

# Sunshine Coast Waterways Authority Bill 2026

**Submission No:** 080

**Submission By:** Gecko Environment Council Association Inc Assoc.

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State Development, Infrastructure and Works Committee

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Dear Committee Chair

**Re: Gecko Environment Council Submission to SUNSHINE COAST  
WATERWAYS AUTHORITY BILL 2026**

Gecko Environment Council (Gecko) is a not-for profit environment group based on the Gold Coast. We have been active over the past 35 years in the protection of our natural environment, addressing climate change and advocating for sustainable use of our landscapes and natural resources. We thank the Committee for the opportunity to submit some of our views on this consultation, based on our long-term familiarity with the operations of the GC Waterways Authority and the positive relationship we have worked to maintain since their establishment in 2012 through the GC Waterways Act.

To this end Gecko has undertaken a Comparative Analysis between the Gold Coast Waterways Authority Act 2012 and the Sunshine Coast Waterways Bill.

**Overview**

The Sunshine Coast Waterways Authority Bill 2026 (the SCWA Bill) proposes to establish a new statutory body to manage waterways across a geographically extensive corridor stretching from Pumicestone Passage in the south to the Noosa Lakes in the north, encompassing the Noosa, Maroochy and Mooloolah Rivers. The Bill closely mirrors the structure of the Gold Coast Waterways Authority Act 2012 (the GCWA Act).

Gecko Environment Council welcomes the intent to provide coordinated stewardship of the Sunshine Coast's waterways, which are under significant and growing pressure from population growth, recreational use, coastal development and climate-driven sand and sediment dynamics. However, we have serious reservations about whether the Bill — as currently drafted — is fit for purpose, and whether it adequately learns from the operational limitations of its Gold Coast predecessor.

The GCWA model, while innovative at the time of its enactment, has demonstrated in practice that a narrow statutory mandate combined with fragmented multi-agency responsibility produces critical governance gaps. The Gold Coast Waterways Authority's own "Who's Who in the Blue" reference document maps at least 14 separate agencies and organisations sharing jurisdiction over waterways issues — from speed enforcement to pollution, environmental management, biosecurity and event permits. The consequence, observed on the Gold Coast, has been an inability to address persistent problems such as jet-ski hooning, illegal camping on the Spit, unregulated amplified-music events and environmental degradation, because no single agency holds clear accountability and several are either underfunded, indifferent, or operating without clear jurisdictional priority.

The proposed SCWA would in fact carry a broader mandate than the GCWA in several important respects — most notably the addition of a sand and sediment monitoring and management function across coastal waters and adjacent land, a geographically larger and ecologically more complex jurisdiction, and the absence of a single dominant urban local government counterpart. Yet the Bill replicates the same structural tensions that have constrained the GCWA, without the institutional history, existing partnerships or established community trust that the Gold Coast Authority has built over more than a decade.

Gecko Environment Council calls on the Committee to examine carefully the extent to which the SCWA Bill addresses these structural deficiencies, and to consider whether additional powers, clearer jurisdictional primacy, stronger enforcement tools and more robust funding mechanisms are required before the Bill is enacted.

## **I. Background and Context**

### **I.1 The Gold Coast Waterways Authority**

The Gold Coast Waterways Authority was established under the GCWA Act 2012 and currently manages five rivers, 170km of navigable waterways and more than 750 hectares of lakes and dams within the Gold Coast City local government area, including the Broadwater and the Gold Coast Seaway. It operates under a 10-year waterways management strategy, a rolling four-year waterways management program and a Spit works program arising from the Implementation of The Spit Master Plan Act 2020.

The GCWA was a genuine institutional innovation — a single statutory body with dedicated focus on a geographically bounded, commercially and recreationally important set of waterways. It has delivered measurable improvements in navigational access, public marine facilities and strategic planning. Nevertheless, its operational track record also reveals the limitations of a model in which formal authority is narrow and effective management depends on goodwill and co-operation across a large number of co-regulatory agencies.

