

Sunshine Coast Waterways Authority Bill 2026

Submission No: 087

Submission By: Noosa Council

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Noosa Council Submission | Sunshine Coast Waterways Bill 2026

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Noosa Council (Council) welcomes the opportunity to provide this submission to the State Development, Infrastructure and Works Committee regarding the Sunshine Coast Waterways Authority Bill 2026 (the Bill). The Noosa River system, its coastal creeks, and the connected waterways are central to the environmental health, cultural identity, lifestyle, and economic prosperity of the Noosa community. The proposed establishment of the Sunshine Coast Waterways Authority (SCWA) represents a significant change to how these waterways will be planned, managed, and serviced into the future.

Council acknowledges the policy intent of the Bill to address fragmented governance arrangements across the Sunshine Coast waterways and to create a more coordinated framework for strategic planning, infrastructure investment, and waterway management at a regional scale. Council supports improved coordination and long-term planning where it is undertaken in genuine partnership with local government and reflects the place-based environmental and community values that underpin Noosa's identity.

The Bill proposes a new statutory authority with functions including:

- preparing a 10-year Waterways Management Strategy and a 3-year rolling Waterways Management Program
- installing, managing and maintaining waterway-related infrastructure
- managing navigational access
- monitoring and managing sand and sediment movement across waterways and adjacent coastal environments

Council recognises the potential benefits of strengthened regional waterway management, including enhanced coordination, improved navigation safety, and clearer long-term investment planning. Council also notes that the Bill vests these functions with the SCWA without displacing

existing local government responsibilities under the Planning Act 2016, the Local Government Act 2009, and the Coastal Protection and Management Act 1995.

This creates important considerations for Noosa regarding governance arrangements, statutory interactions, alignment with Council's endorsed land-use and environmental strategies, and the future of locally managed public marine facilities. The Noosa River is a sensitive, shallow, and ecologically constrained system with unique cultural, environmental, and recreational values. Council has consistently expressed its policy position to maintain the Noosa River as a "low-key nature-based recreational area". Ensuring that its management remains community-responsive, climate-resilient, environmentally responsible, and locally informed is essential to safeguarding these values.

Accordingly, this submission seeks to:

1. Highlight areas of the Bill regarding roles, responsibilities, tenure and decision making where Council seeks further clarity;
2. Seek confirmation of representation on the SCWA for the 3 Local Governments.
3. Identify risks of functional overlap or conflict between SCWA and Council, particularly in infrastructure planning, tenure management, environmental protection, climate change response and foreshore integration;
4. Emphasise the importance of genuine and early consultation, noting the Bill requires consultation but not endorsement by local governments;
5. Ensure that Noosa's distinct environmental and waterway values, community expectations and statutory land use frameworks are appropriately recognised in the establishment and ongoing operation of the SCWA; and
6. Propose amendments or safeguards to support collaborative, transparent and place based waterway governance to meet the objectives and aspirations of our community.
7. Given the significance and level of community interest requests that, as part of this process, a hearing be held to provide representation and presentation of submissions.

Noosa Council remains committed to constructive engagement with the State to deliver the best outcomes for the region's waterways. Council notes the State, The Premier and Deputy Premiers public commitment to work in partnership with Local Government and hopes this process and consideration of the issues raised by Council occurs in line with these commitments. Council's submission seeks to ensure the legislation supports a model that ensures clarity of roles and responsibilities, demonstrates a partnership approach with local government and community, enhances local stewardship, ecological protection, and the long-term sustainability of the Noosa River system.

Noosa Council expresses significant concern that the development of the *Sunshine Coast Waterways Authority Bill 2026* was undertaken without consultation with:

- Noosa Council, or
- the Kabi Kabi First Nations People, the Native Title holders for the region.

This omission represents a major weakness in the Bill's development process and has contributed to several areas of ambiguity and misalignment between the Bill's provisions and the distinct management needs, cultural values and environmental sensitivities of the Noosa River system.

The *Parliamentary Committee's public summary* confirms that the Bill imposes consultation obligations only for the future development of the Waterways Management Strategy, requiring SCWA to consult with local governments such as Moreton Bay, Noosa and Sunshine Coast Councils when preparing that Strategy. However, this consultation requirement does not apply to the development of the Bill itself. As a result, Noosa Council, its elected representatives, and Traditional Owners had no opportunity to provide early input or ensure that the legislation is clear and considers local and cultural matters.

The Deputy Director General (DDG) of Transport and Main Roads suggested that local governments were consulted during the Bill's development. Noosa Council confirms that no consultation occurred, Council submits that meaningful early consultation—including with the State Member for Noosa and Native Title holders—could have avoided or resolved many areas of the Bill requiring clarity. The absence of this engagement is a significant structural weakness that should be acknowledged and addressed through amendments and strengthened consultation mechanisms as the Bill progresses.

This submission is structured as follows:

Part A – Items requiring greater clarity, and

Part B – Recommended amendments to the Bill

PART A

ITEMS REQUIRING GREATER CLARITY

Noosa Council is seeking clarity in the Bill regarding the division of roles and responsibilities between the SCWA, local governments, and existing State agencies. While the Bill establishes broad functions for the Authority - such as preparing a Waterways Management Strategy and Program, installing and maintaining infrastructure, managing navigational access, and overseeing sand and sediment movement - it does not adequately articulate how these responsibilities intersect with, complement, or override the well-established statutory functions of local government.

The following points identify items requiring greater clarity in the Bill:

A1. Ambiguity in functional boundaries between SCWA and local government

Part 1, clause 4 of the Bill states that it does not displace local government obligations under the *Planning Act 2016*, *Local Government Act 2009*, and *Coastal Protection and Management Act 1995*. However, it simultaneously assigns SCWA functions that overlap substantially with areas traditionally managed by local government, including infrastructure planning, foreshore integration, sand management, dredging related decision making, and environmental management.

