



QUEENSLAND PARLIAMENT **COMMITTEES**

Sunshine Coast Waterways Authority Bill 2026

State Development, Infrastructure and Works Committee



Report No. 24

58th Parliament, April 2026

State Development, Infrastructure and Works Committee

Chair	Mr Jim McDonald MP, Member for Lockyer
Deputy Chair	Ms Jonty Bush MP, Member for Cooper
Members	Mr Terry James MP, Member for Mulgrave Mr David Kempton MP, Member for Cook Mr Shane King MP, Member for Kurwongbah Mr Bart Mellish MP, Member for Aspley

Committee secretariat

Telephone	07 3353 6662
Email	SDIWC@parliament.qld.gov.au
Committee webpage	www.parliament.qld.gov.au/sdiwc

All references and webpages are current at the time of publishing.

Acknowledgements

The committee acknowledges the assistance provided by the Department of Transport and Main Roads.

Contents

Chair’s foreword	iv
Executive summary	v
Recommendations	vii
Overview of the Bill	1
1. Aims of the Bill	1
1.1 Background	2
1.2 Consultation	2
1.3 Inquiry process.....	2
2. Legislative compliance	3
2.1 Compliance with the <i>Legislative Standards Act 1992</i>	3
2.2 Compliance with the <i>Human Rights Act 2019</i>	3
3. Should the Bill be passed?	3
Examination of the Bill	4
4. Establishment of the SCWA	4
5. Functions and responsibilities of the SCWA	4
5.1 Key responsibilities	6
5.1.1 Waterways management strategy and program	6
5.1.2 Partnership with MSQ and other agencies.....	7
5.2 Role clarity.....	7
5.3 Department Advice.....	8
5.4 Ecological and environmental protection	9
5.4.1 Department Advice	10
5.5 Anchoring and mooring policy	11
5.5.1 Department Advice	11
5.6 Dredging, Bribe Island breakthrough, bar management	12
5.6.1 Department Advice	12
6. SCWA governance arrangements	13
6.1 Board composition and appointment.....	13
6.1.1 Committees.....	14
6.2 Chief executive officer.....	14
6.3 Accountability	15
6.4 Stakeholder feedback on the makeup of the board.....	15
6.4.1 Department Advice	17
6.5 Consistency with fundamental legislative principles.....	18
6.5.1 Penalties for proposed offences	18

6.6 Human Rights Act Issues	19
6.6.1 Right to privacy.....	19
6.6.4 Taking part in public life.....	21
7. Consultation	23
7.1 Stakeholder Submissions	23
7.1.1 First Nations engagement.....	24
7.2 Department Advice.....	25
8. Funding	26
8.1 Department Advice.....	26
Appendix A – Submitters	27
Appendix B – Officials at public briefing, Brisbane, 18 March 2026.....	31
Appendix C – Witnesses at public hearing, Caloundra, 1 April 2026	32

Chair's foreword

This report presents a summary of the State Development, Infrastructure and Works Committee's examination of the Sunshine Coast Waterways Authority Bill 2026.

The committee's task was to consider the policy to be achieved by the legislation and the application of fundamental legislative principles – that is, to consider whether the Bill has sufficient regard to the rights and liberties of individuals, and to the institution of Parliament. The committee also examined the Bill for compatibility with human rights in accordance with the *Human Rights Act 2019*.

The primary objective of the Bill is to establish the Sunshine Coast Waterways Authority to strategically plan for and facilitate the sustainable use, management, and development of Sunshine Coast waterways. The waterways of the Sunshine Coast are vital to the State's lifestyle, economy, and environmental health and the Bill represents a positive step towards strengthening coordination and enabling greater local input into their management.

The Committee has recommended that the Bill be passed.

On behalf of the committee, I thank all individuals and organisations who made submissions to the inquiry or appeared at the public hearing. I also thank our Parliamentary Service staff for their assistance.

I commend this report to the House.

A handwritten signature in blue ink, appearing to read 'Jim McDonald', is written over a horizontal line.

Mr Jim McDonald MP

Chair

Executive summary

On 4 March 2026, the Honourable Brent Mickelberg MP, Minister for Transport and Main Roads, introduced the Sunshine Coast Waterways Authority Bill 2026 (the Bill) into the Queensland Parliament. The Bill was referred to the State Development, Infrastructure and Works Committee (committee) for detailed consideration.

The Bill proposes to establish the Sunshine Coast Waterways Authority (SCWA) as a statutory body that will be responsible for defined waterways from Pumicestone Passage in the south to the Noosa lakes in the north, including the Noosa, Maroochy and Mooloolah rivers. The Bill establishes a board for the SCWA as its governing body and provides for the appointment of a chief executive officer (CEO) and SCWA staff.

Proposed functions of the SCWA include to:

- strategically plan for the management of the Sunshine Coast waterways by developing a waterways management strategy and program for its delivery
- install, manage and maintain infrastructure for the Sunshine Coast waterways
- manage navigational access to, and within, the Sunshine Coast waterways
- monitor and manage sand and sediment movement in Sunshine Coast waterways and adjacent coastal waters and land.

The Bill also proposes to amend the *Transport Infrastructure Act 1994*, the *Transport Operations (Marine Pollution) Act 1995*, the *Transport Operations (Marine Safety) Act 1994*, and the *Transport Operations (Marine Pollution) Act 1995* to confer certain powers on the SCWA.

The committee received and considered evidence including: 95 submissions, a written and oral briefing from the Department of Transport and Main Roads, and heard evidence from key stakeholders at a public hearing in Caloundra.

Overall, the inquiry found broad stakeholder support for the establishment of the SCWA and its objectives, particularly in improving coordination within a complex regulatory environment, strengthening long-term planning, and enhancing operational effectiveness across the waterways. However, stakeholders also raised matters for the committee's consideration, primarily relating to the scope of the SCWA's functions and responsibilities, governance arrangements, and engagement mechanisms. Stakeholders emphasised that appropriate board expertise and genuine consultation would be critical to the SCWA's success.

Key issues raised by stakeholders included:

- the need for clarification concerning the SCWA's jurisdiction, for example, how the SCWA will co-ordinate its responsibilities across related entities
- the SCWA board's composition and governance arrangements
- proposals for environmental considerations to be embedded in legislation

- the importance of local consultation and establishing appropriate reference groups as part of the SCWA's operational model.

The committee has recommended that the Bill be passed.

Legislative compliance

The committee concluded that the Bill is compatible with the *Legislative Standards Act 1992* and the *Human Rights Act 2019*.

Recommendations

Recommendation 1.....4

The committee recommends that the Bill be passed.

Overview of the Bill

The Sunshine Coast Waterways Authority Bill 2026 (Bill) was introduced by the Honourable Brent Mickelberg MP, Minister for Transport and Main Roads, on 4 March 2026 and was referred to the State Development, Infrastructure and Works Committee (committee) for examination.

1. Aims of the Bill

The objective of the Bill is to establish the Sunshine Coast Waterways Authority (SCWA) to strategically plan for and facilitate the sustainable use, management, and development of Sunshine Coast waterways.¹

The Bill establishes the SCWA as a statutory body controlled by a board with a chief executive officer responsible for the day-to-day administration of the authority's operations in accordance with the priorities set by the board.²

The Bill provides for the SCWA to be responsible for defined waterways from Pumicestone Passage in the south to the Noosa lakes in the north, including the Noosa, Maroochy and Mooloolah rivers.³

The proposed functions of the SCWA include to:

- plan strategically for the management of the Sunshine Coast waterways by developing a waterways management strategy, that considers the benefits and impacts for the local community, local environment, and local marine industries, tourism and economy
- develop a waterways management program to implement the waterways management strategy
- install, manage and maintain infrastructure for the Sunshine Coast waterways
- manage navigational access to, and within, the Sunshine Coast waterways
- monitor and manage sand and sediment movement in Sunshine Coast waterways and adjacent coastal waters and land.⁴

The Bill proposes that the SCWA be required to consult with the public and with Maritime Safety Queensland (MSQ) (within the Department of Transport and Main Roads) and the Moreton Bay, Noosa and Sunshine Coast local governments to develop the waterways management strategy.⁵

The Bill amends the *Transport Infrastructure Act 1994*, the *Transport Operations (Marine Pollution) Act 1995*, the *Transport Operations (Marine Safety) Act 1994*, and the *Transport*

¹ Explanatory notes, p 1.

