

First Reading



Hon. JP BLEIJIE (Kawana—LNP) (Attorney General and Minister for Justice) (2.36 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 the Legal Affairs and Community Safety Committee

Madam DEPUTY SPEAKER (Mrs Cunningham): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.

GOLD COAST WATERWAYS AUTHORITY BILL

Introduction



Hon. SA EMERSON (Indooroopilly—LNP) (Minister for Transport and Main Roads) (2.37 pm): I present a bill for an act to provide for the establishment of the Gold Coast Waterways Authority, and to amend this act, the Public Service Act 2008, the Transport Infrastructure Act 1994, the Transport Operations (Marine Pollution) Act 1995, the Transport Operations (Marine Safety) Act 1994 and the Transport Operations (Road Use Management) Act 1995 for particular purposes. I table the bill and the explanatory notes. I nominate the Transport, Housing and Local Government Committee to consider the bill.

Tabled paper: Gold Coast Waterways Authority Bill 2012.

Tabled paper: Gold Coast Waterways Authority Bill 2012, explanatory notes.

I am pleased to introduce the Gold Coast Waterways Authority Bill 2012. This bill will re-establish a Gold Coast Waterways Authority, which was abolished in 1990. Its re-establishment will deliver on the government's commitment to return control back to the local community. Through its re-establishment, the Gold Coast Broadwater and nearby waterways will no longer suffer from the previous Labor government's neglect. The Newman government will act to improve access to Gold Coast waterways by investing \$30 million to re-establish the Gold Coast Waterways Authority. The overarching goal is to help restore the Broadwater and surrounding Gold Coast waterways as a hub for recreational and tourist activity.

The operation of the Gold Coast Waterways Authority is essential to support tourism as one of Queensland's four economic pillars. The former authority was established under the Gold Coast Waterways Authority Act 1979 to manage and control the waterways and all harbour works within its legislated area. Following its abolition, a range of new planning and environmental arrangements emerged. The former authority's functions were dispersed across state and local government, with some of these functions subject to more red tape and regulation. The purpose of re-establishing the Gold Coast Waterways Authority is to provide the best possible navigational access, boating infrastructure and waterways management for the people in the area.

The authority will operate at a reasonable cost to the community and government. The authority will act as a local waterways manager. It will oversee the sustainable use and development of waterways. It will achieve this without burdensome costs and excessive bureaucratic red tape which burdens local businesses and the community.

The Gold Coast is recognised as a key national centre for production of recreational craft. Much of this advantage derives from extensive waterways and accessibility to the ocean. Recreational boating has a strong appeal to the Gold Coast; some 40,000 of the state's 240,000 registered recreational vessels are held by Gold Coast residents with more than half of our registered recreational vessels in the state's south-east region. Water temperature and a perfect boating climate are not only attractive for recreation, but highly suitable for fibre-glassing which further supports the Gold Coast's national and international profile as a producer of pleasure craft. The location makes it an ideal place for storing, servicing and enjoying such vessels. Much of this industry is concentrated around the Gold Coast marine precinct, Coomera River, Sanctuary Cove and the Broadwater. A recent survey identified almost 650 actively trading marine industry businesses on the Gold Coast. It also estimated these businesses generated almost \$420 million in annual revenue. It is estimated that last year tourism generated annual revenue of almost \$1.4 billion. This was created through almost 2,500 actively trading businesses identified in the local tourism industry. We are working to deliver better Gold Coast waterways and provide certainty for local businesses, recreational users and those concerned with the sustainability of the Broadwater. This requires improving access to Gold Coast waterways, whether it is planning for the

commercial use of the waterways or revitalising it as an attraction for tourists or the tens of thousands of registered recreational boats.