The coexistence of these dual responsibilities creates uncertainty around:

1. which organisation becomes the *lead decision maker* on waterway infrastructure;
2. how issues will be resolved when Council and SCWA priorities differ; and
3. How the Minister-approved SCWA Strategy and Program will interact with Council's statutory planning instruments, foreshore precinct plans, operational works assessments, and land-use masterplans, and whether these documents could, in practice, override or constrain Council's planning priorities where infrastructure or navigation objectives differ.
4. how further clarity on a future legislative hierarchy will aid planning and community consultation.

A2. Lack of clarity around tenure and land-based integration

Several sections including *Part 1, clause 7*, *Part 2 clause 12b*, and *Part 8 Div 2 clauses 65-66* provide some information on how SCWA's infrastructure functions relate to in water public marine facilities, yet many projects necessarily integrate with land-based assets, including parks, car parks, road reserves, foreshores, and reserves managed under the *Land Act 1984*.

The Bill does not specify:

1. how tenure conflicts will be addressed when SCWA's proposed works occur on or adjacent to land with restricted or incompatible reserves;
2. whether SCWA can request or require local governments to surrender or repurpose community land;

3. how the state intends to manage situations where SCWA's priorities conflict with Councils endorsed land management plans (e.g., foreshore masterplans, recreation zoning).
4. How the High Water Mark will be defined, and how any conflicts arising at this interface will be resolved.
5. Whether the SCWA may seek tenure changes or approvals under the Land Act 1984 or other legislation to facilitate infrastructure delivery.

For a waterway like the Noosa River, where land–water integration is fundamental to ecological protection and community character, this ambiguity poses material governance risks.

A3. Appropriate recognition of local policies and plans

Part 3, clause 14 of the Bill requires SCWA to consult with local governments but does not require that councils endorse or agree to the Waterways Management Strategy or Program before they are submitted for Ministerial approval.

This creates critical unanswered questions:

1. What mechanisms exist to ensure local government priorities are not overridden ?
2. How will competing objectives be reconciled, particularly in environmentally sensitive or tightly constrained waterways such as the Noosa River?
3. Will there be a formal dispute resolution pathway should Councils or community's positions not be aligned with the Authority's proposals?

Without clear processes, there remains a significant risk of strategic misalignment between SCWA's regional priorities and Noosa's place based planning frameworks.

A4. Imprecise definition of “infrastructure for the waterways”

Part 2, clause 12(b) of the Bill empowers SCWA to “install, manage and maintain infrastructure for the Sunshine Coast waterways”, yet does not define the scope or limits of such infrastructure.

It remains unclear:

1. whether this refers solely to public marine facilities, as defined in the *Transport Infrastructure (Public Marine Facilities) Regulation 2023*;
2. whether SCWA can propose or implement infrastructure on adjacent land; and
3. how SCWA's proposed infrastructure interacts with council managed land, environmental overlays, and community expectations.

Given the sensitivity of Noosa's foreshore and riverine environments, Council emphasises the need for clear statutory boundaries around the types of infrastructure the SCWA is

empowered to deliver. This clarity is particularly important in light of the Bill's amendment to the Transport Infrastructure Act 1994, which designates the SCWA as the default manager of public marine facilities within Sunshine Coast waterways.

A5. Overlap in sand and sediment management responsibilities

Part 2, clause 12(d) of the Bill assigns SCWA responsibility for monitoring and managing sand and sediment movement in waterways and adjacent coastal waters and land. The explanatory material accompanying the Bill indicates that this function does not operate to the exclusion of similar functions currently undertaken by local governments.

This dual responsibility is insufficiently defined, raising several risks:

1. duplication of monitoring efforts;
2. conflicting decisions on dredging, erosion mitigation, or river health;
3. uncertainty over the controlling agency when sediment related issues arise quickly (e.g., rapid shoaling).

For a dynamic estuarine system such as the Noosa River, unclear delineation may hinder rapid, coordinated responses.

The establishment of the SCWA introduces several areas where the Authority's responsibilities appear to overlap with, duplicate, or conflict with Noosa Council's existing statutory functions. These risks arise because the Bill confers broad responsibilities on the SCWA while simultaneously stating that the Bill does not displace local government obligations under the Planning Act 2016, Local Government Act 2009, or the Coastal Protection and Management Act 1995. This creates an environment where multiple entities may hold intersecting mandates over the same waterways, infrastructure assets, and land water interfaces.

For a highly constrained waterway like the Noosa River, which has shallow bathymetry, sensitive ecosystems, and significant environmental overlays, unclear responsibility for sediment interventions could lead to:

1. inappropriate dredging;
2. altered hydrodynamics;
3. habitat loss;
4. elevated community concerns.

Part 2, clause 12(d) of the Bill assigns the SCWA responsibility for monitoring and managing sand and sediment movement in waterways and adjacent coastal waters and land. The explanatory material accompanying the Bill notes that this function does not operate to the exclusion of similar responsibilities currently undertaken by local governments.

However, this dual responsibility is insufficiently defined and introduces several risks, including:

- duplication of monitoring activities
- conflicting decisions regarding dredging, erosion mitigation, or river health
- uncertainty about which agency holds decision-making authority when sediment-related issues arise rapidly (e.g. sudden shoaling)

For a dynamic estuarine system such as the Noosa River, unclear delineation of responsibilities may hinder rapid and coordinated responses.