² Explanatory notes, pp 1-2.

³ Department of Transport and Main Roads (TMR), correspondence, 16 March 2026, p 4; See also Bill, cl 7.

⁴ Explanatory notes, p 2.

⁵ Explanatory notes, p 7.

Operations (Marine Pollution) Act 1995 to confer certain powers on the SCWA. Staff of the SCWA would be employed under the *Public Sector Act 2022*.⁶

It is intended that an amendment regulation will implement components of the policy in subordinate legislation. TMR advised that this proposed subordinate legislation would include further powers to manage public marine facilities (including the Mooloolaba State managed boat harbour), buoy mooring and aquatic event approvals, and tidal works development assessment.⁷

1.1 Background

MSQ administers marine transport legislation for the waterways of the Sunshine Coast. However, there is no single body responsible for the range of community, industry and tourism interests associated with the Sunshine Coast's waterways.⁸

According to the explanatory notes, the Sunshine Coast community has raised concerns about piecemeal management of waterways by different councils and State government agencies. Particular concern has been raised about the management of the Bribie Island breakthrough, a new entrance to Pumicestone Passage near the northern tip of Bribie Island, which was cut by waves in 2022.⁹

Community representatives have emphasised the importance of sustainable use of waters, local involvement in decisions, transparency of decisions, and ensuring certainty for marine industries and tourism in the region.¹⁰ As such, role clarity is an important consideration in the establishment of the SCWA: its powers and functions will be focused on planning and facilitating management, use and development of the waterways, which is distinct from the MSQ's regulatory functions and powers.¹¹

1.2 Consultation

The explanatory notes state that public consultation has not been undertaken given the matter primarily involves the internal management of government.¹² External engagement has been limited to high level discussions with key stakeholders including local government, the Boating Industry Association, and local Members of Parliament.¹³

1.3 Inquiry process

The committee considered 95 submissions to its inquiry (see Appendix A for a list of submitters). The committee conducted a public briefing with officers from the Department of Transport and Main Roads (department) and a public hearing in Caloundra (see Appendix B and Appendix C for lists of witnesses).

⁶ Explanatory notes, p 2.

⁷ TMR, correspondence, 16 March 2026, p 9.

⁸ Explanatory notes, p 1.

⁹ Explanatory notes, p 1.

¹⁰ Explanatory notes, p 1.

¹¹ Explanatory notes, p 1.

¹² Explanatory notes, p 5.

¹³ Explanatory notes, p 5.

2. Legislative compliance

The committee's deliberations included assessing whether the Bill complies with the requirements for legislation as contained in the *Parliament of Queensland Act 2001*, the *Legislative Standards Act 1992* (Legislative Standards Act), and the *Human Rights Act 2019* (Human Rights Act).



2.1 Compliance with the *Legislative Standards Act 1992*

Part 4 of the Legislative Standards Act requires that an explanatory note be circulated when a Bill is introduced into the Legislative Assembly and sets out the information an explanatory note should contain. Explanatory notes were tabled with the introduction of the Bill.

The committee considered issues of fundamental legislative principle relating to penalties for proposed offences in the Bill. See section 6.5 of this report.

Committee comment



The committee concluded that the Bill complies with the Legislative Standards Act.

The committee was satisfied that the notes contain the information required by Part 4 and a level of background information and commentary to facilitate understanding of the objectives and purpose of the Bill.

Assessment of the Bill's compliance with the Legislative Standards Act did not identify any significant issues of fundamental legislative principle.



2.2 Compliance with the *Human Rights Act 2019*

A statement of compatibility was tabled with the introduction of the Bill as required by section 38 of the Human Rights Act.

Assessment of the Bill's compatibility with the Human Rights Act identified limitations on rights to privacy and taking part in public life. See section 6.6 of this report.

Committee comment



The committee concluded that the Bill is compatible with human rights.

The statement of compatibility contained a sufficient level of information to facilitate understanding of the Bill in relation to its compatibility with human rights.

3. Should the Bill be passed?

The committee is required to determine whether or not to recommend that the Bill be passed.



Recommendation 1

The committee recommends that the Bill be passed.

Examination of the Bill

This section discusses key themes which were raised during the committee's examination of the Bill.

4. Establishment of the SCWA

The Bill establishes the Sunshine Coast Waterways Authority (SCWA) and provides for its governance, functions and powers. The SWCA is intended to 'better listen to the needs of the Sunshine Coast community and ensure there is cooperation and coordination, not duplication, between state and local governments around waterways management'.¹⁴

The Department of Transport and Main Roads advised that subject to the passage of the Bill, the intention is to establish the SCWA by 1 July 2026.¹⁵

Overall, the inquiry found broad stakeholder support for the establishment of the SCWA and its objectives, particularly in improving coordination within a complex regulatory environment, strengthening long-term planning, and enhancing operational effectiveness across the waterways. However, stakeholders also raised matters for the committee's consideration, which primarily related to the scope of the SCWA's functions and responsibilities, governance arrangements, and engagement mechanisms. Stakeholders emphasised that appropriate board expertise and genuine consultation would be critical to the SCWA's success.¹⁶ These themes are discussed further below.

5. Functions and responsibilities of the SCWA

The Bill provides for the SCWA to be responsible for defined waterways from Pumicestone Passage in the south to the Noosa lakes in the north, including the Noosa, Maroochy and Mooloolah rivers.¹⁷ The proposed waterways that the SCWA will have responsibility for are:

- Castaways Creek, Lake Cooroibah, Lake Cootharaba, Cornmeal Creek, Currimundi Creek, Lake Doonella, Keyser Channel, the Maroochy River, the Mooloolah River, Stumer Creek, Tooway Creek, Lake Weyba, and Weyba Creek
- waterways adjoining the above waterways

¹⁴ Statement of compatibility, p 1.

¹⁵ Mr Andrew Mahon, Deputy Director-General, Policy, Planning and Investment, Department of Transport and Main Roads, public briefing transcript, Brisbane, 18 March 2026, p 1.

¹⁶ See for example, Mr Frank Wilkie, Mayor, Noosa Shire Council, public hearing transcript, Caloundra, 1 April 2026, p 1.

¹⁷ TMR, correspondence, 16 March 2026, p 4; See also Bill, cl 7.

- Pumicestone Channel, and adjoining waterways, north of latitude 27°06' south on the mainland and South Point on Bribie Island
- the Noosa River, and adjoining waterways, within the Noosa Shire Council local government area.¹⁸

Figure 1 below depicts the proposed geographic area of the SCWA.



Figure 1: Proposed geographic area of the SCWA¹⁹

¹⁸ Bill, cl 7.

¹⁹ TMR, correspondence, 16 March 2026, p 5.

5.1 Key responsibilities

It is proposed that the SCWA will:

- develop a waterways management strategy and program
- be responsible for public marine facilities (e.g. jetties, boat ramps) and infrastructure including aids to navigation and designated channels, including dredging (duties currently performed by MSQ)
- assume (from MSQ) the long-term responsibility for managing the Mooloolah River entrance and implementing recommendations from the independent report to manage shoaling²⁰
- monitor and maintain the Bribie Island long-term works following their delivery by the Office of the Coordinator-General (OCG)²¹
- designating buoy mooring areas, approving buoy mooring and aquatic event authorities, and be a referral agency for tidal works.²²

5.1.1 Waterways management strategy and program

The Bill proposes the SCWA develop a 10-year strategy to establish a clear direction and identify the needs and priorities, for the sustainable use and development of the Sunshine Coast waterways, having regard to benefits and impacts for the local community and environment and the local marine industries, tourism and economy.²³

It is proposed that the strategy be submitted for approval to the Minister. In developing the strategy, the Bill requires that SCWA ‘take reasonable steps to engage in public consultation’ and consult with MSQ, and the Moreton Bay, Noosa and Sunshine Coast local governments.²⁴

The Bill also proposes the SCWA develop a waterways management program. The Bill would require the SCWA to, before the start of each financial year, develop for the Minister’s approval, a management program for the financial year, and the 3 subsequent financial years. As with the development of the strategy, the Bill stipulates that the SCWA must take reasonable steps to engage in public consultation and consult with MSQ and the Moreton Bay, Noosa and Sunshine Coast local governments in relation to the management program.²⁵

²⁰ The Queensland Government is conducting an independent review into long-and-short-term solutions to address shoaling at Mooloolah River bar on the Sunshine Coast.

