

# Noosa River Stakeholder Advisory Committee

Wednesday 23 June 2021, 5pm to 7pm

*Minutes confirmed at the 31<sup>st</sup> August 2021 NRSAC meeting*

## Minutes

Location: Coast Guard Station, Munna Point, Noosaville

### Attendance:

Joint Chairs: Brett de Chastel: Chief Executive Officer, Noosa Council (NSC) and Angus Mitchell: General Manager, Maritime Safety Queensland (MSQ)

Committee Members: Joanne Daley, Bruce Davidson, Michael Gloster, Jane Harris, Nick Hluszko, Richard Howard, Peter Hunnam, Phillip Moran, Lachlan Stevens,

Observers: Clare Stewart Mayor of Noosa and Sandy Bolton, Member for Noosa were in attendance.

Committee Support: Susan Codi King, Gillian Leslie, Jake Hennessey and Paul Campbell MSQ and Shaun Walsh and Craig Doolan, Noosa Council

### **1. Welcome by Chairs**

The meeting commenced at 5.00pm

Welcome by Brett de Chastel on behalf of the Chairs

Brett de Chastel acknowledged the Noosa River and catchment as home of the Kabi Kabi as the Traditional Custodians, whose lands and waters we all now share.

### **2. Apologies**

Apologies were tabled from Agnes Reed, Ben Broadfoot, David Stielow, Chris Massoud and Noel Playford.

### **3. Conflict of Interest Declarations**

Brett asked for specific conflict of interests concerning meeting agenda items. No specific conflicts were raised by members concerning Agenda matters for this meeting.

### **4. Confirmation of 12 May Meeting Minutes**

Meeting minutes from the 12 May were endorsed.

Business arising from minutes has been included in this meeting agenda and recorded in the action table attached to the minutes.

### **5. Correspondence received from Community**

The 17 items of correspondence received from the community were noted with key topics of concern being speed restrictions in the Noosa River, erosion on river foreshores and the number of vessels on the Noosa River leading to overcrowding.

Discussion focused on the large number of emails concerning speed and safety

- Jane Harris noted she has personally emailed correspondent James Horden indicating support for matters raised in his correspondence

- It was agreed that issues of speed and safety in the river requires detailed consideration
- Current focus is anchoring and mooring which is contributing to river over crowding
- Following advancement of the current detailed review of anchoring and mooring, the issues of speeding and safety will be considered in the next tranche of issues by NRSAC

***Action: Shaun Walsh to draft reply to public correspondents on behalf of NRSAC thanking them for feedback, agreeing that speed and safety require detailed consideration and noting that such review will be prioritised jointly with Maritime Safety Queensland***

## **6. NRSAC Terms of Reference**

The co-Chair Brett de Chastel sought committee views of the Terms of Reference as distributed with the Agenda, inclusive of the two options for the subcommittee:

- Option 1 – Parallel subcommittees working on topics simultaneously
- Option 2 – Single subcommittee working on topics in succession

Discussion included various views including:

- Concern also raised about the possible slow progress of dealing with matters and possible inability to deal with multiple matters simultaneously if there was a single subcommittee.
- At the same time a single subcommittee provided opportunity for wholistic review by all representing broad community viewpoints, and promoted an integrated approach with a package of solutions that work together for better river management
- Importance that all committee members be welcomed and encouraged to attend subcommittee meetings to develop responses and views, as this is the appropriate model rather than scheduling separate meetings which could be regarded as exclusive
- Confirmation that matters discussed as a subcommittee meeting would need to be presented to the NRSAC meeting for discussion and decision by all in formal meeting
- Clarity that with a single subcommittee, the subcommittee could call their spokesperson “Chair” and that role would be appointed by the subcommittee, however care should be taken to differentiate from the role of the Council and MSQ co-Chairs.

The majority view was that the single subcommittee (Option 2) was appropriate to focus on the current priority of mooring, anchoring and live aboard, but as NRSAC focused on other more strategic topics it would need to reconsider whether the Terms of Reference and the single subcommittee structures is still appropriate.

The co-Chair sought a vote on the Terms of Reference, inclusive of Option 2 - Single subcommittee, and the proposal and was endorsed by majority. In regard to the motion, it is noted that members could ask for reconsideration of the Terms of Reference (and single subcommittee) in the future if so desired.