More broadly, the establishment of the SCWA introduces multiple areas where the Authority's responsibilities appear to overlap with, duplicate, or conflict with Noosa Council's existing statutory functions. These risks arise because the Bill confers broad responsibilities on the SCWA while simultaneously stating that it does not displace local government obligations under the Planning Act 2016, Local Government Act 2009, or the Coastal Protection and Management Act 1995. This creates the potential for intersecting mandates over the same waterways, infrastructure assets, and land–water interfaces.

For a highly constrained waterway like the Noosa River—characterised by shallow bathymetry, sensitive ecosystems, and significant environmental overlays—unclear responsibility for sediment-related interventions could result in:

- inappropriate dredging
- altered hydrodynamics
- habitat loss
- increased community concern and reduced confidence in waterway management

A6. Infrastructure Planning and Delivery Conflicts

Part 2, clause 11, Part 3 clauses 13-15, 18, and 19-21 of the Bill empowers the SCWA to install, manage and maintain infrastructure for the Sunshine Coast waterways and to prepare both a 10-year Strategy and a 3-year Program to guide these investments.

However, Noosa Council already undertakes significant planning for:

1. boat ramps and land-water interface infrastructure,
2. foreshore, parks and open space areas,
3. riverbank and public access infrastructure,
4. community facilities and public realm improvements.

Because Council retains planning and development assessment responsibilities under the Planning Act, but SCWA acquires parallel powers to propose and deliver public marine facilities, several risks emerge:

1. Divergent or competing infrastructure priorities: that conflict with Council's endorsed local plans (e.g., the Noosaville Foreshore Infrastructure Masterplan, Concept Designs to Foreshore Resilience or Noosa River Management Plan).
2. Misalignment with Council-led community engagement.
3. Overriding of place-based planning: Noosa's riverside parks, recreation spaces and foreshore character may be compromised by infrastructure proposals driven by regional demand modelling rather than Noosa-specific constraints.

Many water-based infrastructure projects have direct consequences for adjacent foreshore land and public spaces. Council holds responsibility for:

1. parkland planning and activation;
2. public amenity and place-making;
3. pathway networks and cycling corridors;
4. vegetation and shade management;
5. foreshore aesthetic and cultural character.

The Bill provides no integrated planning mechanism to ensure SCWA's waterway infrastructure proposals are consistent with local foreshore plans, precinct strategies, visual amenity expectations, or Council's land use objectives.

This lack of integration risk is heightened by:

1. SCWA's Minister approved Strategy,
2. the absence of a co-decision or endorsement role for councils,
3. the potential for SCWA to pursue regionally driven infrastructure that has localised impacts that may not be supported by the local community.

A7. Tenure and Land Use Conflicts on Foreshore and Reserve Land

SCWA's infrastructure and navigational access functions may require interventions in areas where land tenure and land use controls are critical. Many of Noosa's foreshore parcels comprise:

1. *Land Act 1984* reserves for parks, recreation or conservation;
2. road reserves adjacent to waterways;
3. environmentally protected land;
4. areas governed by Council-endorsed land management plans.

The Bill does not clarify:

1. whether SCWA can seek tenure changes to allow new public marine facilities on community land;
2. What role Council has in such processes should they occur;
3. how conflicts will be resolved when SCWA infrastructure is incompatible with reserve purposes or land management plans.

Because tenure-based constraints are a significant factor in Noosa (e.g., Chaplin Park, Lake St, Noosa Woods), the absence of a clear statutory framework creates a material risk of State-led proposals displacing local land-use intent.

A8. Navigational Access vs. Local Waterway Management Objectives

Noosa Council seeks clarification on how the SCWA's explicit powers in *Part 2, clause 12(c)* to manage navigational access within Sunshine Coast waterways—as outlined in the Bill's functions (e.g., strategic planning, navigation management and infrastructure installation)—will operate alongside Council's ongoing responsibilities for:

1. waterway environmental health;
2. management of shore based impacts of boating;
3. public safety and amenity around high use foreshore areas;
4. development assessment for tidal works under existing legislation.

Given the breadth of the Authority's navigation related functions, Council is concerned about potential points of conflict, including:

1. Navigation driven dredging or access works that may undermine local environmental objectives or established ecosystem management practices;
2. Increases in vessel traffic or intensification of boating activity at sites that are physically unsuitable or environmentally constrained;
3. Expansion of commercial or recreational boating use inconsistent with longstanding community expectations for low impact, environmentally oriented management of the Noosa River.

Council therefore seeks clarification on:

- how the Bill intends to coordinate or prioritise SCWA navigation functions against Council's environmental, land use, safety and foreshore management responsibilities;
- what statutory mechanisms or safeguards will ensure SCWA decisions do not unintentionally override or adversely affect local planning instruments, environmental protections, or amenity outcomes; and
- how potential disputes or conflicts of priority between SCWA and Council will be resolved within the legislative framework.

A9. Ministerial Direction Powers

Clause 55 of the Bill provides that the Minister may issue written directions to the Sunshine Coast Waterways Authority regarding the performance of its functions.

While Council recognises the importance of Ministerial oversight for statutory authorities, the potential for Ministerial directions to influence infrastructure priorities, navigation management or sediment interventions raises questions regarding transparency and local consultation.

Council therefore seeks clarification on:

1. whether local governments will be notified of Ministerial directions that materially affect waterways within their jurisdiction;
2. whether local governments will have an opportunity to provide input prior to the issuance of such directions where they relate to infrastructure or navigation priorities; and

A9 (a). Precise Clarification of Extent

Noosa Council seeks precise clarification on the spatial extent of the “Sunshine Coast waterways”. *Part 1, clause 7* of the Bill defines “Sunshine Coast waterways” by listing nominated river systems and lakes “below the High Water Mark” and “waterways adjoining” those systems, including the Noosa River and its adjoining waterways within the Noosa Shire Council area, as well as Lakes Cootharaba, Cooroibah, Doonella and Weyba, among others.