The GCWA's own published guide — “Who's Who in the Blue” (updated June 2021) — identifies no fewer than 14 separate agencies or organisations with some responsibility for Gold Coast waterways matters. These include Queensland Police Service, Queensland Boating and Fisheries Patrol, Maritime Safety Queensland, the Australian Maritime Safety Authority, the City of Gold Coast, the Department of Environment and Science, Seqwater, Workplace Health and Safety Queensland, Volunteer Marine Rescue, the Department of Agriculture and Fisheries, Healthy Land and Water, Airservices Australia and the Civil Aviation Safety Authority. For virtually every practical issue a waterways user might encounter, responsibility is divided, and in many cases no single agency holds lead accountability.

The lived consequences of this fragmentation have been visible and troubling. On the Gold Coast, jet-ski hooning — dangerous high-speed manoeuvres in close proximity to swimmers and other vessels — has continued largely unaddressed, because the power to enforce speed limits rests primarily with Queensland Police and Queensland Boating and Fisheries Patrol, while GCWA has a supporting role at best. Illegal camping on Council controlled lands at the Spit, amplified-music events running through the night and environmental degradation of sensitive foreshore areas have similarly persisted because the responsible agencies have either been indifferent, lacked resources or disputed jurisdictional responsibility. The GCWA itself was recently given the task of running community consultation on ecotourism proposals for Wavebreak Island — a process that, given the existing issues in the surrounding area, risks generating further conflict without the institutional authority to resolve it.

## 1.2 The Sunshine Coast Waterways — A Different and More Complex Setting

The Sunshine Coast waterways proposed to fall within the SCWA’s jurisdiction are geographically, ecologically and operationally distinct from those of the Gold Coast. The relevant corridor encompasses:

- Pumicestone Passage — a narrow, largely undeveloped tidal estuary of significant ecological sensitivity, forming part of the Moreton Bay Marine Park
- The Mooloolah River and Mooloolaba Harbour — a commercial and recreational hub with the Mooloolaba Boat Harbour as a key public marine facility
- The Maroochy River — a longer, more complex estuary subject to sand shoaling, flood events and intensive recreational use
- The Noosa River and the Noosa Lakes system — an iconic environmental and recreational asset of national significance, subject to significant community and conservation interest.

Unlike the Gold Coast, where the Broadwater provides a large and relatively enclosed body of water with well-defined management challenges, the Sunshine Coast waterways are linear, riverine systems crossing multiple local government boundaries (Moreton Bay, Sunshine Coast and Noosa). They are subject to quite different hydrological dynamics, ecological communities and recreational use pressures. The addition of a sand and sediment management function — not present in the original GCWA Act — reflects the acute navigational and environmental problems caused by sand movement in the Maroochy and Mooloolah systems but also signals the significantly greater technical complexity of the SCWA’s proposed mandate. The GCWA is specifically mandated to a) dredge and otherwise improve and maintain navigational channels for the Gold Coast waterways; and (b) reduce or remove a shoal, bank or accumulation in Gold Coast waters that impedes navigation.

## 2. Detailed Comparative Analysis: SCWA Bill and GCWA Act

The following table provides a structured comparison of the two frameworks across key dimensions. Where the SCWA Bill as described in the Committee’s call for submissions differs from or extends the GCWA model, this is noted explicitly.

