




Speech By
James Martin

MEMBER FOR STRETTON

Record of Proceedings, 30 November 2023

TRANSPORT AND RESOURCES COMMITTEE

Report, Motion to take Note

 **Mr MARTIN** (Stretton—ALP) (3.51 pm): I rise to speak on the Transport and Resources Committee report No. 31 on the inquiry into the economic and regulatory frameworks for Queensland's island resorts. A number of parties within Queensland have expressed their concerns at the state of some of Queensland's offshore islands, in particular those which were once busy and thriving, but which now sit idle or dilapidated. Others have experienced protracted difficulties in resolving disputes between leaseholders and sublease holders, especially when the lease is on-sold from one party to another party, and a process that we saw sometimes coincided with promises of upgrades to docks or boat ramps, whatever it might be, but which never eventuated.

Considering the importance of tourism and the amazing natural beauty of our offshore islands, the goal of the inquiry was to look at the whole regulatory framework that exists for Great Barrier Reef island resorts, which obviously contribute so much to Queensland tourism and our economy, and also regional communities. In particular, it looked into the existing regulatory constraints on island resorts: the role of island resorts in attracting new and return visitors to Queensland and the Great Barrier Reef; historical operational status and existing constraints that impact economic development opportunities for island resorts; how the determination of native title and the aspiration of traditional owners have been incorporated into the operations; infrastructure access arrangements and other challenges for leaseholders to develop or redevelop islands for tourists, residential or public purposes; and the coexistence with the protected area estate both onshore and within the Great Barrier Reef Marine Park area. It also looked at the contribution of ownership and governance models and an examination of how these tenure arrangements could enable appropriate development that supports strong social, environmental, economic and cultural outcomes; best support subtenancies to meet contemporary requirements for commercial and residential occupancy; and also to allow for open and transparent dispute resolution, as well as supporting an appropriate process and service standard for transfer of interests in leases and subleases.

The committee, as members have already heard, travelled extensively and spoke to many Queenslanders about Queensland's fantastic island resorts. Many aspects of the report have been raised today. One aspect that I want to particularly focus on is the issue of subleases. Some of the Great Barrier Reef islands host permanent residents or businesses in sublease arrangements—that is, instead of purchasing freehold land or purchasing into a body corporate, known as community property, individuals or businesses on some islands can purchase a sublease from the head leaseholder. Essentially, there is a private contract between the parties. It does not have the same status or protections that Queenslanders would commonly be used to with freehold land or purchasing into a body corporate, a townhouse or an apartment, things that many Queenslanders would already be very used to. This has clearly led to some protracted and difficult problems because subleases have little to

no control over the standard of services and common-use infrastructure of property that is owned and provided for by the leaseholders. The head lessee has a contract with the state and then the sublessee has a contract with the head lessee, but the sublessee does not have a contract with the state.

In respect to the legal relationship of the state and the sublease holders, the state, through the Department of Resources, really only has this legal relationship with the head leaseholder and sublease holders have a private contract, which is a bit different from owning, as I mentioned, freehold land or a share in a common property. These contracts are private contracts, so they are not administered by the department; furthermore, it is my strong opinion that they should not be. We heard from witnesses who were in protracted disputes with head leaseholders. While some of the behaviour that we heard from some of the head leaseholders was very concerning, it became clear that what the residents wanted was the department to intervene to enforce terms of their private contracts that they say were promised. Essentially they wanted the department to act as a—

(Time expired)