While Council acknowledges this definition, two areas require explicit clarification:

1) Noosa Waters (Canal Estate)

- The Bill’s wording (e.g., “waterways adjoining the waterways” and “below the High-Water Mark”) could be interpreted to include engineered canal estates such as Noosa Waters, where Common Lake areas connect to the Noosa River system.
- Council requests confirmation of whether Noosa Waters’ canal network is included in the SCWA jurisdiction as “adjoining” waterways, and if so, the precise delineation of boundaries (e.g., to the landward toe of revetment walls, to mapped high water mark, or to a designated waterway cadastral parcel).
- For avoidance of doubt and to support consistent asset management and community engagement Council requests provision of a statutory map or schedule clarifying the inclusion or exclusion of Noosa Waters canals from SCWA’s waterway definitions. Reasoning: The Bill hinges on the phrase “adjoining” and “below high-water mark” (s 7), which, in practice, can be ambiguous for constructed canal systems integrated with natural waterways.

2) Upper Noosa River / “Everglades”

- The Bill lists the Noosa River and adjoining waterways within the Noosa local government area, which, as a matter of ordinary meaning, appears to include the upper Noosa River reaches and connected creeks commonly referred to as the “Everglades”.

- Council requests explicit clarification that the upper Noosa River and Everglades—including reaches upstream of Lake Cootharaba (e.g., from Kinaba to Harry’s Hut and associated creeks) are included as “adjoining waterways.”
- If included, Council requests a clear spatial schedule (e.g., GIS shapefile and PDF map) indicating the upstream limit of SCWA coverage (e.g., to the Head of Navigable Waters, to specific lat/long coordinates, or to park boundary interfaces). Reasoning: The Bill’s definition relies on named waters and “adjoining” waterways but does not provide upper catchment cutoffs or coordinate based limits; clarity is essential given the area’s ecological sensitivity and high visitor use.

General Mapping & Interpretation Request

To support consistent administration, Council also requests:

- Publication of a statutory plan or schedule (appendix) illustrating all SCWA waterways “below high-water mark” and “adjoining” those waterways, consistent with s 7 of the Bill.
- Clarification on whether the term “adjoining waterways” is interpreted as:
 - hydrologically connected waters only;
 - all tidal waters contiguous with a listed waterway;
 - engineered canals and basins connected to listed waters; or
 - waterways within specified mapped polygons.
- Confirmation of how “high water mark” is to be applied in practice, including the datum used (e.g., GDA2020) and any tidal boundaries or revetment structures used to define the operational edge of SCWA jurisdiction.

Providing this clarity preferably by statutory map will ensure that SCWA and Council operate with consistent spatial understanding, and will aid in future decisions on asset management, sediment monitoring, navigation, environmental protection, and community engagement

A.10 Noosa Ferry Service and Commercial Marine Leases

Noosa Council seeks clarification regarding how the Bill will interface with the regulatory, tenure and operational frameworks governing the Noosa Ferry service and other commercial marine operators. The ferry service depends on access to multiple public marine facilities, including pontoons and embarkation points, which are currently subject to a mix of tenure arrangements, commercial leasing approvals, and operational permits managed across State agencies (primarily the Department of Resources and Maritime Safety Queensland) and Council.

As the Bill assigns the SCWA new statutory functions to “install, manage and maintain infrastructure for the Sunshine Coast waterways” and to “manage navigational access” within those waterways and amends the Transport Infrastructure Act 1994 to establish the SCWA as the default manager of public marine facilities within Sunshine Coast waterways, the operational boundary between SCWA’s infrastructure-management role and the existing State-led tenure and leasing frameworks is unclear. In particular, it is not specified whether SCWA will inherit any

responsibilities relating to commercial use approvals, lease administration, operating agreements, priority access rights, or conditions of use for ferry infrastructure.

Such ambiguity has material implications for the Noosa Ferry service, whose operational continuity relies on stable tenure, predictable access, and clear regulatory pathways for both current and future infrastructure needs. To ensure certainty for commercial operators and avoid unintended regulatory duplication or disruption to public transport services, Council requests technical clarification on:

1. whether SCWA will have any statutory authority over commercial leasing or tenure decisions,
2. how the Authority's management of public marine facilities will interact with existing lease instruments and Department of Resources processes, and
3. how transitional arrangements will be administered to ensure continuity of service should responsibilities be reassigned.

The same clarification of future administration is sought for other commercial operations that utilise public marine infrastructure.

A11. Separate Waterways Management Strategies and Programs for Distinct River Systems

Noosa Council seeks clarification on whether the *Bill* intends for the Authority to prepare a single, regionwide Waterways Management Strategy and Program or whether the legislation allows, or anticipates, the development of separate, system specific strategies and programs for individual waterways such as the Noosa River, Maroochy River, Mooloolah River and Pumicestone Passage. The Bill requires SCWA to prepare a 10 year Waterways Management Strategy and a 3 year rolling Waterways Management Program, however the legislation does not explicitly indicate whether this must be a single regional strategy or whether system-specific strategies may be developed.

Given the distinct environmental character and community values of the Noosa River system, a single, regionwide framework may not provide the level of precision, responsiveness or place based management required. The Noosa River is unlike other Sunshine Coast waterways in its shallow estuarine form, high conservation significance, national and international environmental value, and longstanding community expectation for low impact, environmentally sensitive management. Its upper reaches including the area colloquially known as the Noosa Everglades are among Australia's most pristine riverine ecosystems, requiring management settings that differ significantly from high intensity motorised boating environments such as the Mooloolah River or southern waterways.