Dimension	GCWA Act 2012	SCWA Bill 2026
<b>Geographic scope</b>	Gold Coast City local government area, plus defined areas near Currumbin Creek, Tallebudgera Creek and the Gold Coast Seaway	Pumicestone Passage south to Noosa Lakes north, encompassing Noosa, Maroochy and Mooloolah rivers — crossing Moreton Bay, Sunshine Coast and Noosa local government boundaries

<b>Jurisdictional complexity</b>	Single dominant local government (City of Gold Coast); Mayor is an ex officio board member	Three local governments (Moreton Bay Regional Council, Sunshine Coast Council, Noosa Council) — no equivalent ex officio mayoral membership specified in the Bill summary
<b>Core statutory purpose</b>	Best possible management of Gold Coast waterways at reasonable cost; sustainable development; navigational access; public marine facilities; Spit master plan delivery	Strategic planning; waterways management strategy and program; infrastructure; navigational access; sand and sediment monitoring and management
<b>Sand and sediment management</b>	Not an explicit statutory function; dredging is addressed operationally	Explicit statutory function — monitoring and managing sand and sediment movement in waterways and adjacent coastal waters and land. Significantly broader than GCWA.
<b>Waterways management strategy</b>	10-year strategy; developed by GCWA; submitted for Minister's approval; tabled in Legislative Assembly within 5 sitting days of approval	Equivalent process proposed; consulted with Maritime Safety Queensland and three local governments
<b>Waterways management program</b>	Annual, rolling four-year program; Minister's approval required; must be consistent with strategy	Equivalent process proposed
<b>Spit / special works program</b>	Dedicated Spit works program under Part 4A; separate Spit Development Minister approval; must be consistent with Spit master plan	No equivalent special works program described in Bill summary
<b>Board composition</b>	Chairperson (appointed); Mayor of Gold Coast City Council (ex officio); at least 5 and no more than 8 appointed members with specified expertise.	Board established; CEO appointed; staff under Public Sector Act 2022. Detailed board composition not specified in Bill summary

<b>Appointed member expertise</b>	Marine/coastal/waterways planning; environmental management; engineering; commercial and marketing development; maritime business; major projects; planning and development; public realm design	Not specified in Bill summary — to be assessed against full Bill text
<b>Enforcement powers</b>	Waterways notices; powers to move contravening and abandoned property; internal and external review (QCAT) <b>(Powers to address illegal camping in Doug Jennings Park under model rules under the Land Act 1994)</b>	Not described in Bill summary; anticipated to be conferred via amendment to Transport Infrastructure Act 1994 and marine safety/pollution Acts
<b>Staffing model</b>	CEO appointed by Governor in Council; employees under Public Sector Act 2022 or direct employment; CEO may employ directly	Staff employed under Public Sector Act 2022
<b>Financial model</b>	Statutory body under Financial Accountability Act 2009 and Statutory Bodies Financial Arrangements Act 1982; marina owner levy; consolidated fund receipts	Not specified in Bill summary; to be addressed partly in subordinate legislation
<b>Subordinate legislation</b>	Regulations for board conduct, levy amounts, asset transfer	Amendment regulation to implement public marine facilities (including Mooloolaba boat harbour), buoy mooring, aquatic event approvals, tidal works development assessment — significant components deferred to subordinate legislation
<b>Consultation requirements</b>	Public consultation on waterways management strategy; consultation with Gold Coast City Council and maritime industry on program	Consultation with public, Maritime Safety Queensland and three local governments for strategy
<b>Ministerial oversight</b>	Ministerial directions (written); Minister may direct amendment of strategy or program; quarterly performance reports; annual reports	Equivalent oversight structure anticipated

<b>Relationship to other Acts</b>	Does not affect Fisheries Act, Marine Parks Act, Maritime Safety Queensland Act, Transport Infrastructure Act, Transport Operations (Marine Pollution) Act, Transport Operations (Marine Safety) Act, or local government functions	Amends Transport Infrastructure Act 1994, Transport Operations (Marine Pollution) Act 1995, Transport Operations (Marine Safety) Act 1994 to confer powers on SCWA
<b>Marina owner levy</b>	Annual levy payable by marina owners as contribution to public marine facilities	Not specified; to be addressed in subordinate legislation

## 2.1 Key Differences and Extensions

Several dimensions of the SCWA Bill represent meaningful departures from or extensions of the GCWA model and warrant close scrutiny.