²¹ The Office of the Coordinator-General is currently undertaking emergency works to manage the Bribie Island breakthroughs to help protect Golden Beach and Pumicestone Passage.

²² TMR, correspondence, 16 March 2026, p 4.

²³ Explanatory notes, p 7.

²⁴ Bill, cl 15.

²⁵ Bill, cls 18-19.

5.1.2 Partnership with MSQ and other agencies

In undertaking the above responsibilities, TMR advised that the SCWA will work closely with MSQ, which will retain its responsibilities as the State's maritime regulator, responsible for marine safety and pollution standards and maritime emergency response across the State.

While the Bill proposes the SCWA will decide where, and under what conditions, waterways activities will be permitted, MSQ and its enforcement partners (Queensland Water Police and Queensland Boating and Fisheries Patrol) will have on-water presence, monitoring compliance and taking enforcement action. Therefore, the boating public will continue to interact with the compliance regulators as they do now across all other Queensland waterways. This would include compliance and enforcement approvals and requirements established by the SCWA (e.g. marine zones and buoy mooring authorities).²⁶

With respect to the development of a waterways management strategy, it is proposed that the SCWA will work with MSQ, the Department of State Development, Infrastructure and Planning, and the Department of Environment, Tourism, Science and Innovation, and local government to implement the strategy through existing mechanisms under various legislation and planning instruments administered by those agencies.²⁷



5.2 Role clarity

Many inquiry participants noted the following benefits in role clarity and accountability through the establishment of the SCWA, submitting that the:

- the Bill will establish a single body accountable for coordinating waterways management and simplify governance arrangements²⁸
- a central authority will deliver consistency in safety standards, infrastructure planning, environmental protection and access arrangements across adjoining waterways.²⁹

However, some inquiry participants called for the further clarification of roles and responsibilities and suggested that dispute resolution mechanisms should be put in place, for situations where priorities may differ. Several submitters suggested that:

- the responsibilities of the SCWA, MSQ and others must be clarified to avoid duplication³⁰
- there was ambiguity in functional boundaries between the SCWA and local government³¹

²⁶ TMR, correspondence, 16 March 2026, p 6.

²⁷ TMR, correspondence, 16 March 2026, p 6.

²⁸ Submissions 1, 9, 12, 20, 25, 32, 53 and 55.

²⁹ Submission 59.

³⁰ Submissions 44, 45 and 72.

³¹ Submission 87.

- Noosa has strong environmental frameworks and the introduction of another layer of bureaucracy risks duplication, reduces local autonomy and increases costs without clear outcomes³²

Some stakeholders proposed that to overcome fragmented governance, the Bill should provide jurisdictional clarity, including:

- provisions for mandatory inter-agency coordination protocols and the SCWA's role in coordination across related entities³³
- that the SCWA is the primary decision maker for waterways management decisions within its geographic area.³⁴

By way of example, the Boating Industry Association highlighted the potential infrastructure benefits that could be derived from the SCWA, while emphasising the importance of clear role delineation, particularly in relation to safe navigation.

...perhaps the greatest value of the new authority is a concentrated focus on these waterways around the infrastructure solutions at the land-water infrastructure: boat ramps, jetties, pontoons—whatever it happens to be— and that includes dredging. It is something that is clearly lacking and has been for too long. That is where the real horsepower of this particular authority is. In the same voice, when I articulate that, as long as the outcome does not create confusion around the management of vessels that float and those safe navigation issues, I think that is where the potential trip-up is. In terms of infrastructure, 100 per cent that is where the solution is.³⁵

Dr Moore from the Sunshine Coast Council suggested that the Bill would benefit from better defined roles:

The bill establishes a new authority with broad powers over strategy, infrastructure, navigation and sediment management whilst stating that local government responsibilities are not displaced. In its current draft this creates uncertainty and overlapping mandates without clear hierarchy or dispute resolution mechanisms when priorities differ.³⁶

5.3 Department Advice

In response to concerns about the jurisdiction of the SCWA and the clarity of roles, TMR advised that:

- the Bill and proposed regulation amendments will clearly delineate between the roles of MSQ and the SCWA³⁷

³² Submissions 45 and 65.

³³ Submissions 38, 47, 54, 79, 80, 82.

³⁴ Submissions 80 and 89.

³⁵ Mr Neil Patchett, General manager, Boating Industry Association, public hearing transcript, Caloundra, 1 April 2026, p 12.

³⁶ Dr David Moore, Manager, Environment and Sustainability Policy, Sunshine Coast Council, public hearing transcript, Caloundra, 1 April 2026, p 2.

³⁷ TMR, correspondence, 30 March 2026, p 7.

- SCWA will work closely with MSQ and local governments to develop and implement their waterways management strategies and programs³⁸
- SCWA will also maintain working relationships with other government agencies to achieve the policy objective of ensuring cooperation and coordination the sustainable use of waterways.³⁹



5.4 Ecological and environmental protection

Many submitters called for stronger ecological and environmental protections for the Sunshine Coast waterways to be embedded within the Bill.⁴⁰

By way of example, an official from the Sunshine Coast Council submitted:

...[T]he bill could be strengthened by ensuring the health of natural habitats, particularly that subtidal and intertidal areas are protected and enhanced. A more explicit, nature-positive approach would reflect the Sunshine Coast community's high expectations for environmental stewardship and enhance the resilience of our regional fisheries and tourism values.⁴¹

Similarly, the Mayor of Noosa Shire Council said:

We see partnerships as the key to attaining the best outcomes for this deeply loved waterway that courses through the heart of our community. Accordingly, Noosa council seeks: a partnership approach involving representation of the three local governments on the Sunshine Coast Waterways Authority board and tighter wording to ensure Noosa's highly valued everglades and constrained shallow river and lake system are protected by law, not just assurances.⁴²

Submissions proposed a range of amendments to the Bill to enhance SCWA consideration of ecological and environmental matters affecting the waterways. For example:

- mandating an environmental protection framework which includes that the SCWA undertake cumulative environmental impact assessments⁴³ and ecological risk assessments⁴⁴ in managing the waterways
- that the Bill prescribe environmental protection as a function of the SCWA⁴⁵ and environmental performance indicators as a part of the waterways management strategy⁴⁶
- that the Bill make reference to key state and federal environmental legislation (e.g. *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth), the

³⁸ TMR, correspondence, 30 March 2026, p 7.

³⁹ TMR, correspondence, 30 March 2026, p 7.

⁴⁰ Submissions 1, 6, 12, 17, 19, 20, 25, 30, 31, 32, 33, 35, 38, 40, 42, 43, 47, 52, 53, 54, 55, 57, 62, 67, 68, 70, 73, 79, 80, 82, 83, 87, 91.

⁴¹ Dr David Moore, Sunshine Coast Council, public hearing transcript, Caloundra, 1 April 2026, p 2.

⁴² Mayor Frank Wilkie, Noosa Shire Council, public hearing transcript, Caloundra, 1 April 2026, p 1.

⁴³ Submissions 62, 79, 82. See Narelle McCarthy, Sunshine Coast Environment Council, public hearing transcript, Caloundra, 1 April 2026, p 19.

⁴⁴ Submission 47, p 2.

⁴⁵ Submissions 35, 82, 83.

⁴⁶ Submission 82, p 3.