Council therefore requests clear advice on:

1. Whether SCWA may develop separate strategies or sub strategies for individual river systems to ensure each waterway's unique ecological, cultural and recreational values are properly addressed.

2. Whether the Bill can be amended or supported by regulation to require system specific planning where materially different management approaches are warranted.
3. How the Authority intends to incorporate community expectations and environmental sensitivities into strategic planning for the Noosa River, given the strong community preference for preserving its low impact, nature based character.

Providing clarity on this matter is essential to ensuring that the SCWA's planning framework can appropriately respond to the unique management needs of the Noosa River, uphold the community's long-standing stewardship expectations, and protect the ecological values that underpin the region's identity and the Noosa Biosphere Reserve designation.

A12. Impact of SCWA on Sand Pumping and Sediment Management at the Noosa River Mouth

Noosa Council seeks clarification on Bill will affect the management of sand pumping and sediment movement at the Noosa River mouth, acknowledging that these activities are currently administered under the *Coastal Protection and Management Act 1995* and associated State coastal management programs.

The Bill assigns the SCWA the function to “monitor and manage the movement of sand or sediment in the Sunshine Coast waterways and in coastal waters, or on land, adjacent to the waterways” (Bill, *Clause 11(1)(d)*), and to “manage navigational access to, and within, Sunshine Coast waterways” (Bill, *Clause 11(1)(c)*). At the same time, the Bill states that these functions “do not operate to the exclusion of a similar function performed by a local government or another entity” (Bill, *Clause 12*). This creates uncertainty regarding the respective roles of SCWA, DESI, TMR, and Council in managing sand pumping operations at the river mouth.

Accordingly, Council seeks advice on:

1. Whether the SCWA will assume any operational, planning or approval responsibilities for the Noosa Council sand bypass/recycling system at the Noosa River mouth under *Clause 11(1)(c)–(d)*, or whether responsibility remains solely with agencies administering the *Coastal Protection and Management Act 1995*. It is noted that Noosa Council is the only LGA of the 3 covered by SCWA that has a sand bypass system.
2. How SCWA's 10year Waterways Management Strategy and 3year Waterways Management Program (*Clauses 13–21*) will influence or interact with existing sediment management frameworks, including coastal hazard adaptation planning and State led sediment allocation programs.
3. Whether SCWA's sediment management functions could alter, duplicate or override current coastal engineering approaches, dredging triggers, or sand redistribution requirements at the river mouth.

4. How potential conflicts between SCWA's navigation objectives (*Clause 11(1)(c)*) and the environmental, geomorphological or hazard mitigation considerations under the *Coastal Protection and Management Act 1995* will be resolved, particularly in a dynamic coastal system such as the Noosa River entrance.

Clarification on these points is essential to ensure coordinated sediment management, avoid duplication of responsibilities, and maintain the ecological and geomorphic integrity of the Noosa River mouth.

A12 (a) Funding Model and Long-Term Resourcing

The explanatory notes accompanying the Bill indicate that an allocation of \$35.6 million over three years has been approved to establish and operate the Sunshine Coast Waterways Authority.

Council seeks clarification regarding the long-term funding model for the Authority, including:

1. whether the Authority will have access to ongoing State funding beyond the initial establishment period;
2. whether revenue mechanisms such as infrastructure fees or facility charges may be introduced in future; and
3. whether local governments may be expected to contribute financially to projects identified through the Waterways Management Strategy or Program.

Clarity regarding the long-term funding framework will assist councils and stakeholders to understand the Authority's future operational capacity and investment priorities.

A13. Acknowledgement of MSQ's Contribution and Request for Continued Resourcing

Noosa Council acknowledges the significant work undertaken by Maritime Safety Queensland (**MSQ**) in implementing the *Noosa River Management Plan* (NRMP) to date. Over recent years, MSQ has demonstrated a strong commitment to improving safety, environmental protection and vessel management on the Noosa River, including the rollout of anchoring reforms, mooring field improvements, vessel registration compliance, hazard identification, public facing education programs and safety signage upgrades. MSQ's implementation has been instrumental in meeting the recommendations of the Noosa River Stakeholder Advisory Committee (**NRSAC**), whose diverse membership—including community representatives, environmental groups, Traditional Owners, industry operators and Council—ensured that management actions remain transparent, balanced, and grounded in community knowledge and expectations. Council appreciates MSQ's responsiveness to issues raised through NRSAC and its dedication to fulfilling the Committee's recommendations and action items.

In this context and noting that the Bill establishes a new statutory authority responsible for strategic planning, infrastructure management and navigational access across the region, Noosa Council seeks assurance that MSQ will continue to be fully resourced to deliver the functions it retains under the existing marine safety and regulatory framework. The Bill does not displace MSQ's regulatory responsibilities in areas such as vessel safety, mooring administration, compliance, aquatic event approvals, and marine incident response, nor does it displace local government obligations under other Acts (e.g., *Planning Act 2016*, *Local Government Act 2009*, *Coastal Protection and Management Act 1995*). However, the introduction of a regional waterways authority may create uncertainty regarding resource allocation, program continuity, and operational focus, particularly for location specific management programs such as the NRMP.

