

Sunshine Coast Waterways Authority Bill 2026

Submission No: 082

Submission By: Caloundra Residents Association Inc

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Sunshine Coast Waterways Authority Bill 2026

Submission to the State Development, Infrastructure and Works Committee

Thank you for the opportunity to provide a response to the Sunshine Coast Waterways Authority Bill. This submission has been approved by the Caloundra Residents Association (CRA) Inc Executive Committee.

Overview

Overall, CRA supports the initiation of legislation to provide for coherent, evidence-informed and proactive stewardship of the Sunshine Coast waterways. The consequences of fragmented governance and the absence of long-term planning and evidence-based responses are sadly obvious.

The Bill largely mirrors the Gold Coast Waterways Authority Act (2012). While recognising the achievements of the Gold Coast Waterways Authority since its inception, there are also recognised weaknesses. It is instructive to both learn from and avoid these shortcomings in the proposed Sunshine Coast Waterways Authority Act.

The Bill's Explanatory Notes state the intention is to ensure the sustainable use of waterways, local involvement in decisions and transparency of decisions to deliver a more holistic approach to waterways management. CRA's assessment is that further amendment to the Bill is required to translate this intent into statutory effect, and to ensure the Authority is designed to succeed from the outset.

1. Relationship with Other Acts

It is recommended that all relevant state and federal legislation is referenced:

Recommendation 1:

Add:

4 (1) (I) Environmental Protection Act 1994

4 (3) This act does not affect the operation or obligations of Federal Acts, including:

(a) *Environmental Protection Act 1994*

(b) *Environmental Protection and Biodiversity Conservation Act 1999.*

2. Functions of the SCWA

Sunshine Coast waterways are recognised as complex and ecologically sensitive, with unique environmental and management needs acknowledged by national protections. There is no reference to this important context, or of this being a prescribed consideration of the new Authority.

The waterways covered include internationally recognised wetlands (Ramsar-listed areas such as Pumicestone Passage) that require science-based management and ongoing ecological monitoring, yet the Bill lacks any reference to Ramsar Convention obligations, ecosystem condition reporting, cumulative impact

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assessments and environmental baselines required for evidence based management and the development and performance monitoring of management plans.

Environmental protection should be considered no less a function of the proposed Authority than navigation or infrastructure, which are both specifically mentioned. Its absence, as currently drafted, provides the Authority with decision-making discretion to disregard it. We understand this is not the Government's intention and therefore this clear oversight should be remedied in the legislation.

Recommendation 2:

Division 2 Functions and Powers:

The Functions of the Authority should include additional clauses, ahead of the current 12 e):

e) To ensure that environmental considerations are integrated into strategic planning and operational decisions with the aim of protecting the health and sustainability of the Sunshine Coast Waterways.

f) To lead and establish systems and processes which facilitate and ensure inter-agency collaboration in the performance of its role.

g) To produce an annual public report which includes baseline and ongoing assessments of waterway health and sustainability, including data for water quality, sediment movement, ecological health, and coastal hazard risk.

h) To act in the public interest at all times.

3. Performance of the SCWA

Given the high standard of performance required of the SCWA, it is recommended that its operations be subject to periodic, independent review. This is also a requirement of the Gold Coast Waterways Authority.

Recommendation 3:

A clause equivalent to that in section 71 of the GCWA, with public reporting, should be included.

4. Governance

Reference to the Gold Coast Waterways Authority publication "Who's Who in the Blue" evidences many divided responsibilities amongst multiple entities for the same waterways issue. It is not clear which entity has lead institutional authority, creating confusion for community members and stakeholders, but also weakening governance and accountability.

Given the aim of the Sunshine Coast Waterways Authority Bill is to overcome fragmented governance, it must address how the accountability hierarchy will be managed amongst co-regulatory entities. Overlapping responsibilities in an accountability framework are not of themselves problematic, provided the accountable, determinative authority is clear.

The Act should provide jurisdictional clarity, including provisions for mandatory inter-agency protocols and the Authority's role in leading genuine accountability for co-ordination across related entities. It should also provide mechanisms to manage and/or resolve overlaps and disputes.

Similarly, if it is not intended that the SCWA have an operational mandate for a particular issue, this should be expressly defined, so it is not embroiled in contention about an apparent failure to act or intervene.

It is presumed that the 10-Year Strategy will need to align with the available budget. Given the finite nature of public resources, transparency about decision prioritisation within the allocated budget will be key.

Recommendation 4:

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Division 2 Functions and Powers:

Add a new (e) to Part 2 Division 2 12, ahead of the current '(e) 'to perform any other function... ' ,

(e) "Lead the development of, and review effectiveness of mandatory inter-agency protocols, so that there is jurisdictional clarity of responsibility, accountability and enforcement powers for waterways issues."

5. Waterways Management Strategy and Program

The statutory requirement for a 10-year Waterways Management Strategy is supported and represents an opportunity for clear, measurable outcomes, informed by science and genuine community input. The Bill, however, contains insufficient assurances as to the Strategy's proposed intent, design process, implementation and outcomes.