Environmental Protection Act 1994 (Qld), or the Environmental Protection (Water and Wetland Biodiversity) Policy 2019)

- that the Bill clearly define ‘sustainable use’.⁴⁷

By way of example, the Chief Executive Officer, Kabi Kabi Peoples Aboriginal Corporation submitted that they would like to see the Bill focussing more on sustainability:

*Another tangible outcome would be that the waterways authority bill would be focused on sustainability. We are looking for a commitment to set benchmarks of that sustainability and publish the health of our waterways against that benchmark as a sign of the authority’s success.*⁴⁸

Similarly, the Wildlife Preservation Society of Queensland said:

*... we recommend the bill require binding environmental outcomes, including no net loss of key habitats, water quality standards and ecological condition indicators. Strategies should incorporate climate change and coastal hazard resilience, taking into account predicted sea-level rise with measurable actions, timeframes, monitoring, public recording and independent review.*⁴⁹

The purpose of the SCWA is defined in the Bill as being to ‘strategically plan for and facilitate the sustainable use, management and development of the Sunshine Coast waterways’.⁵⁰ The Sunshine Coast Environment Council, and others called for there to be a clear definition of ‘sustainable use’

*There is no definition of ‘sustainable use’. That is carried through from the Gold Coast Waterways Authority Act and we see this now in the bill for the Sunshine Coast Waterways Authority. Without having a clear definition of what ‘sustainable use’ is, there is little confidence regarding ecological risk assessment and the cumulative impacts that need to be looked at in the very beginning of any consideration of works. When we talk about waterways management, it does bring in the need to protect and enhance our waterways as well. It is not just about managing them in a linear or a narrow way. It is actually holistic and the environmental sustainability is built into that decision-making process.*⁵¹

5.4.1 Department Advice

In response to ecological and environmental considerations, TMR advised that it considers environmental matters are already addressed by the provisions of the Bill, specifically clauses 12 and 14 which propose the SCWA develop a waterways management strategy.

TMR reiterated the purpose of the waterways management strategy to:

- establish a clear direction, needs and priorities for the sustainable use, management and development of the Sunshine Coast waterways, and

⁴⁷ Submissions 82, 91.

⁴⁸ Ms Susan Markey, Chief Executive Officer, Kabi Kabi Peoples Aboriginal Corporation, public hearing transcript, Caloundra, 1 April 2026, p 8.

⁴⁹ Ms Jude Crighton, Wildlife Preservation Society of Queensland, public hearing transcript, Caloundra, 1 April 2026, p 21.

⁵⁰ Bill, cl 3,

⁵¹ Ms Narelle McCarthy, Sunshine Coast Environment Council, public hearing transcript, Caloundra, 1 April 2026, p 19.

- in identifying the needs and priorities, the SCWA must have regard to the benefits and impacts on the local community, the local environment, and local marine industries, tourism and the economy.⁵²

The department added that an ecological risk assessment or cumulative impact assessment may be useful strategies, among others, to identify the needs and priorities for sustainable use, management and development of the waterways. However, TMR does not consider these strategies need to be legislated.⁵³



5.5 Anchoring and mooring policy

A significant issue raised by inquiry participants concerned anchoring and mooring policies. This included:

- views about the recently implemented 28-day anchoring rule under the Noosa River Management Plan (NRMP)⁵⁴, and
- how the SCWA might impact on the NRMP in general.⁵⁵

5.5.1 Department Advice

With respect anchoring and mooring policies, the department acknowledged the history of the NRMP including that:

- the staged rollout of the NRMP was commenced by MSQ in 2023 and included several anchoring restrictions, a package of initiatives to increase safety and support equity of access for all users of the waterway⁵⁶
- on 1 January 2026, MSQ commenced the final stage of the NRMP, which limits vessels over 5 metres in length to a maximum of 28 days anchoring per financial year across the Noosa River and adjoining waters⁵⁷
- extensive consultation saw strong advocacy for the introduction of the 28-day anchoring restriction for the Noosa River⁵⁸
- the NRMP will continue to be enforced by MSQ⁵⁹

In regard to SCWA, the department reiterated that the SCWA will be deciding where and under what conditions various waterways activities are permitted through the development of a waterways management strategy and program.⁶⁰

⁵² TMR, correspondence, 30 March 2026, p 1.

⁵³ TMR, correspondence, 30 March 2026, pp 1-2.

⁵⁴ Submissions 4, 39, 46, 88, 90.

⁵⁵ Submissions 24, 44, 45, 75, 87.

⁵⁶ TMR, correspondence, 30 March 2026, p 10.

⁵⁷ TMR, correspondence, 30 March 2026, p 10.

⁵⁸ TMR, correspondence, 30 March 2026, p 10.

⁵⁹ TMR, correspondence, 30 March 2026, p 10.

⁶⁰ TMR, correspondence, 30 March 2026, p 9.



5.6 Dredging, Bribie Island breakthrough, bar management

Other matters raised by submitters included dredging activities, sediment management, and erosion control.⁶¹ Specific local incidents raised in regard to these concerns included erosion at the northern tip of Bribie Island and the instability of the Caloundra Bar.

5.6.1 Department Advice

In response to concerns about dredging and bar management, TMR advised that:

- SCWA's responsibilities for navigational access, as well as the monitoring and managing of sand and sediment movement, will complement, rather than replace, similar activities currently carried out by local governments⁶²
- SCWA will take over from MSQ the long-term responsibility for managing the Mooloolah River entrance and implementing recommendations from the independent report to manage shoaling⁶³
- the OCG has been directed by the Queensland Government to undertake emergency works and buffering of Bribie Island to enhance protection of Golden Beach and Pumicestone Passage during the 2025-2026 storm season
- the Queensland Government agreed that SCWA will assume responsibility for monitoring and maintenance of Bribie Island works following delivery of the long-term works by the OCG at a future time to be determined.⁶⁴

Committee comment



The majority of the committee is of the view that the functions and responsibilities of the proposed Sunshine Coast Waterways Authority as set out in the Bill are appropriate. Overall, the inquiry found broad stakeholder support for the establishment of the SCWA and its objectives, particularly in improving coordination within a complex legislative environment, strengthening long-term planning, and enhancing operational effectiveness across the waterways.

The committee acknowledges stakeholder advocacy to embed further environmental protections within the Bill to protect the Sunshine Coast waterways and appreciates that there are diverse ecological and environmental considerations required to manage the waterways sustainably. The committee considers that this will be a key aspect of the work to be undertaken by the SCWA in the development of a waterways management strategy, should the Bill be passed.

⁶¹ Submissions 1, 6, 9, 12, 19, 20, 25, 26, 30, 31, 32, 35, 36, 38, 40, 42, 44, 47, 53, 54, 55, 56, 57, 67, 72, 74, 79, 80, 83, 84, 87, 89.

⁶² TMR, correspondence, 30 March 2026, p 11.

⁶³ TMR, correspondence, 30 March 2026, p 11.

⁶⁴ TMR, correspondence, 30 March 2026, pp 11-12.

6. SCWA governance arrangements

The Bill proposes to establish the SCWA Board (the board) as the governing body. The primary function of the board is to ensure the SCWA performs its functions in a proper, effective and efficient manner.⁶⁵

The Bill provides for the board arrangements including appointment, composition and selection and disqualification of criteria for members. Arrangements for the SCWA were developed in accordance with the *Public Interest Map* policy (PIM policy) for Queensland Government Bodies.⁶⁶

6.1 Board composition and appointment

The board is proposed to consist of 7 members, being a chairperson and 6 other members. A board member may be appointed for a term of up to 4 years and may be reappointed. An individual may serve a total of 8 years.⁶⁷

With respect to the appointment of board members, the Bill proposes that:

- members be appointed by Governor in Council (on recommendation by the Minister)⁶⁸
- the Minister may ask a prospective appointee for a statement about their disqualification status⁶⁹ and any conflict of interest for themselves or close relatives (false or misleading statements are an offence attracting a maximum penalty of 100 penalty units)
- the Minister may recommend a person to be appointed only if satisfied that they are not disqualified from appointment and the person is appropriately qualified in 1 or more of the following areas:
 - accounting
 - corporate governance
 - finance
 - management of entities delivering public services
 - commercial and marketing development

⁶⁵ Explanatory notes, p 8.

⁶⁶ TMR, correspondence, 16 March 2026, p 7. The public sector governance model for improving the relevance, economy, efficiency, effectiveness and accountability for non-departmental government bodies in Queensland.

⁶⁷ TMR, correspondence, 16 March 2026, p 7.

⁶⁸ Explanatory notes, p 8; Governor in Council appointments require formal Cabinet submission and ministerial consultation.

⁶⁹ Bill, cl 33, provides for circumstances in which a person is disqualified from becoming, or continuing in office, as an appointed board member. These include insolvency, disqualification under the Corporations Act, being party to or connected with particular SCWA contracts, holding particular office in government, having an unspent conviction for an indictable offence, or not consenting to a criminal history check.