The authority's key areas of work will be reflected in the delivery of improved access and boating infrastructure, planning for the future management and use of Gold Coast waterways and promotion of marine recreational and tourism activities. However, these ambitions cannot be achieved without a firm legal foundation from which the authority can operate to deliver its responsibilities. This is why the new act is required to re-establish the Gold Coast Waterways Authority. Much has already been set in order to realise our election commitment. On 26 June the Premier approved the appointment of Gary Baildon as chair-designate of the Gold Coast Waterways Authority Board. Mr Baildon was the Gold Coast Mayor for eight years and served as the Deputy Mayor of the Gold Coast and Surfers Paradise Council for six years. He has been widely involved in the local community and understands the needs of the area, having served as a member of the Gold Coast City Council Water, Beaches and Foreshores Committee for several years.

It is proposed that the board members of the new authority be appointed by the Governor in Council for a specified term, which will be no longer than three years. The board will comprise of seven members, including the independent chairperson, mayor of the Gold Coast City Council and five others. Importantly, in accordance with the government's view, the authority should make decisions and function autonomously from the Department of Transport and Main Roads. There are no plans for a departmental representative on this board. Public nominations have closed for interested community members to apply for a place on the board. The successful applicants have been drawn from people with marine, coastal or waterways planning or development backgrounds as well as from those with infrastructure engineering, commercial and marketing development experience. Their ultimate task will be to deliver positive outcomes for one of the Gold Coast's most important assets.

The board will be responsible for developing a 10-year strategy for the waterways and advising the government on how best to improve navigational access, availability of boating infrastructure and promote marine tourism and recreational activities. This strategic plan will consider a range of community, environmental and social needs and interests. The authority and its board will promote partnerships between government and the Gold Coast community to improve waterway access and infrastructure. These partnerships will be built on localised decision-making which will ensure government programs are aligned with community needs and expectations. The Gold Coast community will be represented in determining the priorities for the delivery of navigational access and boating infrastructure projects and the development of waterways management policies and legislation.

The authority will be responsible for waterways within the Gold Coast City Council local government area which reflects the area of responsibility of the former body. Its powers will stretch from the Logan River in the north to the Queensland-New South Wales border, including the inland waterways of the Gold Coast and out to the entrances of the Gold Coast Seaway and Tallebudgera and Currumbin Creeks. The authority will have a chief executive officer responsible for determining how to best use the \$30 million committed for the operation of the authority. Funds will be used to carry out dredging and boating infrastructure projects to improve access to Gold Coast waterways over the next four years. Operating from a local office, the chief executive officer will report to the new authority board and will oversee the day-to-day operation, maintenance and management of Gold Coast waterways. All other access and boating infrastructure needs for waterways outside the authority's area of responsibility will continue to be a state responsibility.

The Gold Coast Waterways Authority will also operate and maintain key coastal engineering assets. These include the Gold Coast Seaway, Wavebreak Island and the sand bypassing system, which were built by the former authority to stabilise the local waterways. These assets have a major influence on dredging activities. The Gold Coast Seaway was built in 1986 and is hugely popular for water activities. As part of its responsibilities to maintain the whole Gold Coast waterway network, the authority will install and maintain aids to navigation such as beacons, buoys and leads to mark navigation channels and ensure the smooth and safe passage of vessels along these waterways. The authority will also manage and regulate on-water activities, including marine tourism activities like jet boat thrill rides, buoy moorings and anchoring areas, as well as associated amenity and on-water congestion issues. Funding and delivery of navigational access and boating infrastructure projects to improve access to Gold Coast waterways will be included in the authority's portfolio. It will also undertake marine technical services such as hydrographic survey, coastal engineering and environmental assessments, to support the delivery of those projects. However, the re-established authority will not be responsible for development assessments which was a role undertaken by the former authority. This role will remain with the Gold Coast City Council and the Coordinator-General in accordance with the current state government planning framework. However, it will have a concurrence agency role for planning and development matters to implement the 10-year management strategy. By advising on the future use of their local waterways, the authority will be able to influence these matters without displacing existing state and local government planning and environmental responsibilities. When it comes to wider matters which affect all Queensland waterways, the Department of Transport and Main Roads will continue to have regulatory responsibility. This will primarily relate to marine safety

and marine pollution, responsibilities which remain a state-wide function. As a statutory entity, the authority will report to me with its operations and functions separate from the Department of Transport and Main Roads.