It was proposed that Nick Hluszko continues as the subcommittee Chair. There was general consensus to resolve this appointment at this meeting rather than at a subsequent subcommittee meeting. All were in support of the appointment of Nick Hluszko as the Chair of the subcommittee.

***Action: Shaun Walsh to distribute endorsed Terms of Reference to NRSAC members, inclusive of the endorsed option for the subcommittee***

## **7. Presentation from MSQ on Response to Proposed Mooring / Anchoring / Live Aboard regulations**

Co-Chair Brett de Chastel asked additional MSQ representatives Gillian Leslie and Paul Campbell to introduce themselves and they explained their roles in developing policy and planning for MSO.

Co-Chair Angus Mitchel provided the following information in response to the proposals on mooring anchoring and live aboards as previously presented by the subcommittee:

1. Timed anchoring – in principle support on proposed timed anchoring provisions, similar to those in place in NSW, and the reasons for implementation, is provided by MSQ;
2. Limits on Mooring – in principle support on limits on moorings and the reasons for implementation is provided by MSQ;
3. Eco Friendly Moorings – in principle support for transition to ecofriendly moorings is provided by MSQ. It was noted that there are logistical challenges and budget impacts that need to be worked through, for an effective transition process, and
4. Live Aboard Vessels – in principle support for phasing out permanent live aboards is provided by MSQ. It was noted that a transition program would be staged carefully, firstly with preclusion of new permits, dealing through current unlawfully occupied vessels, and then working constructively with current lawful live aboard owners.

In response, Nick Hluszko indicated on behalf of subcommittee, their appreciation for the high-level support provided on the new suite of vessel management controls on the Noosa River.

Angus Mitchell clearly expressed that the proposed suite of provisions would require liaison and careful evaluation with other agencies of the Queensland Government to gain their similar support. He expressed that there are two possible pathways to implement regulations, both requiring comprehensive community consultation programs and that all parties will need to be responsive to the broader public feedback.

Angus handed over to MSQ officers Gillian Leslie and Paul Campbell and to explain the pathways as they would be responsible for the progressing the appropriate process:

1. Proposal for a Marine Zone under the *Transport Operations (Marine Safety) Regulation 2016* (TOMSR) which focuses on the management of water activity behaviours from a safety perspective. An example is the current Marine Zone in the Noosa River that manages PWCs; and /or
2. Proposal for amendment to the Schedules to the *Transport Infrastructure (Waterways Management Regulation) 2012* (TIWMR) which already provides for anchoring, mooring and aground provisions in regulated Sunshine Coast waters, and could be expanded to articulate additional regulations in the Noosa River.

The process for each differs greatly.

1. The proposal for a Marine Zone requires a separate proposing entity to develop the Marine Zone proposal and undertake comprehensive community consultation, prior to submission to MSQ via the Regional Harbour Master, and eventual gazettal. The proposing entity would normally be a local government, in this instance Noosa Council
2. The proposal for amendment to TIWMR would be implemented by MSQ and requires drafting and review process, followed by a comprehensive community consultation program. It is essentially a legislative amendment process and it would be scrutinised by the Office of Best Practice in Department of Premier and Cabinet to ensure quality legislative outcomes. A regulatory impact assessment process may also be required.

MSQ expressed that the proposed suite of controls may actually be a package of both a Marine Zone proposal and amendment to TIWMR and would run as a parallel process, so the consultation package would be seamless. This would require good collaboration between MSQ and the proposing entity for the Marine Zone (presumably Noosa Council).

Discussion included various topics:

- Mechanics of how the package is crafted together seamlessly as a raft of measures, with the pathways carefully articulated through MSQ and Noosa Council processes
- The challenge to create an integrated package that is legible to the general public
- The preferred use of the Marine Zone to manage safety issues (such as swimming areas along the Noosaville foreshore) and manage other anchoring and mooring issues (such as timed anchoring) through the Transport Infrastructure (Waterways Management Regulations as has been accomplished at other waterways
- Clarity sought on regulatory platform of the Gold Coast Waterways Authority, which rely on the same regulatory provisions as balance of Queensland, but has a specific entity implementing the controls
- The preference for Noosa Council to not be regarded as a lead water regulatory authority, which might be inferred by being a proposed entity for the Marine Zone
- Whether the package should include consultation on other linked river issues (such as vessel speed) or should be focused on the current topic of anchoring, mooring and live aboards, with other issues addressed in the future
- The role of NRSAC members in developing community consultation program and development of key messages as key participants in the process and champions in the community.