- maritime business
- environmental management
- marine science
- marine, coastal or waterways planning
- marine, coastal, waterways or infrastructure engineering
- the representation of the interests of stakeholders in Sunshine Coast waterways including, for example, native title holders, industry, recreational waterway users, tourism operators and interested groups
- another area the Minister considers relevant to achieving the purpose of the Bill.⁷⁰

6.1.1 Committees

The Bill proposes that the board may establish 1 or more committees to assist in the performance of its functions. The Bill proposes that committee membership is decided by the board and that subject to the directions of the board, a committee may conduct its proceedings, including its meetings, as it considers appropriate.⁷¹

6.2 Chief executive officer

The Bill proposes a CEO be employed under the Act establishing the SCWA. It is intended that the CEO be accountable to the board and is responsible for the day-to-day administration of the SCWA's operations in accordance with the priorities set by the board.⁷²

With regard to the appointment of a CEO, the Bill proposes that:

- the CEO be appointed by Governor in Council (on recommendation by the Minister)
- the Minister may only recommend a person for appointment as CEO if the person is not disqualified from becoming the CEO and the Minister has consulted the board about the prospective appointment:
 - the Minister may ask a prospective CEO for a statement about their disqualification status and conflicts of interest (false or misleading statements are an offence attracting a maximum penalty of 100 penalty units)⁷³
- the term of appointment must not exceed 5 years, however there is no limit to a CEO's total duration in office.⁷⁴

⁷⁰ Explanatory notes, pp 8-9; Bill, cls 26-27.

⁷¹ Bill, cl 42.

⁷² Explanatory notes, p 11.

⁷³ Explanatory notes, pp 10-11.

⁷⁴ Explanatory notes, p 11.

The Bill also proposes for an acting CEO to be appointed by the Minister for Transport and Main Roads (following consultation with the board) to ensure that the role of CEO is not impacted by an unexpected vacancy.⁷⁵

6.3 Accountability

The SCWA will be accountable to the Minister and operate within the *Financial Accountability Act 2009* and the *Statutory Bodies Financial Arrangements Act 1982*.

In accordance with the PIM policy for newly established government bodies, the Bill proposes that the SCWA be reviewed 3 years after its establishment, and every 3 years thereafter. According to the department, the review will cover the way and extent to which the SCWA has performed its functions, and whether those remain appropriate.⁷⁶

The SCWA will also be subject to the *Auditor General Act 2009*, providing for annual financial statement audits, and performance audits at the discretion of the Auditor-General. The Bill would require the SCWA to report quarterly to the Minister on its activities, and to publish an annual report.⁷⁷

6.4 Stakeholder feedback on the makeup of the board

Stakeholders acknowledged that the makeup and expertise on the board was fundamental to the effectiveness of the SCWA and inquiry participants offered feedback on the future board's independence, board composition and balance in representation.⁷⁸

In relation to the composition of the board, stakeholders submitted:

- the selection of a board without expertise concerning the waterways it will manage will diminish the potential benefit of the SCWA⁷⁹
- the appointment of the board should be balanced and skills-based⁸⁰
- the board should include positions for various parties including local government,⁸¹ local communities,⁸² all waterways users,⁸³ the Noosa community,⁸⁴ the Kabi Kabi peoples, and the University of the Sunshine Coast.⁸⁵

Regarding local government representation, Mr Aston from the Moreton Bay Regional Council suggested that not having local government representation on the board could be a key governance risk:

⁷⁵ TMR, correspondence, 16 March 2026, p 7.

⁷⁶ TMR, correspondence, 16 March 2026, p 7.

⁷⁷ TMR, correspondence, 16 March 2026, p 7.

⁷⁸ Submissions 1, 12, 19, 21, 22, 23, 25, 28, 30, 31, 32, 33, 34, 35, 38, 43, 44, 45, 47, 50, 51, 52, 53, 55, 57, 58, 59, 72, 74, 75, 80, 81, 82, 83, 84, 85, 86, 87, 88.

⁷⁹ Submission 89, p 4.

⁸⁰ Submissions 47, 82.

⁸¹ Submission 87, p 17; submission 61, pp 4-5.

⁸² Submission 90,

⁸³ Submission 1.

⁸⁴ Submissions 13, 20, 24, 25, 32, 44.

⁸⁵ Submission 47, p 5.

I note that the proposed seven-member board is skills based but does not have any local government representation, despite operating across multiple local government areas. We consider this to be a key governance risk because consultation alone is insufficient where council assets, infrastructure and growth are potentially impacted. This could be addressed by either formal local government representation or a designated board position with senior local government experience.⁸⁶

Similarly, Mayor Wilkie from the Noosa Shire Council called for appropriate local government representation:

...having local government representation on the board and councillor endorsement of the long-term strategies and if the waterways authority does not take a one-size-fits-all approach to managing the waterways because they are all so fundamentally different.⁸⁷

However, this view was not unanimous, and stakeholders also stressed the importance of maintaining a board of appropriate size and expertise to support efficient and effective decision-making and operation. Others were also of the view that board membership should be independent of council.⁸⁸ By way of example, the Noosa Boating Fishing Alliance, welcomed the introduction of objective leadership on the board:

Our community has already suffered enough through decades of bad river planning processes, environmental problems being ignored, safety issues growing and not being solved, and infrastructure planning being thwarted, and Noosa's small town parochialism has always overwhelmed a rational discussion about this waterway. I welcome the government's election commitment to bring professional and objective leadership to this waterway because people want to continue to enjoy the river safely and responsibly.⁸⁹

Residents' associations that made submissions to the inquiry also highlighted the importance of appropriate board composition and its influence on community confidence in the SCWA. For example, the Caloundra Residents Association stated:

I think the composition of the board, which is going to be one of the first decisions for the authority, signals to the community the level of confidence that it can have in the leadership of that authority. Getting the composition right is critical. Being respected and understood to having the requisite skills-based knowledge and independence to lead the authority I think will go a long way to shoring up community confidence.⁹⁰

The Pumicestone Passage Catchment Management Body expressed similar sentiments, calling for best practice in governance arrangements:

⁸⁶ Mr Christopher Aston, Executive General Manager, City Futures, City of Moreton Bay, public hearing transcript, Caloundra, 1 April 2026, p 3.

⁸⁷ Mayor Frank Wilkie, Noosa Shire Council, public hearing transcript, Caloundra, 1 April 2026, p 5.

⁸⁸ Mr Andrew McCarthy, Secretary, Noosa Boating Fishing Alliance; Mr Craig McGovern, Owner/Director, Pelican Boat Hire and Noosa River Slipway, public hearing transcript, Caloundra, 1 April 2026, p 12.

⁸⁹ Mr Craig McGovern, Owner/Director, Pelican Boat Hire and Noosa River Slipway, public hearing transcript, Caloundra, 1 April 2026, p 12.

⁹⁰ Ms Naomi Dwyer, Caloundra Residents Association, public hearing transcript, Caloundra, 1 April 2026, p 30.

We really need the governance structure of this waterways authority to be best practice and beyond the political so that it can enjoy the trust of our community. After all, that is what it is here to serve.

The SCWA board needs to be above political agendas to serve for the long-term good, and that is what I believe this process is about achieving. I am echoing what other groups have said here, but there must be authentic mechanisms to hear the community voice and there must be mechanisms and KPIs for the board to reach out and show that it is implementing the voice of the community. I believe that we are clever enough people to do that and work it out together.⁹¹

Other governance issues raised by stakeholders included that the arrangements:

- could undermine the SCWA's independence and the Bill should be amended so that the CEO is appointed by the board, subject to ministerial approval⁹²
- they risk politicising the SCWA and creating tension between the board and the CEO⁹³
- creating a 'quasi-independent' government funded organisation to manage waterways may be overly bureaucratic and top heavy in management.⁹⁴

6.4.1 Department Advice

In relation to board composition, the department advised that:

- while the Bill does not prescribe board positions to specific groups, it is expected that candidates will be selected to cover as many areas as possible within the list of qualifications proposed in clause 27 of the Bill⁹⁵
- councillors are not excluded from being appointed to the board and given the statutory requirement to consult with councils on the waterways management strategy and program, councils will have appropriate influence on SCWA decisions.⁹⁶

In relation to the appointment of the CEO by Governor in Council, the department advised that this aligns with the Cabinet Handbook for significant appointments and was recommended by the Public Sector Commission. The Bill also proposes that the Minister must consult with the board on the appointment of the CEO.⁹⁷

TMR noted however, that the only exception to the requirement to consult the board on the CEO is when the first CEO is appointed. The first CEO may be recommended by the

⁹¹ Ms Jen Kettleton-Butler, Pumicestone Passage Catchment Management Body, public hearing transcript, Caloundra, 1 April 2026, p 32-33.

