




Speech By
Hon. Cameron Dick

MEMBER FOR WOODRIDGE

Record of Proceedings, 26 November 2019

IMPLEMENTATION OF THE SPIT MASTER PLAN BILL

Message from Governor

 **Hon. CR DICK** (Woodridge—ALP) (Minister for State Development, Manufacturing, Infrastructure and Planning) (2.55 pm): I present a message from His Excellency the Governor.

Mr SPEAKER: The message from His Excellency recommends the Implementation of The Spit Master Plan Bill. The contents of the message will be incorporated in the *Record of Proceedings*. I table the message for the information of members.

MESSAGE

IMPLEMENTATION OF THE SPIT MASTER PLAN BILL 2019

Constitution of Queensland 2001, section 68

I, PAUL de JERSEY AC, Governor, recommend to the Legislative Assembly a Bill intituled—


A Bill for an Act to facilitate the implementation of a master plan for the Southport Spit, and to amend this Act, the Gold Coast Waterways Authority Act 2012, the Land Act 1994 and the Planning Act 2016 for particular purposes

Governor

Date: 26 November 2019

Tabled paper: Message, dated 26 November 2019, from His Excellency the Governor, recommending the Implementation of The Spit Master Plan Bill 2019 [2118](#).

Introduction

 **Hon. CR DICK** (Woodridge—ALP) (Minister for State Development, Manufacturing, Infrastructure and Planning) (2.56 pm): I present a bill for an act to facilitate the implementation of a master plan for the Southport Spit, and to amend this act, the Gold Coast Waterways Authority Act 2012, the Land Act 1994 and the Planning Act 2016 for particular purposes. I table the bill and the explanatory notes. I nominate the State Development, Natural Resources and Agricultural Industry Development Committee to consider the bill.

Tabled paper: Implementation of The Spit Master Plan Bill 2019 [2119](#).

Tabled paper: Implementation of The Spit Master Plan Bill 2019, explanatory notes [2120](#).

I am pleased to introduce the Implementation of The Spit Master Plan Bill 2019. The primary objective of the bill is to facilitate the implementation of The Spit Master Plan. This will improve the Spit as a community asset for future generations while balancing open space with the release of commercial site opportunities.

For over 30 years the Spit has been a site of conflict over competing views on how it should be managed. In August 2017 the Premier sought to bring that period of hostility to an end when she announced that a re-elected Palaszczuk Labor government would develop a new master plan for the Spit which would include ensuring that building height limits would not exceed three storeys and that the open public space to the north of Sea World would be preserved for future generations.

Central to that process was a commitment to engage in extensive consultation with the community. This included a series of stakeholder engagement seminars where attendees participated, through an inquiry-by-design process, in a ground-up development of a new master plan for the Spit. This was complemented by dozens of information pop-ups across the Gold Coast where local residents could have their say on what they wanted to see on the Spit. There was also an opportunity to participate in online surveys and provide detailed feedback on different elements and versions of the plan. Over 23,000 individual pieces of feedback were received. The result of that consultation has been the development of a plan that has been designed by the community, for the community.

The Spit Master Plan will create a clearly defined tourism and recreation destination to boost existing world renowned attractions such as Sea World and activate vacant and under-utilised land by providing certainty to developers, investors and the community. Quite simply, the Palaszczuk Labor government spent the time to get it right. We spoke to the community and we listened to what they wanted. We balanced their desire to protect the area's important environmental value with their advocacy for better access to all the Spit has to offer, and we weighed the need for sensible, sustainable development against the responsibility to ensure that public amenity was improved. The result is a master plan which was recognised for excellence in public engagement and community and for best planning ideas for a major project at the Planning Institute of Australia's annual Queensland awards, held earlier this month. The Spit Master Plan also took out the overall planning award for Queensland.

When the Premier released the final master plan for the Spit at Sea World in May, she announced that the Queensland government was committing \$60 million towards infrastructure projects to progress its implementation. It is expected the projects identified in the master plan will create a potential 1,800 new jobs during the lifetime of the master plan's implementation.

In total, \$145 million has already been committed for investment by the public and private sector, with a significant \$50 million investment from Village Roadshow and a \$35 million contribution from the City of Gold Coast in addition to the Queensland government's \$60 million investment. Of course, this kind of careful, inclusive, collaborative approach is not supported by everyone—and certainly not those opposite.

The LNP had a different plan—one which involved plenty of concrete, including on Wavebreak Island, which they planned to cover in apartment blocks. That was their plan—to turn the Broadwater into the Gold Coast's largest canal estate. The Spit Master Plan provides us with an opportunity to build consensus out of conflict and to develop this extraordinary space in the interests of all Queenslanders. The Implementation of The Spit Master Plan Bill represents another important step in that process.