Angus Mitchell noted that the overall outcomes will of course be moderated by broader community consultation and need for responsiveness by government. He anticipated that MSQ would come back to NRSAC at various points of process to advise on progress and likely outcomes.

As part of next steps, MSQ Officers advised that they required some further discussion with NRSAC members and Noosa Council to devise up the proposed package of controls relating to Marine Zone / TIWMR. Shaun Walsh and Gillian Leslie volunteered to co-ordinate such sessions on behalf of respective agencies. Subsequently MSQ would come back to the next NRSAC meeting with the proposed regulatory package and a proposed implementation program,(including indicative timing.

***Action: Gillian Leslie and Susan Codi King MSQ and Shaun Walsh Noosa Council coordinate an additional session with NRSAC member to better refine and describe the proposed regulation package and its application to Marine Zone / Transport Infrastructure (Waterways Management) Regulation.***

***Action: MSQ to present the proposed anchoring / mooring / liveaboard regulatory package and proposed implementation program at the next NRSAC meeting***

In final discussion on the topic there was acknowledgement that consideration of future infrastructure needed along the river in response to new regulations.

It was also noted the need for future discussion on a comprehensive community consultation program.

## **8. Presentation – Summary of Current River Data**

Richard Howard, Jake Hennessey, Phil Moran and Shaun Walsh provided a presentation on active river data being gathered for the Noosa River. The presentation concluded with a slide seeking discussion on:

- strengths and weaknesses of the data
- how it could be improved?
- its usefulness in making decisions on the Noosa River catchment

Discussion included:

- lack of granularity of many data sets
- additional data sets available from other sources that were not included in presentation
- need to populate full data list in a library, including knowledge gaps, including data on the broader Noosa catchment, not just the river
- focus on what issues need resolving and the need for corresponding data
- transparency of data and accessibility to decision makers and public
- The *Keep it in Kin Kin* project anticipate the state to conduct another LiDar run to help inform sediment modelling which Noosa Landcare will follow up on.

**Action: NRSAC members to forward any additional known data sources to Shaun Walsh to assist in population of comprehensive data library**

#### **9. Presentation – Frying Pan Locality Circumstances**

Brett de Chastel provided a presentation on the circumstance of the public foreshore land at the Frying Pan on the Noosa North Shore.

Discussion included:

- The concern for the unlawful use of foreshores and damage to environmentally significant vegetation
- Next steps for Council review and implementation of better controls on the use of the public foreshore land
- Differing views on the desirability of any public facilities in this location for local residents, as a consistent approach should be applied to this site as other sites on the Noosa River with similar circumstances including Weyba Creek, Sheep Island channel and other North Shore pockets
- Opportunity for promotion of amenity and positive facilities and spectrum of rehabilitation as part of program

**Action: Shaun Walsh to liaise with CEO Noosa Council on timing of report to Council on circumstances of Frying Pan and provide progress report to NRSAC**

#### **10. General Business**

The following items of General Business were discussed:

##### Development of a Work Program for NRSAC

Peter Hunnam referenced his email of 10 June 2021 about work program for NRSAC. The following was discussed:

- TOR partially dealt with issue but clarifying but looking forward to developing a program for the next two years

##### Speeding Vessels

Joanne Daley reiterated the need to consider speeding vessels and river safety as per recent correspondence and sought early prioritisation of the issue by the subcommittee.

##### Garth Prowd Bridge

Bruce Davidson mentioned the recent meeting at Garth Prowd Bridge and need for safety consideration at other bridge locations.

#### **11. Media Statements**

It was noted that Council would co-ordinate a media statement with MSQ and Nick Hluszko about outcomes from the meeting with key messages including the constructive nature of the meeting, the in-principle support by MSQ for improved mooring anchoring and live aboard regulations, which would be fine-tuned in the coming period, and the need for a broadscale community consultation.