### Sand and Sediment Management

The inclusion of sand and sediment monitoring and management as an explicit statutory function is the most significant structural extension of the SCWA Bill beyond the GCWA framework. The Maroochy and Mooloolah rivers have long suffered from progressive shoaling that compromises navigational access, degrades riparian and intertidal habitats, and creates flooding risks. This function will require substantial technical capacity, engagement with adjacent landowners and coastal managers, and co-ordination with the Department of Environment and Science, the Department of Transport and Main Roads and potentially the Commonwealth. The GCWA has no direct equivalent responsibility, and the SCWA will be entering largely uncharted institutional territory.

### Multi-Council Jurisdiction

The GCWA benefits from a single dominant local government partner — the City of Gold Coast — whose Mayor holds an ex officio seat on the GCWA Board, ensuring direct political accountability and alignment. The SCWA will need to co-ordinate across three local governments with different political priorities, planning frameworks and community expectations. The Bill's approach to this structural challenge is not clear from the summary provided to the Committee, and Gecko Environment Council is concerned that without a clear mechanism for resolving inter-council disagreements, the SCWA's strategic planning processes may become protracted or politicised.

### Deferred Subordinate Legislation

The Bill summary explicitly states that significant components — including the regulatory framework for public marine facilities (including the Mooloolaba boat harbour), buoy mooring, aquatic event approvals and tidal works development assessment — are to be addressed in a subsequent amendment regulation rather than in the Act itself. This approach has the advantage of flexibility but risks creating a governance vacuum in the period between the Act's commencement and the regulation's enactment. It also reduces parliamentary scrutiny of some of the most operationally significant aspects of the new authority's work.

### **3. Gecko Environment Council's Concerns**

#### **3.1 The Multi-Agency Fragmentation Problem**

The most fundamental concern Gecko Environment Council has with the SCWA Bill is that it does not appear to address the central governance failure that has undermined effective waterways management on the Gold Coast: the fragmentation of responsibility across a large number of agencies with overlapping, unclear or disputed jurisdictions.

The GCWA's "Who's Who in the Blue" guide documents this problem with startling clarity. It maps 14 agencies across more than 60 categories of waterways issues — speed enforcement, pollution, environmental protection, boating safety, event permits, dredging, navigation aids, search and rescue, aviation and more. For most of these categories, multiple agencies hold either lead or supporting roles. For some, no agency is clearly the primary contact. The practical result is that when things go wrong — when a jet-skier endangers swimmers, when an illegal camp is established on Crown land, when an amplified-music event disturbs nearby residents through the night — the response is slow, incomplete or absent, because each agency can point to another as the lead.

There is no reason to expect the Sunshine Coast to be immune from these dynamics. The SCWA will be operating alongside Queensland Police, Queensland Boating and Fisheries Patrol, Maritime Safety Queensland, the Department of Environment, Tourism Science and Innovation, three local governments, Seqwater, Healthy Land and Water and others. Without explicit legislative mechanisms for jurisdictional clarity — including clear primacy provisions, mandatory inter-agency protocols and genuine accountability for co-ordination failures — the SCWA risks replicating the Gold Coast experience. GCWA is also trustee for certain State lands, including Doug Jennings Park and Wavebreak Island, but on adjacent State lands, such as Federation Walk Coastal Reserve, the City of Gold Coast is trustee, with conflicting management approaches and powers.

#### **3.2 Enforcement Capacity and Jurisdictional Primacy**

A related concern is the adequacy of the SCWA's enforcement powers. The GCWA's enforcement toolkit is largely limited to waterways notices and the management of contravening or abandoned property. Actual enforcement of boating safety laws, speed limits and anti-social behaviour on the water rests with Queensland Police and Queensland Boating and Fisheries Patrol, both of which have broad statewide responsibilities and limited resources to dedicate to any single waterway system.

**State and Local Overlaps:** The area of operations of the proposed SCWA appears to include both local and state waters, which may result in conflicts over decision-making authority and funding responsibilities..