⁹² Submission 31, p 2; submission 35, p 2; submission 58; submission 79, p 2; submission 82, p 4; Submission 89, p 4.

⁹³ Submission, 58; submission 82, p 5.

⁹⁴ Submission 45, p 1.

⁹⁵ TMR, correspondence, 30 March 2026, p 4.

⁹⁶ TMR, correspondence, 30 March 2026, pp 4-5.

⁹⁷ TMR, correspondence, 30 March 2026, p 5.

Minister (for Governor in Council appointment) without consulting the board. This is because the board may not yet be established.⁹⁸

TMR advised that clause 27 of the Bill contains a comprehensive selection criteria for board members which covers the range of skills identified by submitters.⁹⁹

Committee comment



The committee considers robust governance arrangements to be fundamental to the effective operation of the Sunshine Coast Waterways Authority and the majority of the committee is satisfied that the governance framework proposed by the Bill is appropriate and will provide leadership by a suitably skilled board.

The committee recognises the value of an appropriate balance of skills and representation, including relevant local government expertise, to support the sustainable management of the Sunshine Coast waterways. However, to ensure an effective and efficient board, the majority of the committee does not support increasing board membership or prescribing specific positions in the Bill. Rather, it notes that the Bill's provision for the establishment of committees provides an effective mechanism to inform decision-making in the public interest.



6.5 Consistency with fundamental legislative principles

6.5.1 Penalties for proposed offences

For the Bill to have sufficient regard to the rights and liberties of individuals, the consequences of legislation should be relevant and proportionate. A penalty should be proportionate to the offence, and penalties within legislation should be consistent with each other.¹⁰⁰

As noted above, the Bill proposes a range of offences. The Bill contains eligibility criteria for the positions of the CEO and members of the board, as well as circumstances under which an individual may be disqualified from continuing in these positions. The proposed offences relate to these provisions, and all carry a maximum penalty of 100 penalty units (\$16,690).¹⁰¹

The Bill proposes offences including:

- a prospective board member or CEO must not give the Minister a false or misleading statement regarding whether they are disqualified or have a conflict of interest
- an appointed board member or CEO must:

⁹⁸ TMR, correspondence, 30 March 2026, p 5.

⁹⁹ TMR, correspondence, 30 March 2026, p 4.

¹⁰⁰ *Legislative Standards Act 1992*, s 4(2)(a).

¹⁰¹ The value of a penalty unit is \$166.90.

- give written notice to the Minister of any circumstances that disqualify them from continuing in their role
- disclose to the board or the Minister any interest that conflicts with the proper performance of their functions
- if an appointed board member or the CEO is convicted of an indictable offence during their appointment, they must immediately give written notice to the Minister.

The proposed penalties appear proportionate and consistent with similar offences across Queensland legislation.¹⁰²

The explanatory notes justify the offences on the basis that obligations for persons to give notice if they are disqualified, convicted of an indictable offence, or have a conflict of interest, reinforces the expectation that board members and the CEO are to behave ethically and legally.¹⁰³

Committee comment



The committee notes that the proposed offences in the Bill are consistent with similar penalty provisions in Queensland legislation. The committee is satisfied that the proposed penalties contained in the Bill are relevant and proportionate.

On this basis, the committee considers the relevant provisions in the Bill have sufficient regard to the rights and liberties of individuals, such that they are consistent with fundamental legislative principles.



6.6 Human Rights Act Issues

6.6.1 Right to privacy

The right to privacy protects individuals against unlawful or arbitrary interferences with their privacy, family home or correspondence. It also includes the right not to have the person's reputation unlawfully attacked.¹⁰⁴

The Bill proposes to limit the right to privacy by:

- in relation to a prospective board member or CEO, permitting the Minister (with the consent of the person) to seek a criminal history report and brief description of the circumstances of any conviction
- requiring board members and the CEO to disclose conflicts of interest and to disclose a matter that would disqualify them from appointment

¹⁰² See, for example the *Queensland Academy of Sport Act 2025* (ss 20, 37, 50, 53) and the *Health and Wellbeing Queensland Act 2019* (ss 45, 46, 47) which contain similar offences that have maximum penalties of 100 penalty units.

¹⁰³ Explanatory notes, p 4.

¹⁰⁴ *Human Rights Act 2019*, s 25.

- providing for exchange of information under an information sharing agreement between the SCWA and a relevant agency.¹⁰⁵

6.6.2 Criminal histories, disqualifying information and conflicts of interest

The purpose of the limitation on the right to privacy and reputation with respect to obtaining criminal histories and disclosing disqualifying matters and interests that conflict is 'to ensure the integrity and competency of board members and to ensure that the board's decisions are made in the public interest'.¹⁰⁶

There is a clear nexus between the information that must be disclosed to the Minister and the purpose of ensuring the integrity and proper operation of the board in the public interest.

As noted in the statement of compatibility:

*The matters that lead to disqualification, including previous convictions or insolvency, and commercial and professional relationships, are matters that could put the integrity of the board at risk and/or create conflicts of interest.*¹⁰⁷

Further, indictable offences are serious offences, so a conviction for such an offence is 'potentially a serious indicator of a person who may not be entrusted with management of a public entity'.¹⁰⁸

The statement of compatibility provides that the limitation on the right to privacy and reputation is curtailed by limiting the number of parties to whom information must be disclosed.¹⁰⁹ In addition, the *Information Privacy Act 2009* protects disclosed information,¹¹⁰ and the Bill makes it an offence to disclose criminal history information.¹¹¹

Committee comment



To ensure the SCWA operates in the public interest, the committee considers it important that board members or the CEO not have interests that may skew their judgment, or a history that indicates that they would not be commercially capable. The information that the Bill proposes to permit the Minister to require is directly relevant to the question of whether a prospective appointee is appropriate.

Therefore, the committee is satisfied that the limitations on the right to privacy with respect to obtaining criminal histories and disclosing disqualifying matters and conflicts of interest are reasonable and justifiable. On these

¹⁰⁵ Statement of compatibility, p 4.

¹⁰⁶ Statement of compatibility, p 5.

¹⁰⁷ Statement of compatibility, p 6.

¹⁰⁸ Statement of compatibility, p 6.

¹⁰⁹ Statement of compatibility, p 5.

¹¹⁰ Statement of compatibility, p 5.

¹¹¹ 'Criminal history information' means information contained in a report given to the Minister under section 61 of the proposed Act or a notice given to the Minister under section 62 of the proposed Act. Bill, cl 63(6) (proposed Act, s 63(6)).

grounds, the committee is satisfied that these provisions of the Bill are compatible with human rights.

6.6.3 Exchange of information

The purpose of the limitation on the right to privacy and reputation with respect to the exchange of information is:

*... to facilitate efficient sharing of information and intelligence, including personal information otherwise protected by the Information Privacy Act 2009 ..., between government agencies involved in the administration of waterways and associated infrastructure.*¹¹²

While personal information may be shared between the SCWA and relevant agencies, there are limits on what an information-sharing arrangement may relate to. That is, it may only relate to information that will assist the SCWA or the relevant agency to perform its functions.¹¹³

In addition, the statement of compatibility advises that information sharing agreements generally limit what information may be shared, with whom, and under what circumstances, and provide for 'defined contact points and channels for information exchange'.¹¹⁴

Committee comment



Acknowledging the need for the SCWA to work with other agencies to perform its statutory functions, and that there are constraints on the information that may be shared between the agencies, the committee is satisfied that the limitation on the right to privacy is reasonable and justifiable.

Therefore, the committee is satisfied these provisions of the Bill are compatible with human rights.

6.6.4 Taking part in public life

Each person has the right to have access, on general terms of equality, to the public service.¹¹⁵ The right does not guarantee employment in the public service. It provides for an opportunity to secure such a job, subject to any legitimate qualifications.¹¹⁶ Any conditions on exercising the right, such as age or capacity, should be based on objective and reasonable criteria.¹¹⁷

¹¹² Statement of compatibility, p 5.

