



Implementation of The Spit Master Plan Act 2020

Current as at 26 February 2020

© State of Queensland 2021



This work is licensed under a Creative Commons Attribution 4.0 International License.



Queensland

Implementation of The Spit Master Plan Act 2020

Contents

		Page
Part 1	Preliminary	
1	Short title	3
2	Purpose of Act	3
3	Act binds all persons	3
Part 2	Interpretation	
4	Definitions	4
5	Meaning of master plan area	4
6	Meaning of Spit master plan	4
Part 3	Provisions relating to implementation of Spit master plan	
7	Roads and road closures	4
8	Granting of deeds of grant under the Land Act 1994 for land in the master plan area	5
9	Granting of leases under the Land Act 1994 for land in the master plan area	6
Part 4	Miscellaneous	
10	Delegations	6
11	Regulation-making power	6
Schedule 1	Master plan area	7
Schedule 2	Dictionary	8

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—

[s 9]

- (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

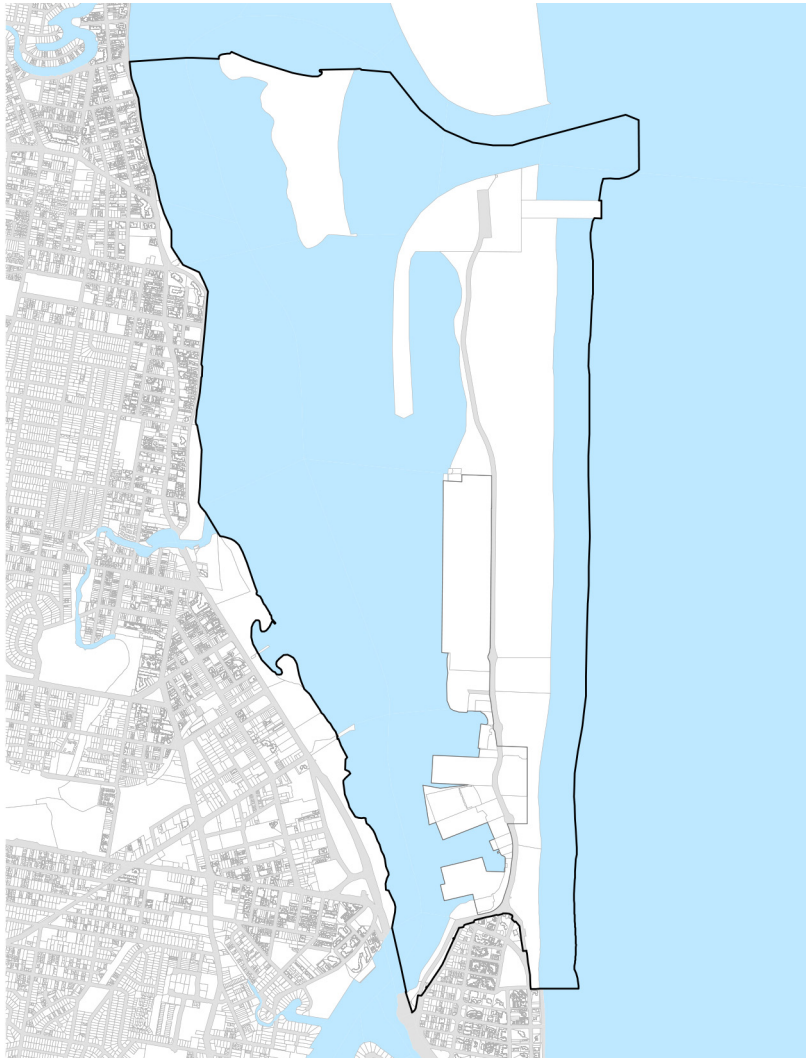
The Minister may delegate the Minister's functions or powers under this Act to the chief executive.

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

© Copyright the State of Queensland (Department of State Development, Manufacturing, Infrastructure and Planning) 2019. No liability accepted for any loss or damage which may arise from the use or reliance upon this information.
Path: S:\Projects\Major Projects\CD\19\CD_SDA_Cadastral_Split_Development\MXD\2019\017_DSD\MPI_A4P_DCS\MapArea_Split_CD\MapArea_Split_CD.mxd

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.