The Bill summary indicates that the SCWA's powers will be conferred via amendments to the Transport Infrastructure Act 1994, the Transport Operations (Marine Pollution) Act 1995 and the Transport Operations (Marine Safety) Act 1994. The scope and strength of these powers is not yet clear. Gecko Environment Council urges the Committee to examine whether the SCWA will have:

- Direct enforcement powers over speed, noise and anti-social behaviour on the water, rather than being dependent on other agencies
- The ability to issue infringement notices or otherwise enforce compliance without referral to Queensland Police or Queensland Boating and Fisheries Patrol
- Clear primacy in relation to waterways management decisions within its geographic area, rather than being required to defer to other agencies on issues central to its mandate.

### **3.3 Funding Adequacy and the Marina Owner Levy Model**

The GCWA is partly funded by a marina owner levy — an annual contribution from marina operators towards the cost of public marine facilities. Whether an equivalent levy is contemplated under the SCWA Bill is not clear from the summary provided. The Sunshine Coast has a significant commercial boating sector, particularly at Mooloolaba, and it would be equitable for marina operators and commercial users to contribute to the cost of the infrastructure and management from which they benefit.

More broadly, Gecko Environment Council is concerned that the SCWA will be under-resourced relative to the scale and complexity of its mandate. The sand and sediment management function alone will require sustained investment in survey work, modelling, dredging and environmental monitoring. If the SCWA is to be more than a strategic planning body — if it is to be an effective operational manager of these waterways — its funding must be commensurate with the task, and must be retained by SCWA.

We note that the budget allocation for the GCWA in 2024-2025 was \$41.2 million. Figures were not available for the 2025-2026 FY, only that it is made up of a variety of Government grants and other initiatives. The initial funding for the SCWA is reportedly \$35.6 million over 3 years, although it is not clear about the scope of SCWA's capital program or any associated land management activities (such as trusteeship of State lands).

### **3.4 Environmental Obligations and Integration with the Marine Park**

The Sunshine Coast waterways exist within or adjacent to areas of high conservation value, including the Moreton Bay Marine Park at the southern end of the proposed jurisdiction (Pumicestone Passage) and the Noosa Biosphere Reserve at the northern end. The GCWA Act explicitly preserves the operation of the Marine Parks Act 2004, the Fisheries Act 1994 and other environmental legislation, but does not confer proactive environmental management responsibilities on the GCWA — that remains the domain of the Department of Environment, Tourism, Science and Innovation.

The SCWA should, in Gecko Environment Council's view, have stronger and more explicit obligations to integrate environmental considerations into its strategic planning and operational decisions. The waterways management strategy should be required to address biodiversity values, not merely navigational access and recreational use and needs to consider as well, sustainable use and all management activities to be evaluated for ecological risk before they are approved. The sand and sediment management function, in particular, has significant ecological implications — both for seagrass beds and intertidal habitats affected by shoaling, and for the impacts of dredging and spoil disposal on those same communities.

Accordingly the Bill should also specifically require

- consideration of the potential cumulative impacts of all these actions to maintain ecosystem health.
- Ongoing monitoring programs to assess key water quality and ecosystem health indicators, with a rigorous reporting framework

### **3.5 Community Engagement and Transparent Decision-Making**

The experience of the Gold Coast — where the GCWA was tasked with running consultation on the Wavebreak Island proposals despite the ongoing governance failures in the surrounding area — illustrates the risk of using a waterways authority as a vehicle for community engagement on contentious development questions that exceed its operational mandate. Gecko Environment Council is concerned that the SCWA may be placed in a similar position,

particularly given the sensitivity of proposals affecting the Noosa River, the Maroochy River foreshore and Pumicestone Passage.