¹¹³ Bill, cl 58 (proposed Act, s 58).

¹¹⁴ Statement of compatibility, p 6.

¹¹⁵ *Human Rights Act 2019*, s 23(2)(b).

¹¹⁶ Kylie Evans and Nicholas Petrie, *Annotated Queensland Human Rights Act*, Lawbook Co, 2023, p 206.

¹¹⁷ Human Rights Committee, General Comment No 25: Article 25 (Participation in Public Affairs and the Right to Vote), 57th session, UN Doc CCPR/C/21/Rev.1/Add.7 (12 July 1996), para 4, <https://www.refworld.org/legal/general/hrc/1996/28176>.

The Bill proposes to limit the right to take part in public life by providing that a person:

- must be appropriately qualified in one or more of the specified areas (such as accounting, marine science and corporate governance) to be considered for appointment as a member of the board¹¹⁸
- is disqualified from holding office as a member, or as CEO, if the person falls within a specified category (e.g. having a conviction for an indictable offence).¹¹⁹

The Bill also provides that a member is not permitted to participate in the board's consideration of a matter if they have disclosed an interest in relation to the matter under consideration.¹²⁰

According to the statement of compatibility, the purposes of the limitations on the right to public life are:

... to ensure competence and integrity among those entrusted with governing the SCWA, and to ensure decisions made by the SCWA, as an entity representing the State, are in the public interest [and] ...

*... to maintain a certain degree of independence of the board from government, providing for the community to be directly involved in decision-making on waterways management.*¹²¹

There is a clear nexus between the limitations and their purposes, for example:

- qualification requirements assist in ensuring that board members have the necessary expertise to govern 'a public entity dealing with a somewhat specialised subject matter'¹²²
- disqualification criteria assist in ensuring inappropriate persons are not appointed, or are disqualified from continuing, as appointed members or as the CEO
- prohibiting a member with a conflict of interest from participating in the board's consideration of a matter avoids perceived or actual conflicts between the member's interest and the public interest.

The proposed qualification, disqualification and conflict of interest provisions are present in other Queensland legislation.¹²³

Committee comment



The committee considers that the qualification and disqualification criteria in the Bill are relevant to the roles and responsibilities of the board members and the CEO. These would help to ensure the independence, integrity and competence of the SCWA. Similarly, the requirement that appointed

¹¹⁸ Bill, cl 27.

¹¹⁹ Bill, cls 33, 51. See also cls 30, 49, 62.

¹²⁰ Bill cl 27.

¹²¹ Statement of compatibility, p 2.

¹²² Statement of compatibility, p 2.

¹²³ See for example, the *Gold Coast Waterway Authority Act 2012* and the *Queensland Academy of Sport Act 2025*.

members not participate in the board's consideration of matters in which they have disclosed an interest enhances the integrity of the board and aids in ensuring that board decisions are made in the public interest.

Therefore, the committee is satisfied that the limitations on the right to take part in public life are reasonable and justifiable. On these grounds, the committee is satisfied these provisions of the Bill are compatible with human rights.

7. Consultation

A key theme raised by stakeholders was the importance of genuine and meaningful consultation in relation to the development of the waterways management strategy and program.¹²⁴



7.1 Stakeholder Submissions

Submissions emphasised the need for ongoing and structured engagement with groups including councils, local communities, Traditional Custodians, tourism operators and environmental groups.¹²⁵

To ensure adequate consultation is undertaken in the management of the Sunshine Coast waterways, stakeholders proposed amendments to the Bill, including:

- strengthening consultation requirements for waterways management strategies and programs by legislating minimum requirements and targeting specific groups (e.g. Traditional Custodians, user groups, 'catchment management groups')¹²⁶
- requiring the release of draft waterways management strategies for public consultation¹²⁷
- requiring local government endorsement of waterways management strategies and programs¹²⁸
- establishing catchment-based advisory sub-committees.¹²⁹

By way of example, the Noosa Shire Residents and Ratepayers Association highlighted the importance of consultation in building community trust in the Authority. Similarly, Ms Dwyer of the Caloundra Residents Association stated:

Community confidence is fostered by engagement, genuine consultation and transparency. Therefore, we recommend that the bill includes clear expectations for engagement, emphasising that community consultation is a board level KPI. Embedding a statutory requirement for the authority's community engagement

¹²⁴ Submissions 1, 12, 18, 19, 22, 23, 24, 25, 32, 33, 34, 38, 44, 48, 50, 51, 52, 53, 55, 57, 64, 65, 67, 75, 77, 80, 81, 82, 83, 87.

¹²⁵ For example, submissions 47, 53, 74, 85.

¹²⁶ Submissions 1, 9, 12, 20, 25, 32, 38, 47, 53, 55, 57, 67, 74, 81 and 83.

¹²⁷ Submissions 82 and 83.

¹²⁸ Submission 87.

¹²⁹ Submissions 38, 47, 57, 67 and 80.

*strategy would, in fact, exemplify government's genuine commitment to make it happen.*¹³⁰



7.1.1 First Nations engagement

Severy inquiry participants emphasised the importance of First Nations involvement in the management of the Sunshine Coast waterways through consultation and board representation.¹³¹ Submissions proposed amendments to the Bill including:

- clauses 15 and 19, concerning the development of the waterways management strategy and program, require consultation with First Nations peoples, in particular the Kabi Kabi and Jinibara peoples¹³²
- that the SCWA board include First Nations representation¹³³
- the establishment of a First Nations advisory group to inform the SCWA on First Nations perspectives on water management.¹³⁴

Mr Norman Bond, Chairperson, Kabi Kabi Peoples Aboriginal Corporation spoke at the hearing:

*We have so much to offer, but our lived experience with government is that we do not get a chance to share it in an appropriate way. Having a seat at the table is important for us to get it right for all and to not feel like we have been left out. We went through the native title process for a reason— to have our rights recognised. Now we have statutory rights. We should do better to make sure we are included, all of us. That is what I hope the bill can address because it is silent on that. Kabi Kabi traditional knowledge of waterways health is profound, and it is still available today. Water is our lifeblood, and it is yours too.*¹³⁵

The Kabi Kabi Peoples Aboriginal Corporation also emphasised the need for the SCWA to have consultation protocols in place to ensure that consultation was effective and culturally appropriate:

*In our submission, there were four points that we focused on: representation, sustainability, endorsement protocols and coordination. It is important for everyone to understand what things like endorsement protocols mean. For traditional owners, we always have to engage and share with our rights holders, our members, what is happening on their country. Kabi Kabi country is highly developed, and it is happening rapidly. For me, I have to share with all of the members—most of whom do not even live on country, cannot even afford to live on country—how it can be done in an appropriate way where we are informed and where we can share our knowledge about country.*¹³⁶

¹³⁰ Caloundra Residents Association, public hearing transcript, Caloundra, 1 April 2026, p 28.

¹³¹ Submissions 38, 44, 57, 58, 67, 79, 81, 82, 83, 85, 89.

¹³² The Traditional Custodians of the Sunshine Coast region and respective Native Title Holders and Claimants. See submissions 38, 47, 57, 67, 81, 83.

¹³³ Submissions 38, 47, 57, 58, 67, 79, 81, 82, 83, 85, 89.

¹³⁴ Submissions 68, 81.

¹³⁵ Mr Norman Bond, Chairperson, Kabi Kabi Peoples Aboriginal Corporation, public hearing transcript, Caloundra, public hearing transcript, 1 April 2026, p 8.

¹³⁶ Mr Norman Bond, Chairperson, Kabi Kabi Peoples Aboriginal Corporation, public hearing transcript, Caloundra, public hearing transcript, 1 April 2026, p 8.

