the entire Great Barrier Reef. We are one-sixth the size of Cairns, which has 40 per cent of the visitation, so we see the same numbers but it is concentrated. You get things like lights and visual acoustic pollution.

There are areas where you can make noise and areas where you cannot, according to the zoning. If you are offshore Hamilton or offshore Airlie Beach, you can have a party boat going 24 hours a day. If you are offshore some of the national parks, you have to be quiet. There is a curfew and things like that. It is not enforced. How can you enforce it? You cannot have rangers roaming around at midnight telling people to turn the lights off and shut up. That is what we mean by the visual and light pollution. From a personal point of view, Whitehaven Beach is one of the icons of Australia and the Whitsundays but if you visit it regularly you will wonder why it is because all you hear is aeroplanes and helicopters all the time. No-one takes into account that kind of pollution. Sorry, that is the long answer.

**Ms Chapman:** I think one of the other things with the light pollution, specifically from what Jacque's research has shown, is the turtles. Lights and lumens from buildings—which you can control if they are in resorts if they are turned off at certain times or lowered—are interfering with nesting and hatching turtles.

**CHAIR:** I have a marine fish tank at home. I have had it for many years. I do know that the lighting is very important—how much light the corals get every day. I do not know whether it is that sort of light that may be affecting the reef. You mentioned the turtles, so it is the natural environment.

**Ms Chapman:** I think it is more the natural environment.

**CHAIR:** I was interested when you said that earlier. The other thing that you said that grabbed my attention was about the costs of repatriation were something to happen—and it does happen with mines. Mines have to have money to tidy up afterwards. You think that would be a very good addition. From what we have heard, there are some resorts out there since the cyclones that are just sitting there and decaying and that is getting into the water and leaching and destroying things.

**Ms Chapman:** That is right.

**Mr Fontes:** Amanda mentioned Brampton Island, I think it was. We have the same problem with South Molle Island, which is one of the older resort islands. It has been derelict since 2017. There is a lot of asbestos there, and it is still there and it is 2022.

**Mr WEIR:** You were talking about restricting the number of people on an island, or carrying capacity. It is something we have heard before. If you are going to have a resort on an island, you may have 100 people—I am just plucking a figure out of the sky. How would you envisage that number being arrived at? Then you have daytrippers. For some of the islands that number can double with daytrippers. Then they have to be catered for. You have to have amenities for them. Usually it is a resort owner, from what I understand, who has to do that even though they are not staying at the resort. I would like to hear how you think that could be managed or what your thoughts are on how you arrive at a figure for what capacity of the island is.

**Mr Fontes:** We were afraid you might ask that question. We have no idea—but if you take it resort island to resort island, I do not see that it is impossible to have the right people to make the call on what the carrying capacity for that particular resort is. I am sure Faye will have more to say here.

I look at the broader picture and the harder picture which is the Whitsundays as a whole. We are talking about an island bay that is on a national park—no resort for three or four kilometres in any direction—is overcrowded with boat people, people on daytrips or overnight trips in the water. You could literally walk across snorkelling heads to get from the boat 50 metres to the beach without getting your toes wet. That is not a satisfactory experience from my point of view, and I think a lot of tourists would agree.

It is a much bigger picture than just the islands. The islands would probably be the low-hanging fruit as far as restricting numbers is concerned. I know that this inquiry is not looking at the bays, but they are obviously impacted by the people on the islands as well. It is a huge problem.

**Ms Chapman:** It would need a study to be done. We do not have the answer at the moment. The charter boat industry here impose their own licence numbers. They have a cap to the number of charter boat licences that can be issued which they came to after research. The same thing could apply. With your daytrippers to the island, Daydream does not encourage daytrippers. Hamilton does but, again, they can restrict the numbers. The lessee does have control over how many people come into their resort.

Also, another carrying capacity which I think Jacquie mentioned in our submission is the ability of these islands to evacuate people in the case of a natural disaster happening. How many people can they either provide shelter for on the island or evacuate in a time frame? That is something else to look at. You just cannot allow numbers to build and build. Because it is an island, they have to have some way to get off in a disaster—and a disaster is going to come. It might not be this year and it might not be next year, but it is a pattern that we have to learn to live with, and any future developers have to learn to live with that too and build appropriately. I think that is where a lot of our problems come from.

As Amanda said, the pattern of the eighties is long gone. People are not looking for that sort of resort anymore. They are looking for glamping, and glamping can be packed up very quickly and they can charge a fortune for it. It is a bit of a conundrum, but they can. That is the way we see things going. Lindeman Island used to be a Club Med, and that model has died. The Chinese developers there put in to get more national park. That was under negotiation but I do not think that ever came through. Now it is up for sale again. It has been there for years just falling apart. No-one can use it. It has an airstrip. It had everything there, but there is nothing there now.

