

L Shirreffs


Committee Secretary
State Development, Natural Resources and Agricultural Industry Development Committee
Parliament House
George Street
Brisbane, Qld 4000

Via email: sdnraidc@parliament.qld.gov.au

Dear Sir/Madam

Re: Implementation of The Spit Master Plan Bill 2019

Thank you for the opportunity to comment on the Implementation of The Spit Master Plan Bill 2019.

Firstly, let me congratulate the government on a comprehensive community-led engagement process and on providing a master plan that is largely supported and embraced by the wider Gold Coast community.

It is heartening to see The Spit Master Plan not only being embedded in legislation, but that there have already been commitments to project funding and implementation commenced.

With respect to the Bill, I offer the following comments:

The Bill is focussed on fairly 'functional' aspects of implementation, as outlined in the explanatory notes, to streamline processes for granting interests in land and road closures and to expand the role of the Gold Coast Waterways Authority. The provisions of the Bill appear to be aligned to these objectives.

I note that the Explanatory Notes for the Bill also describe that:

"Guided by a vision set through the consultation process that The Spit will be improved as an important community asset for future generations, the master plan provides for a low-rise future for The Spit in accordance with the current Gold Coast City Plan and aims to:

- enhance the public realm of The Spit to create a community space for local residents
- improve connections to the surrounding marine environment, including The Broadwater
- generate opportunities for job creation through tourism, entertainment and recreation
- find the right balance between protecting environmental and community values and facilitating appropriate development opportunities."

I am concerned that this vision and these aims are not embedded in the Bill.

“An Act to facilitate the implementation of a master plan for the Southport Spit,” would be clarified and made stronger by inclusion of these aims in the Bill. Including these aims in the explanatory notes but not in the Bill would make the actual intent of the master plan more arguable. I question why these aims have been omitted, when the intent of the master plan is clear, and suggest that they be included in the Bill.

Similarly, a key element of the master plan has been the concept of mixed use development south of Seaworld, a nature/recreation precinct north of Seaworld and on Wavebreak Island and environmental protection of natural areas such as Curlew Island.

It is welcomed that the Bill includes a map of the master plan area, but it would benefit from the map also identifying and defining those precincts or zones in the legislation, to give clarity of purpose and aid interpretation by assessment managers to have regard to The Spit Master Plan when deciding development applications within The Spit Master Plan area. It would also give legislative strength to what is the government’s stated policy, but is currently only conveyed in a non-statutory plan.

Provisions would necessarily have to be added to define the intent of those precincts, including, for example the 3 storey height limit in the mixed use precinct (I recognise this is currently contained in the Planning Regulation 2017, however, that is easily changed in future and should be specified in the legislation to achieve the government’s implementation of the plan).

Further protection of the natural areas, including the precinct to the north of Seaworld, Wavebreak Island and Curlew Island, would be enhanced not only by definition on the map, but by a tenure embedded in legislation, such as conservation park or similar, to ensure the scrutiny of Parliament is required if any future government wishes to change its use/purpose. Given the controversial history of The Spit, this would give confidence to the community for ongoing protection of “an important community asset for future generations.”

I note in the consultation section of the explanatory notes it says that “no further consultation has been undertaken for the purpose of the Bill as its primary purpose is to facilitate the implementation of the master plan”. As the Bill stands, it only goes part way towards that implementation, and fails to lock into the legislation the key intent of the master plan, particularly related to the matters in this submission. When considering the extensive community angst and involvement in developing a supported master plan for the area, these issues need legislative certainty. Non statutory plans and regulations are too easy to change, and if the government is clear, as it has been, on the success of The Spit Master Plan, this should be demonstrated by enabling implementation of the Plan, and the intent of the Plan, in the legislation.

Again, congratulations on an excellent and inclusive process, and an award-winning Master Plan that sets clear direction for The Spit into the future. I ask that you ensure that can happen through stronger, more inclusive legislation.

Yours sincerely,

Leslie Shirreffs