Given the importance of the Noosa River's environmental sensitivity, community values, and safety considerations, Council respectfully requests that the State provide clear confirmation that:

1. MSQ will continue to be resourced at current or greater levels to implement the Noosa River Management Plan and associated compliance, education, and on-water management activities;
2. The establishment of the SCWA will not diminish or reallocate MSQ resources away from Noosa River operations unless explicitly agreed through a structured transition plan;
3. MSQ's capability to deliver the NRMP—under its existing functions within the *Transport Operations (Marine Safety) Act 1994*—will remain uninterrupted and fully funded during and after the SCWA's establishment; and
4. Any future coordination arrangements between MSQ and the SCWA will preserve MSQ's operational leadership in vessel safety, moorings, on-water compliance and navigational regulation on the Noosa River.

Council emphasises that continued investment in MSQ's on-water presence, compliance functions and community engagement programs is essential to maintaining the gains already achieved under the Noosa River Management Plan, and to ensuring the ongoing safety, environmental protection and amenity of the river in accordance with longstanding community expectations.

A14. Alignment with Catchment Action Plans

The SCWA's 10year Waterways Management Strategy and 3year Waterways Management Program should be explicitly aligned with the Catchment Action Plans (CAPs) currently being developed through the SEQ Resilient Rivers Initiative. These CAPs provide a regionally coordinated framework for improving waterway health, riparian resilience, sediment reduction, landscape function and longterm catchment management. They represent the most contemporary, science based planning for the region's catchments and therefore should form a foundational input into SCWA's strategic and operational planning.

Importantly, the CAPs have been developed through three phases of extensive community engagement, ensuring a high degree of social licence and local knowledge integration. These include:

1. Technical expert workshops – involving hydrologists, geomorphologists, ecologists, water quality scientists and land management specialists contributing evidence based inputs into catchment priorities and interventions.
2. Targeted engagement with community representative groups – including environmental organisations, Traditional Owners, river user groups, rural landholders and local stakeholder networks, ensuring the CAPs reflect diverse place based knowledge and lived experience.
3. Broadscale public consultation – inviting submissions from the wider community through open forums, online engagement, and public information sessions, reinforcing transparency and regional ownership of the CAPs.

Given the scale, depth and rigour of this process, Council recommends that the Bill require SCWA to demonstrate alignment between its Strategy/Program and the relevant Catchment Action Plans, and to ensure that decisions made at the waterway level remain consistent with the catchment scale objectives endorsed through the SEQ Resilient Rivers process. This alignment is critical to ensuring that waterways management, sediment management, ecological restoration and climate resilience actions remain coherent across jurisdictional boundaries and reflect the community's expressed priorities.

PART B

RECOMMENDED LEGISLATIVE AMENDMENTS

To support stronger role clarity, structured joint decision-making mechanisms, and safeguards for local planning instruments are essential to avoid duplicated effort, policy misalignment and community dissatisfaction, Council recommends the following amendments for inclusion in the Bill:

B1. Insert explicit statutory role clarity for SCWA and local government

While Clause 4 of the Bill states that the Act does not affect the operation of other legislation, this protection requires strengthening to prevent unintended duplication or displacement of Council responsibilities.

Council recommends amendments that:

1. Define clear functional boundaries for SCWA and local governments, particularly in:

- a. tidal works approval pathways;
 - b. foreshore land use planning;
 - c. dredging and sediment management;
 - d. public marine facility upgrades.
2. Require SCWA to demonstrate consistency with local government planning instruments, including:
- a. Council endorsed land use masterplans;
 - b. local planning schemes;
 - c. environmental and coastal management plans.

B2. Recommendation: Inclusion of a Statutory Local Government Representative on the SCWA Board

Noosa Council recommends that the Bill be amended to provide for a designated local government representative for each Local Government on the SCWA Board. This amendment would ensure that local knowledge, community expectations and place-based planning considerations are embedded at the highest level of the Authority's strategic decision-making.

Under the Gold Coast Waterways Authority Act 2012, the Gold Coast Waterways Authority (GCWA) is governed by an independent board appointed by the State. The GCWA Board comprises members with diverse professional and community backgrounds, deliberately selected to reflect strong local knowledge and on ground experience in the Gold Coast's waterways and related industries. The GCWA model emphasises local representation, industry familiarity and community responsiveness through its board structure and governance approach. [gcwa.qld.gov.au] The Gold Coast Waterways Authority provides a seat on the board for the Mayor of Gold Coast City Council.

Drawing from this precedent, it is essential that the SCWA whose jurisdiction spans multiple local government areas formally embed local government representation within its governance structure. The Sunshine Coast waterways, including the Noosa River, possess diverse ecological conditions, cultural significance and community values that differ markedly across the region. Reliance solely on ministerial appointments without a mandated council representative risks board decisions being detached from the place specific context, longstanding local planning frameworks and established environmental stewardship responsibilities held by councils.

A statutory position for a Noosa Council representative (or at minimum, one nominated local government member from within the SCWA region) would:

1. ensure local expertise, catchment knowledge is incorporated directly into strategic deliberations;

2. strengthen coordination between SCWA's Strategy and Program and Council's statutory planning obligations;
3. reduce the risk of strategic misalignment between State and local objectives;
4. mirror the governance intent demonstrated in the GCWA model of regionally informed leadership; and
5. Ensure improved alignment and collaboration between Local Government and the SCWA.

Given the sensitivity and high community value of the Noosa River system, Noosa Council strongly submits that local government representation on the SCWA Board is not only reasonable but necessary to deliver well balanced governance outcomes that reflect local priorities while meeting regional objectives.

B3. Require Council endorsement not only consultation for the 10year Strategy and 3year Program

Under the Bill, SCWA must consult with local governments but does not require their agreement before the Strategy and Program are approved by the Minister.

Given the potential significance for Noosa's foreshore, waterways, and community amenity, Council recommends:

1. A mandatory endorsement or concurrence process for affected councils on both strategic documents.
2. A requirement that SCWA demonstrate how local government feedback has been incorporated or, if not, provide a written justification to the Minister.