**CHAIR:** I can relate to that, where you say that is very dated. I was fortunate to go to Cuba at one stage and that all stopped in the 1960s. Those island resorts look straight out of *Happy Days*. No-one would build those anymore, and we are talking about the 1980s and the more modern ones. I understand what you are saying.

**Ms Chapman:** That is right. I think we have to look to the Whitsundays doing Whitsunday resorts, incorporating our own flora and fauna.

**CHAIR:** We have the knowledge now with the environment and with what people want, and they do not want that.

**Ms Chapman:** We have had yellow crazy ants come in, and that is a problem on Hamilton Island. I can speak to this from being a volunteer for Parks and Wildlife for some time, and my particular island was Lindeman Island. The exotic vegetation that gets out into the national park is quite extensive. We took hours and hours cleaning it up. Lindeman Island and Club Med were not doing it; we were doing it as volunteers. There are all those things. You do not want to restrict the public's access to the national parks. The public should always have access.

One of our members brought to our attention the Tasmanian one at Cradle Mountain. They came up with an idea of private facilities along the walking tracks. It sounds great in theory, but now it has got to the point where unless you are on one of their tours you cannot get to these prime places. That is the last thing we need here. We need access to the national parks. The resorts are one part, but we need access to the national parks. South Molle Island has fantastic walking tracks. It is a beautiful island for tracks. Infrastructure could be put in along those tracks, but it should still be part of the state infrastructure and they own it, not private resorts. It needs an overhaul. We do not think its governance has led to the decline of our resorts.

**Mr MARTIN:** Could the Whitsunday Conservation Council expand on your interaction with traditional owners and how their aspirations might be better incorporated into the operations of the island resorts?

**Mr Fontes:** Unfortunately, in the Whitsundays there have been great attempts at incorporating the points of view of the traditional owners with little success because we have very few families within the area and we have to go far and wide—Mackay and Bowen—as opposed to locally here in the Whitsundays. That is improving—that is all I can say at this point—and it must improve. The Ngaro people were the island people who initially had the Whitsundays before they were basically exterminated. That is why we have so few families in the region. We certainly hope we can get some help from the outside, because when you have to call on traditional owners north and south you often get disagreements between the various groups and then you are at loggerheads and you do not get very far. I hate to say it, but that is the point we are at now.

**Mr MILLAR:** It is obvious that the old style of island accommodation and entertainment is long gone. That was the sixties, seventies and eighties and we do not have that capability anymore. What do you think the answer is to get this front and centre with Tourism Queensland and the state government? We can all sit around here and talk about what the problems are, but how do we act on the problems?

**Mr Fontes:** I think Faye probably has the best answer, but I will say something before she takes off on that. In simple terms, it is green and lean. Lady Elliot Island is the classic example. It is at the southern end of the Great Barrier Reef. For years and years it just festered and then it was bought by someone who knew what they were doing and now it is a totally green resort. They have just about 100 per cent renewable energy. It was completely devoid of native vegetation and they have replanted native vegetation at great expense. They run ecotours, they do citizen science, and guests who go there come away feeling they are a better person for having visited Lady Elliot Island. To me, that is the future.

**Ms Chapman:** I concur.

**Mr Fontes:** But you can talk about the glamping and the trails.

**Ms Chapman:** Yes. Hook Island has been bought. You asked about overseas investment. I suppose we have to say that, yes, it is fine, but there is a history that it is the local people and local companies who understand the particular market here. We are not Bali and we are not anywhere like that; we are Whitsunday. It is those people who understand the market here and work with the people and become part of the community. What we have seen recently is that the overseas buyers do not seem to have that commitment. They do not understand the industry. I think they were relying on bringing their own people over here and that is not happening. We have to have a real think there.

Hamilton Island is locally owned, more or less, and it is a success story. They know what they are doing, and they put money back into their infrastructure. Too often when there are other big companies they just take their profits and they keep milking it. They never put things back into it. South Molle is a prime example of that with their jetty. The wooden jetty was built in the 1950s by the council. It stood for a long time, but it was never maintained and Debbie just finally wiped it out. It was a great battle to finally get them to rebuild. They did rebuild a bit of the jetty so people can get back on the island. It is things like that. It is just a general attitude to what they have.

