



# Implementation of The Spit Master Plan Act 2020

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Queensland

# Implementation of The Spit Master Plan Act 2020

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# Implementation of The Spit Master Plan Act 2020

## An Act to facilitate the implementation of a master plan for the Southport Spit

### Part 1 Preliminary

#### 1 Short title

This Act may be cited as the *Implementation of The Spit Master Plan Act 2020*.

#### 2 Purpose of Act

The purpose of this Act is to facilitate the implementation of the Spit master plan by—

- (a) enabling the Minister to perform functions and exercise powers in relation to roads in the master plan area; and
- (b) providing a streamlined process for the granting under the *Land Act 1994* of particular interests in land in the master plan area to the State.

*Note—*

See also the *Gold Coast Waterways Authority Act 2012* for the powers and functions of the Gold Coast Waterways Authority in relation to the implementation of the Spit master plan.

#### 3 Act binds all persons

This Act binds all persons, including the State.

## Part 2 Interpretation

### 4 Definitions

The dictionary in schedule 2 defines particular words used in this Act.

### 5 Meaning of *master plan area*

The *master plan area* is the area shown as The Spit master plan area on the map in schedule 1.

### 6 Meaning of *Spit master plan*

The *Spit master plan* is the document called ‘The Spit master plan’, dated May 2019 and published by the department.

## Part 3 Provisions relating to implementation of Spit master plan

### 7 Roads and road closures

- (1) The Minister may, for a road in the master plan area, perform functions or exercise powers the Minister considers necessary or desirable to facilitate the implementation of the Spit master plan.
- (2) Without limiting subsection (1), the Minister may, by gazette notice, permanently or temporarily close all or part of a road in the master plan area.
- (3) The closure of the road or part takes effect from the day the gazette notice is published or a later day stated in the notice.

- (4) Before the closure takes effect, the Minister must publish notice of the closure in a newspaper circulating in the Gold Coast local government area.
- (5) Failure to comply with subsection (4) does not invalidate the closure.
- (6) The Minister may do everything necessary to stop traffic using a road or part of a road closed under this section.
- (7) A road or part of a road that is permanently closed under this section may be dealt with under an Act as unallocated State land.
- (8) To remove any doubt, it is declared that this section applies in relation to a road—
  - (a) whether or not the road is a State-controlled road under the *Transport Infrastructure Act 1994*; and
  - (b) whether or not the *Land Act 1994* applies in relation to the road.
- (9) The *Local Government Act 2009*, section 75 and the *Transport Infrastructure Act 1994*, section 33 do not apply in relation to the performance of a function, or the exercise of a power, under this section.
- (10) In this section—

*road* see the *Land Act 1994*, section 93.

## **8 Granting of deeds of grant under the Land Act 1994 for land in the master plan area**

- (1) For the *Land Act 1994*, chapter 4, part 1, division 2, a deed of grant of unallocated State land in the master plan area may be granted under that Act without competition if the grant is to the State.
- (2) The *Land Act 1994*, section 16 does not apply in relation to the grant.
- (3) Despite the *Land Act 1994*, no fee or amount is payable by the State in relation to the grant, including—

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- (a) a purchase price for the land; or
  - (b) an amount for the value of improvements on the land; or
  - (c) a fee for the registration of the grant.
- (4) Subsection (1) does not limit the *Land Act 1994*, chapter 4, part 1, division 2.

**9 Granting of leases under the Land Act 1994 for land in the master plan area**

The *Land Act 1994*, section 16 does not apply in relation to the grant of a lease, under that Act, of unallocated State land in the master plan area if the grant is to the State.

## **Part 4 Miscellaneous**

**10 Delegations**

The Minister may delegate the Minister's functions or powers under this Act to the chief executive.

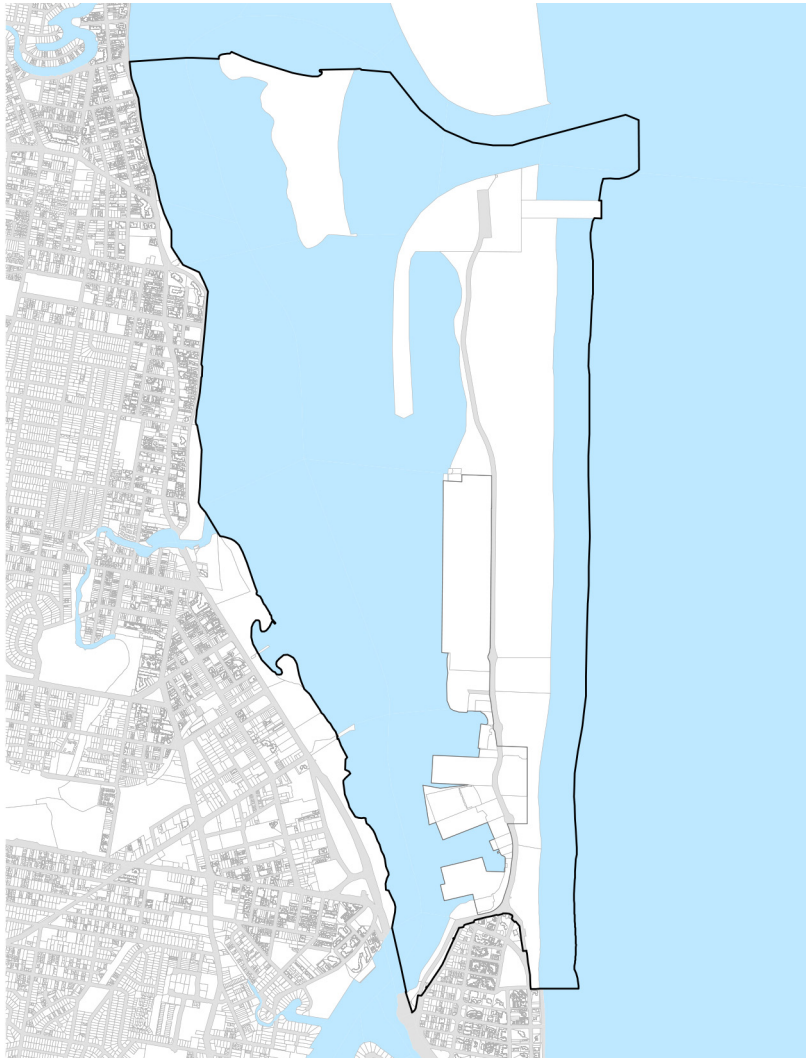
**11 Regulation-making power**

The Governor in Council may make regulations under this Act.



# Schedule 1 Master plan area

## section 5



**Legend**  
Cadastral (October 2019)  
The Spit Master Plan Area

0 100 200 300 400  
Metres  
Map created at: A4  
Coordinate System: GDA2020 MGA Zone 56  
Projection: Transverse Mercator  
Datum: GDA2020

**The Spit Master Plan Area**  
Map produced by the Department of State Development,  
Manufacturing, Infrastructure and Planning  
Spatial Services Unit, 24/10/2019

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## **Schedule 2      Dictionary**

section 4

*master plan area* see section 5.

*Spit master plan* see section 6.

*unallocated State land* see the *Land Act 1994*, schedule 6.