The re-establishment of the authority will be derived primarily from a re-organisation of existing departmental resources. Current office arrangements at the department's Gold Coast marine facility will be utilised to allow all authority and remaining transport staff to be housed in the existing building. This will minimise costs and facilitate good working relationships. The operational functions that would be transferred from the department to the Gold Coast Waterways Authority include sand bypassing, dredging and infrastructure delivery and maintenance, waterways management regulation, finance, media and communications, correspondence and other corporate functions. To achieve this, relevant program funding will be re-directed to the authority along with relevant staff. The existing functions, funding and assets for navigational access, boating infrastructure, aids to navigation and waterways management within Maritime Safety Queensland will be transferred to establish the Gold Coast Waterways Authority. A service level agreement for corporate support with Corporate Administration Agency will be established. This is the best option to ensure the authority is appropriately supported and operates efficiently and effectively while providing maximum independence from the department.

The authority will be funded via regular grants from the Department of Transport and Main Roads, similar to the way other statutory entities operate. Once funds are granted, they will have direct control over how these are used. However, the Gold Coast Waterways Authority will remain accountable to myself as Minister for Transport and Main Roads and will be required to provide quarterly revenue and expenditure reporting. The relevant provisions of the Financial Accountability Act 2009 and Statutory Bodies Financial Arrangements Act 1982 will apply. Quarterly performance reporting will include addressing access and boating infrastructure improvements, waterways management issues and compliance as well as revenue and expenditure reporting. There will be annual financial statements which will be audited by the Auditor-General, or delegate, as required by the Financial Accountability Act 2009.

024 The authority will be reviewed every four years to ensure it remains relevant and effective in improving the management of the Gold Coast waterways. The authority will also use existing transport legislation as part of its responsibilities to better manage the waterways, rather than duplicating existing legislative powers and requirements, creating unnecessary layers of bureaucracy and red tape. The authority will continue the practice of applying for the appropriate approvals before dredging or marine infrastructure works can be delivered. This ensures the environmental and planning impacts associated with those works are appropriately assessed. The establishment and work of the Gold Coast Waterways Authority Board is part of our six-month action plan and I want to see the authority starting to deliver for the people of the Gold Coast by early 2013.

Additionally, the bill also amends the definition of 'bicycle' in the Transport Operations (Road Use Management) Act 1995 and inserts a new definition of 'power assisted bicycle'. The changes will allow regulations to specify types of power assisted bicycles that can be used in Queensland, pending passage of the bill. After the bill is passed, it is proposed that a regulation will be made to allow a new type of power assisted bicycle that meets European standard 15194, known as a Pedalec. Those bicycles, with a maximum power output of 250 watts, are more powerful than existing power assisted bicycles, but also have more stringent safety features. The regulation will also continue to prohibit bicycles with petrol engines and allow those with electric motors with a maximum power output of 200 watts that do not have the benefit of additional safety features required under the European standard.

Finally, the bill contributes to the ongoing work my department undertakes for regulatory reform and repeals two obsolete pieces of legislation from the transport statute book, namely, the Australian Shipping Commission Authorization Act 1977 and the Brisbane River Tidal Lands Improvement Act 1927. I commend the bill to the House.

First Reading



Hon. SA EMERSON (Indooroopilly—LNP) (Minister for Transport and Main Roads) (2.50pm): 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 the Transport, Housing and Local Government Committee

Madam DEPUTY SPEAKER (Mrs Cunningham): Order! In accordance with standing order 131, the bill is now referred to the Transport, Housing and Local Government Committee.