This amendment would significantly reduce governance conflict and support collaborative waterway management.

B4. Clarify the definition and scope of "infrastructure for the waterways"

The Bill empowers SCWA to install and maintain infrastructure but does not define the term.

Council recommends:

1. Inserting a definition that aligns "infrastructure" to public marine facilities as defined in the *Transport Infrastructure (Public Marine Facilities) Regulation 2023* and clearly limits SCWA infrastructure powers to facilities located within the waterway or directly associated with marine access infrastructure.

This will ensure infrastructure delivery remains appropriately scoped and avoids unintended encroachment into Council's land-based responsibilities.

B5. Require SCWA to conduct a tenure assessment before proposing works

Given numerous land parcels adjacent to Noosa waterways are reserves under the *Land Act 1984*, road reserves or environmental lands, the Bill should require:

1. Formal tenure compatibility assessments before SCWA lists a project in its Strategy or Program.
2. A requirement for local approval where SCWA seeks to propose infrastructure on land inconsistent with its reserve purpose.

This will prevent unnecessary conflict and protect land set aside for recreation, conservation and community use.

B6. Ensuring Climate Change Adaptation and Resilience Are Embedded in the SCWA Strategy and Program

Noosa Council strongly recommends that the Bill incorporate explicit requirements for climate change adaptation and resilience within both the 10year Waterways Management Strategy and the 3-year Waterways Management Program.

Sunshine Coast waterways, including the Noosa River system, are increasingly exposed to climate related risks such as coastal inundation, sea level rise, intensified storm events, erosion, and altered sediment transport dynamics. These risks are exacerbated in shallow estuarine systems such as the Noosa River, where sand movement and shoreline vulnerability are already pronounced. Ensuring resilience is therefore foundational to sustainable waterway management.

While the Bill outlines strategic planning functions and responsibilities for navigation, infrastructure, and sediment management, it does not require SCWA to consider climate change projections, hazard adaptation strategies, or resilience planning frameworks. Similarly, the Bill notes that local government responsibilities under environmental and coastal legislation are not displaced yet provides no mechanism to ensure that SCWA's Strategy and Program align with local government climate adaptation plans or the Queensland Government's coastal hazard guidelines.

To ensure the Authority's work is future focused, scientifically robust and consistent with regional and local adaptation planning, Council recommends the Bill be strengthened in the following ways:

a. Mandate that the Waterways Management Strategy incorporate climate change projections and hazard assessments

The Strategy should be required to incorporate:

1. sea-level rise projections consistent with Queensland Government policy;
2. coastal hazard mapping and inundation modelling;

3. long term sediment and hydrodynamic modelling relevant to estuarine environments;
4. anticipated changes in storm intensity, rainfall patterns and catchment inflows.

Embedding these considerations at the strategic level ensures that all future decisions—relating to navigation, infrastructure, dredging, and asset and environmental management—are informed by up-to-date climate science.

b. Require that risk-based climate adaptation measures be embedded in the 3year Waterways Management Program

The Program should include:

1. adaptive management actions for erosion hotspots;
2. flood and storm resilience upgrades to public marine facilities;
3. Nature based solutions (e.g., living shorelines, riparian buffers) where feasible;
4. measures that reduce vulnerability of foreshore ecosystems and public assets;
5. monitoring frameworks to track climate related changes.

This will ensure climate adaptation is not only planned for but also operationalised.

c. Require alignment with local and regional climate adaptation strategies

Local governments are responsible for coastal hazard adaptation, land-use planning, stormwater upgrades and foreshore management. To prevent conflicting or duplicative actions, Council recommends that SCWA be required to:

1. demonstrate consistency with Noosa Council's Coastal Hazard Adaptation Plan (CHAP),
2. integrate local foreshore resilience priorities into infrastructure decisions, and
3. collaborate with councils on shared datasets and risk assessments.

This alignment is essential because foreshore decisions made by SCWA may directly impact land-based adaptation strategies implemented by local governments.

d. Ensure climate resilience principles guide sediment and navigation management

The Bill assigns SCWA responsibility for sediment monitoring and management, including adjacent coastal lands. Given that climate change will alter sediment transport, river morphology and bar conditions, Council recommends that sediment management be guided by:

1. long term resilience targets;
2. protection of natural hydrodynamic processes;
3. minimisation of hard engineering interventions unless necessary for safety;
4. preservation of sandbanks, seagrass beds and tidal habitats that provide natural resilience.

e. Establish a monitoring and evaluation requirement for climate related indicators

SCWA should be required to monitor climate relevant metrics such as:

1. changing river depths;
2. erosion and shoreline retreat;
3. vegetation health;
4. storm impact indicators;
5. frequency of bar closure or bar hazard changes;
6. water quality and ecological responses to climatic stressors.

These metrics are fundamental to adaptive, evidence-based governance.

B7. Risk Mitigation Measures

To reduce the potential for duplication, conflict and misaligned strategic direction, Council recommends the inclusion of the following statutory or policy-based safeguards:

a. Establish a Joint Waterways Governance Framework

This framework should set out:

1. agreed division of responsibilities;
2. shared protocols for planning, project assessment and communication;
3. joint decision pathways for complex or contentious proposals;
4. rules for reconciling navigation priorities with ecological or foreshore objectives.

b. Formal dispute resolution mechanism

Where SCWA and Local Government have divergent priorities on matters such as infrastructure location, sediment management or foreshore impacts, a formal, transparent mechanism should apply, including escalation to the Director-General or an independent mediator.

c. Local Waterway Advisory Panels

For sensitive waterways such as the Noosa River, Council recommends establishing a Local Waterways Advisory Panel comprising:

1. Council representatives;
2. Traditional Owners;
3. community organisations;
4. environmental scientists;
5. affected marine businesses.