The Bill should include clear provisions requiring:

- Independent, substantive public consultation on the waterways management strategy, not merely notification. Specifically, Sections 15 and 19 must list required consultation with Catchment Management Groups, and Traditional Custodians.
- A requirement to form sub-committees for each Catchment with representatives from Catchment Groups and other key stakeholders
- Transparent communication with the community and stakeholders to explain decision-making processes, provide any reports that inform these decisions and respond to issues raised by the community.
- Mechanisms for affected communities and environmental organisations to seek review of decisions that adversely affect waterway values
- A requirement that the SCWA report publicly on the extent to which the objectives of the waterways management strategy have been achieved, not merely on financial and project delivery performance.

### **3.6 The Risk of Replicating GCWA's Structural Weaknesses**

In summary, Gecko Environment Council's overarching concern is that the SCWA Bill, as described in the Committee's call for submissions, risks replicating the structural weaknesses of the GCWA model in a more complex and ecologically sensitive setting. The GCWA was a reasonable institutional design for its time and context. More than a decade of operational experience has revealed its limitations. The SCWA Bill represents an opportunity to learn from that experience — to design a stronger, more integrated, better-resourced and more accountable institution. Gecko Environment Council urges the Committee to ensure that opportunity is not missed.

## **4. Recommendations**

Gecko Environment Council makes the following recommendations to the Committee:

1. **Jurisdictional clarity:** The Bill should include explicit provisions establishing the SCWA's primacy in relation to waterways management decisions within its geographic area and should require the development of mandatory inter-agency co-ordination protocols within 12 months of the SCWA's establishment.
2. **Enforcement powers:** The powers to be conferred on the SCWA via amendment to the Transport Infrastructure Act and marine safety and pollution Acts should include direct enforcement capacity, including the ability to issue infringement notices, rather than being wholly dependent on referral to other agencies.
3. **Funding:** The Bill should include a marina owner levy equivalent to that in the GCWA Act and should require a funding assessment to be completed and published within 12 months of the SCWA's establishment, demonstrating that the authority's resources are commensurate with its mandate.
4. **Environmental integration:** The waterways management strategy should be required to address biodiversity values and ecological health alongside navigational access and

- recreational use. The sand and sediment management function should be subject to explicit environmental safeguards.
5. Multi-council governance: The Bill should include explicit mechanisms for managing disagreements between the three local governments within the SCWA's jurisdiction and should consider whether ex officio representation from each council on the SCWA Board is appropriate.
  6. Subordinate legislation: The Committee should satisfy itself that the deferral of significant regulatory components to subordinate legislation does not create an operational governance vacuum and should consider whether key provisions — including the framework for public marine facilities and tidal works assessment — should be included in the primary Act.
  7. Community engagement: The Bill should include stronger requirements for independent and transparent public consultation on the waterways management strategy and should provide mechanisms for affected communities, Traditional Owners and environmental organisations to seek review of decisions adversely affecting waterway values.
  8. Periodic review: The Bill contains a requirement (Section 68) for a three-yearly review of the SCWA's operations, equivalent to that in section 71 of the GCWA Act However this should be expanded to include public reporting of findings..

## 5. Conclusion

Gecko Environment Council supports the establishment of a dedicated authority to manage the Sunshine Coast's waterways. These are valuable, ecologically sensitive and economically important assets that have for too long suffered from the consequences of fragmented governance and insufficient investment. A well-designed statutory authority with a clear mandate, adequate powers, appropriate funding and genuine accountability could make a substantial difference.

However, the SCWA Bill as described must not simply replicate the structural limitations of the GCWA model in a setting that is geographically larger, ecologically more complex and institutionally more challenging. The Gold Coast experience — documented in the GCWA's own "Who's Who in the Blue" guide and in the ongoing community frustration with hooning, illegal camping, unregulated events and environmental degradation — provides both a template and a warning. The Committee has an opportunity to ensure that the SCWA is designed to succeed where its predecessor has struggled. Gecko Environment Council urges the Committee to take that opportunity seriously.

This submission is made on behalf of the Gecko Environment Council's Management Committee.

Yours sincerely



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