## **12. Meeting Close**

The Co-Chairs noted that the next meeting date hadn't been set but would confer and confirm as soon as possible.

*Post script – the Co-Chairs have confirmed the next meeting date as 5pm to 7pm Wednesday 4<sup>th</sup> August 2021.. This also provide timely interval of six weeks between meetings.*

The meeting was closed by the Chairs at 7pm.

## Summary of NRSAC Meeting Actions 23 June 2021

Action	Meeting Date	Status
1. <i>Committee members to provide feedback on MSQ initiatives including the speed signs and brochures and other initiatives. (please email to Susan Codi King)</i>	14 April 2021	Complete
2. <i>Shaun Walsh to prepare Noosa River Issue and Option Analysis template to provide a common framework for members and sub-groups to explore topics</i>	14 April 2021	Complete
3. <i>Nick Hluszko to chair the subgroup focusing on vessel management and Council initiatives and convene discussions in the coming week.</i>	14 April 2021	Complete (see subsequent action below)
4. <i>Committee members to provide feedback on NRSAC terms of reference in preparation for discussion at next meeting. (Please email to Shaun Walsh)</i>	14 April 2021	Complete TOR endorsed 23 June 2021
5. <i>Action: Co-Chair Angus Mitchell to assess proposals concerning anchoring and mooring management and provide advice at next NRSAC meeting.</i>	12 May 2021	Complete (see subsequent action below)
6. <i>Action: MSQ Officers to invite NRSAC members to a river use workshop session to draw up desirable and undesirable river use areas as a first step for further evaluation.</i>	12 May 2021	Complete. 2 sessions were scheduled with NRSAC members in June
7. <i>Action: Peter Hunnam with others to distribute information about river strategy and management framework to facilitate ongoing discussions about next steps.</i>	12 May 2021	Complete. Discussed by Peter in General Business
8. <i>Action: Shaun Walsh to work with Jake Hennessey and Richard Howard to compile a presentation for next NRSAC meeting on current Noosa River data sets</i>	12 May 2021	Complete. Presentation provided at 23 June meeting
9. <i>Action: Shaun Walsh to coordinate bridge safety discussion with interested committee members, and the facilitate meeting with Council design team for the Garth Prowd Bridge.</i>	12 May 2021	Complete. Meeting undertaken in June and members invited

		<i>Awaiting response from Council</i>
<i>10. Action: Council / MSQ to liaise with Nick Hluszko to prepare joint media statement for NRSAC meeting.</i>	<i>12 May 2021</i>	<i>Complete. Media Statement distributed</i>
<i>11. Action: Council to prepare a presentation on the circumstance of vessels and structures at the Frying Pan at the next NRSAC meeting</i>	<i>12 May 2021</i>	<i>Complete. Presentation at 23 June meeting</i>
<i>12. Action: Shaun Walsh to draft reply to public correspondents on behalf of NRSAC thanking them for feedback, agreeing that speed and safety require detailed consideration and noting that such review will be prioritised jointly with Maritime Safety Queensland</i>	<i>23 June 2021</i>	
<i>13. Action: Shaun Walsh to distribute endorsed Terms of Reference to NRSAC members, inclusive of the endorsed option for the subcommittee</i>	<i>23 June 2021</i>	
<i>23 Action: Gillian Leslie MSQ and Shaun Walsh Noosa Council coordinate an additional session with NRSAC member to better refine and describe the proposed regulation package and its application to Marine Zone / Transport Infrastructure (Waterways Management) Regulations.</i>	<i>23 June 2021</i>	
<i>24 Action: MSQ to present the proposed anchoring / mooring / liveaboard regulatory package and proposed implementation program at the next NRSAC meeting</i>	<i>23 June 2021</i>	
<i>25 Action: NRSAC members to forward any additional known data sources to Shaun Walsh to assist in population of comprehensive data library</i>	<i>23 June 2021</i>	
<i>26 Action: Shaun Walsh to liaise with CEO Noosa Council on timing of report to Council on circumstances of Frying Pan and provide progress report to NRSAC</i>	<i>23 June 2021</i>	