This panel would advise SCWA before major decisions are included in the Strategy or Program.

d. Environmental safeguard requirements

SCWA should be legislatively required to:

1. adopt ecologically sustainable development (ESD) principles;
2. ensure no net loss of fish habitat or foreshore vegetation;
3. prioritise sediment management approaches that protect natural hydrodynamics;
4. undertake cumulative impact assessments for proposed works.

B8. Governance Principles for SCWA

To ensure the Authority delivers safe, sustainable and community-aligned outcomes, Council recommends that the Bill include or reference a set of governance principles requiring SCWA to:

a. Prioritise Local Place-Based Planning

SCWA should be required to demonstrate consistency with:

1. Noosaville Foreshore Masterplan;
2. Noosa River Management Plan;
3. Future foreshore and riverside Masterplans;
4. local planning scheme policies;
5. Coast and Catchment management strategies.

b. Protect Environmental and Cultural Values

SCWA's planning and operational decisions must uphold ecological resilience, water quality, biodiversity and cultural heritage, particularly in waterways with nationally recognised environmental significance such as the Noosa River.

c. Apply Proportionality and Suitability Tests

SCWA should be required to ensure that infrastructure proposals are:

1. physically suitable for the waterway (e.g., Noosa River depth constraints);
2. compatible with environmental overlays;
3. proportionate to local demand and amenity capacity;
4. supported by contemporary and methodologically robust modelling to address current and future demand requirements.

d. Maintain Transparent Decision-Making

SCWA should:

1. publish detailed justification for inclusion or exclusion of projects in the Strategy and Program;
2. disclose consultation outcomes;
3. openly report performance against environmental, social and economic metrics.

e. Demonstrate Net Community Benefit

All proposed infrastructure must be assessed against net community benefit, including impacts on:

1. environmental quality;
2. public amenity;
3. foreshore access;
4. visual amenity and landscape character;
5. traffic and safety;
6. local neighbourhood character.

B9 Statutory Mapping of Waterways

Council recommends the inclusion of a statutory map or schedule within the Act or supporting regulation clearly identifying the spatial extent of Sunshine Coast waterways subject to the jurisdiction of the SCWA.

Such mapping would provide clarity regarding:

1. the application of the “high water mark” boundary;
2. the inclusion or exclusion of canal estates such as Noosa Waters;
3. upstream limits of adjoining waterways; and
4. the operational interface between SCWA jurisdiction and council-managed foreshore land.

This would assist both the Authority and local governments to administer the legislation consistently and reduce ambiguity for stakeholders.

B10. Recommendation for a Local Public Committee Hearing

While noting the public committee hearing in the Sunshine Coast on 1 April, Noosa Council respectfully recommends that the State Development, Infrastructure and Works Committee convene a public hearing in Noosa as part further consideration of the Bill and submissions. Council considers a public hearing essential for the spirit of ensuring transparency, accountability and meaningful community participation in legislative processes that will have long lasting implications for the management of the Noosa River and surrounding waterways.

The Bill proposes significant changes to waterway governance, including the establishment of a new statutory authority with functions relating to regional planning, infrastructure delivery, navigational access and sediment management. These proposed changes have generated substantial community interest, and in some cases concern, particularly

regarding how the new Authority's roles will intersect with local government responsibilities, environmental protection and existing community endorsed planning frameworks.

Given the strong public investment in the future of the Noosa River system its environmental, cultural and economic sustainability, Council submits that a public committee hearing would:

1. provide an open forum for Noosa community members, Traditional Owners, environmental groups, local marine users, and businesses to express their views;
2. enhance local public confidence in the legislative process by ensuring transparency around the issues raised;
3. allow the Committee to directly engage with the Noosa community and hear the lived experience of those who interact with the Noosa River daily;
4. support the Committee in assessing potential opportunities, impacts and identifying improvements that align with community expectations and environmental stewardship; and
5. reinforce the Bill's intention to deliver improved regional coordination while respecting local values and responsibilities;
6. Demonstrate the ongoing commitment by the government to work in partnerships with Local Government.

Council would welcome the opportunity for such a hearing to be held in Noosa or otherwise conducted in a format that ensures direct, accessible participation by Noosa-based stakeholders.

In conclusion, Noosa Council appreciates the State Government's intention to improve regional coordination, long-term strategic planning and investment certainty through the establishment of the Sunshine Coast Waterways Authority. The waterways covered by the Bill—particularly the Noosa River system are environmentally sensitive, culturally significant and central to the community's lifestyle and identity.

Council submits that without these refinements, the Bill risks introducing functional duplication, inconsistent regulatory interpretations, and strategic misalignment—particularly in environmentally constrained and community sensitive waterways such as the Noosa River. By contrast, with appropriate legislative and governance adjustments, the SCWA has the potential to complement local government expertise, support coordinated regional outcomes and uphold the environmental values and community expectations that define our region.

Council supports the objective of improving coordination and long-term management of Sunshine Coast waterways. However, given the ecological sensitivity, cultural significance and community value of the Noosa River system, it is essential that the final legislative framework provides clear role definition, strong collaboration with local government and safeguards that support place-based management outcomes.



Council looks forward to continuing to work constructively with the Queensland Government to ensure that the establishment of the Sunshine Coast Waterways Authority delivers improved coordination while protecting the unique environmental and community values of the Noosa River and connected waterways.

Frank Wilkie

Mayor, Noosa Council