Regarding, Section 14 Meaning of waterways management strategy:

Recommendation 5:

Add Part 3 Division 1 14 2 (c): "Establish clear performance indicators so that progress of key outcomes can be measured, monitored and reported."

Given our abovementioned recommendation to statutorily equip the Authority with an environmental protection function, it is axiomatic that specific environment-related strategies and performance indicators should be established as part of that Strategy.

Recommendation 6:

Add Part 3 Division 1 14 2 (c) (i): "Evidence informed indicators, which measure the status of the waterways' environmental health, are to be included, measured and reported on. (Without limiting the scope, this should reference Ramsar obligations, environmental tests, cumulative impact assessments and tidal works assessment)."

Recommendation 7:

Add Part 3 Division 1, 14 (3)

A public report detailing progress against the planned actions, performance indicators and corrective actions of the Waterways Management Strategy will be published annually.

Regarding Section 15 Development:

The reference to public consultation in the development of the strategy is welcomed but falls significantly short of contemporary standards of community engagement for such significant matters.

Recommendation 8:

Part 3 Division 1 15 2(c) should be replaced with: "develop a Community Engagement Strategy to support the development, implementation and review of the Waterways Management Strategy and Program. This is to include a minimum of local resident and other community groups, environmental organisations, marine industries, require public release of draft strategy and program documents with adequate consultation windows, and transparent publication of submissions and how feedback has informed the final strategy".

This will ensure substantive public consultation on the Strategy, decision-making transparency, and mechanisms for review.

6. Sunshine Coast Waterways Authority Board

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Contemporary governance standards emphasise the importance of skills-based Boards, and this is a clear opportunity to establish the inaugural SCWA Board with an effective mix of expertise and experience. As currently drafted, the Board could be appointed without any expertise in coastal, waterways or marine science. The SCWA will also cover waterways within three Council jurisdictions, and it is important this is reflected in its composition. GCWA does not have this same multi-Council complexity.

Section 25: Board composition:

Recommendation 8:

Add to 25 (1) 'and an Ex Officio Member from each of the three Local Councils: Sunshine Coast Regional Council, Noosa Council, Moreton Bay Regional Council, and First Nations representation (Kabi Kabi or Jinabura)'.

Recommendation 9:

Add 25 (1) (a): At least one member will have recognised qualifications and expertise in the field of 27 b) vii Environmental Management, or viii Marine Science, or ix Marine Coastal or Waterways Planning.

7. Statutory science and technical advisory committee

The Bill allows for a board and a CEO and the establishment of committees, but does not specify the requirement for a specialist committee, despite the technical complexity of coastal geomorphology, sediment dynamics, hydrology, and environmental regulation.

Division 4 Committees:

Recommendation 11:

Add:

1(a) The Board is required to establish a Science and Technical Advisory Committee which will:

- i. include independent marine scientists, hydrologists, coastal engineers, and ecologists
- ii. advise the Board on sediment movement, climate resilience, water quality, ecological risk, and cumulative impacts;
- iii. oversee long-term monitoring and ensure evidence-based decisions;
- iv. provide the Board with written advice on matters referred to it, and matters it considers relevant to the planning, management and sustainability of the Waterways;
- v. have a Chair that is a member of the Board to facilitate its meetings and interactions with the Board.

8. Appointment of the CEO

The Explanatory Notes state the SCWA will "operate independently" yet the Bill's governance structure undermines this. This contradiction justifies statutory amendments to ensure independence consistent with standard governance norms for statutory authorities.

It would be usual for the Board to appoint the CEO, following a competitive, merit-based recruitment process, thereby reflecting the independent, meritorious character of the appointment. The CEO would also report to the Board as is typical of contemporary governance arrangements and other Queensland Statutory bodies. That is, it should not be a political appointment as this potentially creates tension between the Board and the CEO, as well as unnecessary legal complexities.

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Consistent with other Queensland statutory authorities, the Board should recommend the appointment of the CEO for ratification by the Minister and recommendation to Governor-in-Council. The CEO is held to account to the Board for the delivery of the Strategy through the Board.

Recommendation 11:

Section 44 should explicitly reference the Board roles in selecting the CEO for ratification by the Minister and appointment by Governor-in-Council.

9. Subordinate Legislation

Care will need to be exercised, given abovementioned concerns about divided responsibilities across entities, to ensure that accountability vacuums / confusion are not transferred into any future regulations. For this reason, the parent Act will need to be sufficiently clear on key accountabilities to ensure appropriate statutory interpretation.

Recommendation 13:

The Act should facilitate a process to explicitly delineate roles, responsibilities, and lines of accountability across all relevant entities, with sufficient clarity to prevent overlap, gaps, or ambiguity, and to ensure that any subordinate regulations operate within a well-defined and enforceable statutory framework

Conclusion

This is an incredibly important opportunity to establish proactive, evidence-informed and community-connected leadership and management of our precious Sunshine Coast waterways.

We appreciate the opportunity to provide feedback, and look forward to seeing how the issues raised by us, and other like-minded community organisations and individuals, translate into the final legislation.

Please do not hesitate to contact us if you would like to discuss our submission further. CRA may be contacted at caloundraresidentsassociation@gmail.com, or by telephone on [REDACTED].

Yours sincerely,



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