7.2 Department Advice

In response to issues raised in relation to consultation, TMR advised that it consulted at officer level with local councils within the purview of the proposed SCWA, and widely across state government agencies. It also considered input from local members and local government where it had been provided to the Queensland Government through various means. TMR further advised that the establishment of the SCWA does not significantly impact on local government, as responsibilities proposed to be given to the SCWA are current state government responsibilities.¹³⁷

TMR added that in developing the waterways management strategy, the SCWA will be required to consult with, and consider the views of, MSQ, Noosa Shire Council, Sunshine Coast Regional Council and Moreton Bay City Council.¹³⁸ According to TMR, the SCWA will also need to take reasonable steps to engage in public consultation to meet the policy objective of better listening to the needs of the Sunshine Coast community on the sustainable use of waterways. This will provide for all stakeholders' interests to be canvassed and considered, including individuals, businesses, traditional owners, and other government agencies.¹³⁹

With respect to First Nations engagement, TMR advised that:

- the Bill proposes the SCWA take 'reasonable steps to engage in public consultation' on the waterways management strategy and program and that this would likely include consultation with Native Title Holders and Traditional Custodians¹⁴⁰
- clause 27 of the Bill ensures that the board's composition will reflect a range of expertise¹⁴¹
- the SCWA board is expected to establish suitable methods and forums for working with all stakeholders, however, these do not need to be statutory advisory groups.¹⁴²

Committee comment



The committee considers the consultation requirements in the Bill to be important and the majority of the committee are satisfied that they are appropriate and sufficient. The committee encourages the SCWA on establishment to implement consultation protocols that are effective, transparent and appropriate, should the Bill be passed.

¹³⁷ TMR, correspondence, 25 March 2026, p 2.

¹³⁸ TMR, correspondence, 30 March 2026, p 6.

¹³⁹ TMR, correspondence, 30 March 2026, p 6.

¹⁴⁰ Bill, cls 15 and 19; TMR, response to submissions, p 3.

¹⁴¹ TMR, correspondence, 30 March 2026, p 3.

¹⁴² TMR, correspondence, 30 March 2026, p 3.

8. Funding

Government funding of \$35.6 million has been allocated to cover SCWA's establishment costs and core operations over its first three years.¹⁴³ Some submitters sought additional information about this SCWA budget, including:

- whether it would be adequate to deliver SCWA's responsibilities¹⁴⁴
- what proportion would be allocated to SCWA administrative costs versus on-water outcomes¹⁴⁵
- what the SCWA's long-term funding model would be.¹⁴⁶

8.1 Department Advice

In response to stakeholder questions about the SCWA's proposed budget, TMR advised:

- the funding commitment of \$35.6 million over 3 years is expected to cover establishment costs and core operations of the SCWA for the period of the funding commitment¹⁴⁷
- once operational, the board will be responsible for prioritising works to align with the SCWA's waterways strategy and seeking ongoing funding through the annual Budget process¹⁴⁸
- ongoing costs will be highly dependent on the marine infrastructure and dredging projects undertaken by the SCWA¹⁴⁹
- the waterways management program will be the key mechanism for ensuring that SCWA funding is directed towards the needs and priorities identified in the waterways management strategy.¹⁵⁰

¹⁴³ Explanatory notes, p 3.

¹⁴⁴ Submission 45.

¹⁴⁵ Submission 22.

¹⁴⁶ Submissions 29, 59, 87.

¹⁴⁷ TMR, correspondence, 30 March 2026, p 15.

¹⁴⁸ TMR, correspondence, 30 March 2026, pp 15-16.

¹⁴⁹ TMR, correspondence, 30 March 2026, p 15.

¹⁵⁰ TMR, correspondence, 30 March 2026, p 15.

Appendix A – Submitters

Sub No.	Name / Organisation
1	Nicolaj Hluszko
2	Confidential
3	Benny Scarcelli
4	Neil Watson
5	David Baker
6	Marilyn Rushby
7	Name Withheld
8	Name Withheld
9	Neville Guttridge
10	James Taylor
11	Nathan Cooper
12	Noosa Boating Fishing Alliance
13	Confidential
14	Name Withheld
15	Name Withheld
16	Glen Read
17	Lee Boyle
18	Julie Watson
19	Marita Thornton
20	Suzanne Guttridge
21	Craig Vella
22	Name Withheld
23	Robert Raymond Dick
24	Jane Tillson
25	Ingrid Jackson
26	Roger Bayzand
27	James Thrower
28	Anatoly Kern

29	Name Withheld
30	Karen Howes
31	Pumicestone Passage Catchment Management Body Inc
32	Peter Newman
33	Name Withheld
34	Andrew McCarthy
35	Jennifer Kettleton-Butler
36	Jenny Tannoch-Bland
37	Confidential
38	Take Action for Pumicestone Passage
39	Adrienne McVerry
40	Name Withheld
41	Confidential
42	Geoff Noble
43	Name Withheld
44	Sandy Bolton MP, Member for Noosa
45	Noosa Shire Residents and Ratepayers Association Inc
46	Simon McVerry
47	Sunshine Coast Environment Council
48	Outdoors Queensland
49	Name Withheld
50	Patricia Radge
51	Nick Radge
52	Sharon Wright
53	Name Withheld
54	Renay Wells
55	Peter Wells
56	John News
57	Noosa Integrated Catchment Assoc Inc
58	Name Withheld

59	Pelican Boat Hire - Noosa River Slipway
60	Neil Watson
61	Name Withheld
62	Carla Clynick
63	Kerry Surtees
64	Name Withheld
65	Susie Hutchison
66	Joanne Daley
67	Beach Matters Association
68	Noosa Parks Association
69	Angela Pinkstone
70	Gail Podberscek
71	Peter Morris
72	Boating Industry Association Ltd
73	Jennifer Grant
74	Sunshine Coast Council
75	Name Withheld
76	Confidential
77	Karen Eddy
78	Confidential
79	Wildlife Preservation Society of Queensland - Sunshine Coast & Hinterland Inc
80	Gecko Environment Council Association Inc Assoc
81	Indigenous Land and Sea Corporation
82	Caloundra Residents Association Inc
83	Organisation Sunshine Coast Association of Residents Inc
84	Peter Court
85	Kabi Kabi Peoples Aboriginal Corporation
86	Name Withheld
87	Noosa Council
88	Name Withheld

89	Ken Mewburn
90	Paul Herrick
91	Gillian Pechey
92	Forester Alexander Walker
93	Cherie O'Sullivan
94	Queensland Recreational Boating Council
95	City of Moreton Bay

Appendix B – Officials at public briefing, Brisbane, 18 March 2026

Department of Transport and Main Roads

- Mr Andrew Mahon, Deputy Director-General (Policy, Planning and Investment)
- Mr Kell Dillon, General Manager (Maritime Safety Queensland), Policy, Planning and Investment

Appendix C – Witnesses at public hearing, Caloundra, 1 April 2026

Boating Industry Association

- Mr Neil Patchett, General Manager Government & Public Relations

Caloundra Residents Association

- Ms Elisa Weiser, President
- Ms Naomi Dwyer, Executive Member

City of Moreton Bay

- Mr Christopher Aston, Executive General Manager City Futures

Court Marine

- Mr Peter Court, Master Mariner

Kabi Kabi Peoples Aboriginal Corporation

- Ms Susan Markey, Chief Executive Officer

Noosa Boating Fishing Alliance

- Mr Andrew McCarthy, Secretary

Noosa Council

- Mayor Frank Wilkie
- Ms Kim Rawlings, Director Environment and Strategy
- Ms Hayley Jamieson, Manager Property

Noosa Ferry and Cruise Co

- Mr David Stielow, Managing Director

Noosa Integrated Catchment Association

- Mrs Jill Campbell, President

Noosa Parks Association

- Mr Tony Wellington, President

Noosa Shire Residents and Ratepayers Association

- Mr Aaron White, Vice-President

Organisation Sunshine Coast Association of Residents

- Ms Jennifer Curry, joint Secretary

Outdoors Queensland

- Mr Dom Courtney, Executive Officer

Pelican Boat Hire & Noosa River Slipway

- Mr Craig McGovern, Owner/Director

Pumicestone Passage Catchment Management Body

- Ms Jen Kettleton-Butler, Spokesperson

Sunshine Coast Council

- Dr David Moore, Manager Environment and Sustainability Policy

Sunshine Coast Environment Council

- Ms Narelle McCarthy, Advocacy and Engagement Manager

Take Action for Pumicestone Passage

- Mr Ken Mewburn, President

Wildlife Preservation Society of Queensland - Sunshine Coast & Hinterland

- Ms Jude Crighton, Secretary

Open session

- Mr Lyndsay Price