Going back to what Amanda said, this is part of our national treasure. These are islands of the Whitsundays. Cairns has islands and visitation, but we have the most and we have the visitation here. The Whitsundays is unique and needs to be protected. People want to see pristine things. They do not want to see high-rise and they do not want to see Club Meds. They want to glamp, although it does not have to be glamping—even if it was economy tents. There must be an economy market, and it must be good quality and well run, especially with ecotourism and citizen scientists. I think that is the way to go.

**Mr HEAD:** Given your experience and relationship with the Whitsundays, who is best placed to make final decisions with regard to island resort leases and conditions?

**Mr Fontes:** We are.

**Ms Chapman:** Not council. I do not think you could give it to councils because each LGA would have their own ideas on what they were doing. It has to be an overriding one. As you have already said, federal is not going to touch it so it comes to the state by default.

**CHAIR:** I think that is what we got from the member for Whitsunday.

**Mr Fontes:** You are back on the hook.

**CHAIR:** The disparity between the rates bases and everything made sense.

**Ms Chapman:** You could not just give it over to councils generally.

**CHAIR:** If it was state or federal, they need to be listening to bodies such as yours, who are local, rather than making a decision in a boardroom somewhere.

**Mr Fontes:** We would hope so. Just to give you an example, we see the state as being the main go-to, but you well know that you cannot work without the feds and you cannot work without the locals, be it local government or local groups. There was a classic example with the state and the feds in the early 1980s. In 1976 the Great Barrier Reef was declared a marine park. Before that, it was just the Great Barrier Reef. That is a Commonwealth park. The feds had jurisdiction over it to the low-water mark, but we have big tides here. There can be 100 metres from the low-water mark to the high-water mark. Who is in charge of that? The state. When it comes to what you could do between the low and the high, you would hope the rules would be the same as what you could do below the low, but they were not. The state had their own set of rules for fishing, crabbing and water sports in that area, and the feds had their own set of rules once you went down below the low-water mark. It was damned if you do and damned if you don't.

Fortunately, they recognised that after a couple of years and made mirror legislation so the rules in the intertidal were the same as the rules offshore. That is how important it is that you manage with your federal counterparts, but I do not see that you can ever shirk the duty of it is your baby. The buck stops here.

**Mr WEIR:** Obviously, you are not against development of our islands. You just want to see it done sustainably. I really welcome that because they are an asset of the state. So you believe it can be done responsibly?

**Ms Chapman:** Yes.

**Mr Fontes:** I keep coming back to Lady Elliott Island. I do not own shares in it—do not worry about that—but that is how it can and should be done. We still stand behind no national park giveaways; they stay what they are but within the footprint of existing resorts. As long as they do it as environmentally sustainable as possible, you bet.

**Ms Chapman:** You made a comment relating to mines and the way they have the money in the kitty. That is what the islands need. It is the noncompliance that is the problem. It is five years since Debbie. We should not have resorts still out there in ruins, with everything leeching into the environment and with weeds growing. It is disgusting. It should not be happening. Where is the responsibility for clearing that up?

**CHAIR:** I got that from your opening statement. I thought that is a comparable where it does happen.

**Ms Chapman:** That is right. It needs the government to stand up and make people do it. As Amanda said, if you drive your car and you do the wrong thing then you get hit. The same thing should happen: you use it or you lose it. We have an example here in Shute Harbour of a development that has been on the books for 30 years and the department of natural resources just keeps extending it. They have not turned one sod. It is on life support and no-one will pull the plug.

**CHAIR:** But there are not dilapidated buildings; it is just nothing?

**Ms Chapman:** There is nothing there. It is time that got pulled because it is antiquated. That is an example of just giving extension after extension and not consulting with anyone. I know it is land based, but it is a bit of a sore point up here at Shute Harbour and in the Whitsundays.

**Mr WEIR:** I did ask the minister at estimates about that project.

**Ms Chapman:** Yes. It is a disgusting one, Pat. It is really bad.

**CHAIR:** As we said, out of estimates we are all watching to see what happens at Double Island, with the minister saying you have until March 2023 to do something.

**Ms Chapman:** The same thing is happening here and we do need something done there. We would appreciate anything you could do to pull the plug on that one.

**Mr WEIR:** Noted.

**CHAIR:** We are here to listen and we are certainly listening. The next stage is that we will write a report on what we have heard and we will give that back to government. As there are no further questions, I thank you for coming.

**Mr Fontes:** Thank you for your time and welcome to the Whitsundays. Are you going up to Hamilton Island tomorrow? That place is a big success story.

**Mr MILLAR:** I am looking forward to that.

**CHAIR:** You will be provided with a copy of the transcript and it will be on the committee's webpage. On behalf of the committee, I thank all of our witnesses for appearing today. I declare the hearing closed.

**The committee adjourned at 3.58 pm.**