Provisions in the bill will enable unallocated state land in the master plan area to be granted to the state in freehold without competition, streamline the process for road closures in the master plan area and empower the Gold Coast Waterways Authority to deliver a series of capital works projects, such as public realm improvements on the Spit. The bill will facilitate the release of development sites identified in the master plan to the market for commercial developments. These sites are currently state owned land and the current tenure arrangements restrict lease durations and commercial dealings.

The most appropriate tenure pathway to facilitate the release of the development sites is to grant the land in freehold to the state with long-term commercial leases to be granted over freehold titles as required. No freehold title to land in the master plan area will be granted to private interests. It is intended that some areas would be leased to the state under the Land Act either as perpetual or term leases if required to meet the objectives of the master plan.

Currently, the Land Act restricts the granting of unallocated state land to the state as freehold without competition, other than to the Minister for State Development in their capacity as the Minister for Economic Development Queensland or a constructing authority if it is needed for a public purpose. The bill seeks to enable state owned land to be granted to a state entity—in this case my department—as freehold without competition. This will only apply to the master plan area. The bill further specifies that section 16 of the Land Act is not applicable in relation to the grant of unallocated state land in the master plan area to the state as freehold. The bill further clarifies that no fee or amount is payable by the state in relation to a freehold grant on the Spit.

The bill also proposes to exempt roads in the master plan area from the road closure process under the Land Act. Instead, the bill enables all or parts of roads in the master plan area to be permanently or temporarily closed where needed to support the outcomes of the master plan. These provisions will ensure road closure applications are processed immediately and not subject to delays and/or cost increases. Any permanently closed roads may be dealt with as unallocated state land. To be clear, these new provisions, both in relation to road closures and granting of unallocated state land to the state, will apply to the master plan area only and do not otherwise affect the operation of the Land Act.

The bill also proposes amendments to the Gold Coast Waterways Authority Act 2012 to expand the role of the Gold Coast Waterways Authority. The Gold Coast Waterways Authority is a trusted statutory authority with a strong local presence and established role in managing and enhancing the Gold Coast waterways and land parcels associated with and under control of the authority. The authority was actively involved in the preparation of the master plan and is considered the most appropriate entity to lead the capital works program for the implementation of the master plan.

Currently, the authority's function and expertise relates to the management of waterways on the Gold Coast. This bill proposes amendments to expand the authority's functions to enable it to undertake the broader capital works program for the implementation of the master plan. Additional amendments are proposed to enable the authority to recover costs incurred in dealing with contravening property and any abandoned property as a debt to the state. These amendments will address the limitation in the authority's cost recovery power under the existing legislation.

The bill also includes minor amendments to the Planning Act 2016 which clarify the scope of compensation that may be available for 'adverse planning changes' to local government planning schemes. The current wording implies that compensation related to assessable development is available only if the development becomes assessable in connection with the adverse planning change. In reality, a landowner's interests may be adversely affected, even if the development was already assessable before the adverse planning change—for example, through a change to assessment benchmarks for the assessable development.

The current wording is inconsistent both with the intended scope of compensation arrangements for assessable development and the scope of compensation under the legislation preceding the Planning Act 2016. The proposed amendments address this by clarifying that compensation is available in relation to assessable development, irrespective of whether the development was assessable before the adverse planning change. The proposed amendments include transitional arrangements ensuring that any landowner who may have been adversely affected by the current wording, and who has fulfilled the other prerequisites for claiming compensation, is afforded up to six months from the commencement of the amendment to claim the compensation.

This bill delivers important operational amendments required to implement The Spit Master Plan and support landowners of Queensland. These amendments will assist my department and the Gold Coast Waterways Authority in their work towards preserving the Spit as a community asset for future generations, creating jobs through tourism, entertainment and recreation activities, and boosting private sector investments in Queensland.

The Spit Master Plan provides a clear example of what can be achieved when you provide clear leadership and take the community with you. This award-winning project is a tribute to all who participated in its formulation and to the vision of the Premier, and our government, who saw the opportunity to deliver something very special for this very special place. I commend the bill to the House.

First Reading

Hon. CR DICK (Woodridge—ALP) (Minister for State Development, Manufacturing, Infrastructure and Planning) (3.06 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to State Development, Natural Resources and Agricultural Industry Development Committee

Mr DEPUTY SPEAKER (Mr McArdle): In accordance with standing order 131, the bill is now referred to the State Development, Natural Resources and Agricultural Industry Development Committee.