




Speech By  
**Patrick Weir**

**MEMBER FOR CONDAMINE**

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### **IMPLEMENTATION OF THE SPIT MASTER PLAN BILL**

 **Mr WEIR** (Condamine—LNP) (11.33 am): I rise to make a contribution to the debate on the Implementation of The Spit Master Plan Bill 2019 as a member of the State Development, Natural Resources and Agricultural Industry Development Committee. The Implementation of The Spit Master Plan Bill 2019 was introduced into the House and referred to the committee on 26 November 2019. The committee was required to report to the Legislative Assembly by 7 February 2020. The committee received a public briefing on the bill from the Department of State Development, Manufacturing, Infrastructure and Planning on 18 December followed by a site visit and a public hearing at the Gold Coast. The committee also met with the Gold Coast Waterways Authority.

The Spit is a permanent sand structure of approximately 201 hectares that separates the Gold Coast Broadwater from the Pacific Ocean. It is an area of both cultural and social significance and has a unique green coastal stretch which is used by thousands of people every day. The master plan is comprised of seven precincts on the Spit, these being: the top of the Spit; Wave Break Island and Curlew Island; Federation Walk Coastal Reserve; Muriel Henchman Park; the village centre; Philip Park; and the Southern Gateway. The explanatory notes state—

The State has committed \$60 million to commence implementation of the master plan, which includes the following programs:

- a capital works program to oversee the funding and delivery of a series of capital work projects, such as public realm improvements on The Spit; and
- a site release program to manage the release of development sites identified in the master plan.

To achieve this outcome the bill will expand the Gold Coast Waterways Authority's role, scope and capabilities to enable it to deliver the capital works program. The bill enables unallocated state land in the master plan to be granted under the Land Act 1994 to the state as freehold.

The bill also amends section 122 of the Land Act to allow for the granting without competition of a deed of grant of unallocated state land in the master plan under the proposed implementation of the Spit Master Plan 2019. The department informed the committee that—

The bill seeks to enable state owned land to be granted to a state entity—in this case the department—as freehold without competition.

The grant of interest in land is intended to facilitate essential commercial developments such as marina, retail, commercial, residential, new resorts and short-term accommodation. Village Roadshow Theme Parks is the owner and operator of Sea World and the Sea World Resort under lease from the state government on land that forms part of the Spit. Under the master plan, VRTP will develop a new resort to the south of Sea World which will provide additional short-term accommodation facilities. The Sea World theme parks car parking capacity is to be maintained.

The bill expands the purpose of the Gold Coast Waterways Authority Act beyond the management of the Gold Coast waterways and associated activities to facilitate the implementation of the master plan through the development and delivery of a program of community infrastructure and public realm works. The bill allows the appointment, if necessary, of three additional board members.

Clause 24 amends section 44(c) to provide that the Gold Coast Waterways Authority board comprise the chairman, the mayor of the Gold Coast City council and at least five, but no more than eight, other persons. A number of submitters proposed that the bill should specify the skills, qualifications and experience of new Gold Coast Waterways Authority board members. Given the unique and iconic nature of the Spit and vision for development under the master plan, the committee considers it is essential that the Gold Coast Waterways Authority board has capacity and expertise in design and aesthetics of public open spaces, parks and natural environments and built forms. This was a recommendation of the committee.

Submitters raised concerns that the bill does not outline a guaranteed ongoing minimum source of funding beyond the initial \$60 million for the Gold Coast Waterways Authority to carry out its ongoing infrastructure and public realm works and associated duties. Submitters proposed that income generated on the Spit could be quarantined to guarantee future and appropriate funding of the Gold Coast Waterways Authority. Mr Michael Carey, Executive Director, Investment Facilitation and Partnerships of the department, informed the committee—

... the intention is to reinvest the proceeds of the long-term lease sale back into the public realm works and the capital works program being carried out on the Spit. I do not think at this stage, without proponents and without developments under consideration, any consideration about the long-term income associated with these sites has been considered.

Although complimentary of the consultation process and consensus reached in the final master plan for the Spit, some submitters requested that crucial elements of the master plan be incorporated in the Implementation in The Spit Master Plan Bill 2019. Specifically, submitters requested that the bill state the vision for the Spit, which is articulated in the master plan, to guide the implementation of the master plan; identify the master plan precincts and their designated use and functions to provide clarity about the purpose of land use activities to support interpretation of the master plan; and establish the three-storey height limit to be applied to all future developments along the Spit by specifying the limit in the legislation to implement the master plan rather than in the Planning Regulation 2017. The department responded to that concern by stating—

The intention is to formalise the vision, strategies and outcomes of the master plan, including the precinct and the height limit for new developments, in the Gold Coast City Plan.

Some submitters expressed concern about the status of Curlew Island. The Gold Coast Shorebirds Group explained that Curlew Island is a significant environmental site as it is a confirmed 'critical roost site' and feeding area for very large numbers of international migratory birds, Australian shorebirds and seabirds, and other species. The department confirmed that Curlew Island would be registered under the Land Act and amendment of legislation is not required for this to be achieved, stating—

Curlew Island is not presently surveyed and recognised as a land parcel. Outcome 2.9 of the master plan intends to fully recognise the land mass as a parcel and to protect and enhance its environmental values.

The bill also includes an amendment to the Planning Act 2016. Clause 30 amends section 31(3) to omit the word 'becomes' and insert the words 'is or becomes' to clarify that an affected owner may claim compensation for an 'adverse planning change' in relation to assessable development whether or not the development was assessable before the change. The department informed the committee that the potential for compensation only applies when a change to a local planning instrument is an adverse planning change, stating—

An adverse planning change is one that local government makes and adopts. The adverse planning change reduces the value of an interest in premises. The affected owner is only entitled to compensation for the loss of a development right for development the affected owner genuinely intended to pursue.

As the member for Glass House stated, it has been almost five years since the Palaszczuk government rejected the ASF Group proposal and the Spit has been waiting ever since. It has taken 18 months for this government just to deliver the Spit Master Plan, with the legislation finally being debated in February 2020, even though the plan was released in May 2019.

The Gold Coast is desperate for new infrastructure; however, all this government has delivered for the people of the Gold Coast is more taxes and more debt. The people of the Gold Coast are not putting any faith in the Minister for State Development's comments, stating, 'Now it's time to get on with delivery.'

In my time on the State Development, Natural Resources and Agricultural Industry Development Committee, it is my belief that this is only the second bill that has come from this minister and we are three-quarters of the way through the term. If my memory is correct, we had a space inquiry. This is the only bill that has come from the hands of the Minister for State Development. If we are going to get this state back on track, I hope we are not solely relying on the Minister for State Development.