

WATERWAYS NOTICE

Notice to control activities or conduct in Gold Coast waters

Gold Coast Waterway Authority Act 2012, part 5, divisions 2 and 3



Authority

I, Chris Derksema, Chief Executive Officer, Gold Coast Waterways Authority (the **Authority**), am delegated by the Board of the Authority under section 14 of the *Gold Coast Waterways Authority Act 2012* (the **Act**).

Area

1. By this waterways notice (the **Notice**), I hereby establish, in waters of Marine Stadium, the following:
 - a) Marine Stadium recreation opportunities area (the **Recreation Opportunities Area**);
 - b) Marine Stadium jetty and pontoon approach channel (the **Approach Channel**); and
 - c) Marine Stadium jetty and pontoon watercraft manoeuvring, queuing, and turning area (the **Jetty and Pontoon Use Area**).
2. The waters of Marine Stadium are within Gold Coast waters as defined under the Act.

Requirements

1. A person in charge of a watercraft must not anchor, leave, or moor the watercraft—
 - a) within the Approach Channel; or
 - b) within the Jetty and Pontoon Use Area.
2. A person in charge of a powered watercraft must not anchor, leave, moor, navigate, or otherwise operate, the watercraft within the Recreation Opportunities Area.

Duration

This Notice is part of a trial is in effect from 9:00 AM on 31 March 2024 to 9:00 AM on 31 March 2025.

Watercraft to which Notice does not apply

1. The requirements of the Notice do not apply to—
 - a) a watercraft owned by the State;
 - b) a watercraft being used to carry out approved works;
 - c) a watercraft being used to carry out water quality testing;
 - d) a watercraft moored to the Marine Stadium jetty and pontoon no longer than 20 minutes; or
 - e) a watercraft approved in writing by the Authority.

2. For the Notice—

approved works means works, including construction, dredging, and establishing and maintaining aids to navigation or marine signs, approved under the Act, the *Planning Act 2016*, the *Transport Operations (Marine Safety) Act 1994*, or another act.

powered watercraft means a watercraft fitted with propelling machinery, such as an inboard engine or outboard motor, whether such machinery is being used or not.

Map

The Recreation Opportunities Area, Approach Channel and Jetty and Pontoon Use Area are shown on map C4-151-2, which forms part of the Notice.

Reasons

1. *The Spit Master Plan* sets out a vision for place management with outcomes including the Marine Stadium jetty and pontoon for ferries and larger vessels, as well as support for tourism, leisure, and recreational activities.
2. The Notice seeks to:
 - a) enable the use of the Marine Stadium jetty and pontoon by commercial vessels up to 30 metres in length which require sufficient "sea room" for safer navigational access, manoeuvring, and turning;
 - b) equitably allocate space within Marine Stadium for a range of uses including anchorage, swimming, fishing, animal exercise, events and passive craft;
 - c) deliver cleaner waters and supports safer recreational opportunities for fishing, kayaking, sailing, stand-up paddleboarding, and swimming;
 - d) respond to water quality testing which revealed that Marine Stadium waters have not consistently met standards for direct water contact recreation; and
 - e) reduce the risk of contamination of waters used for recreation by removing the potential contamination source, namely the unlawful discharge of waste by anchored watercraft.
3. The requirements for the Approach Channel and Jetty and Pontoon User Area appropriately manage the obstruction risk posed by watercraft anchored or left in that channel or area.

Purposes

1. I make the requirements of the Notice for the following purposes—
 - a) improving the effective and efficient management of certain waters in Marine Stadium;
 - b) maintaining fair and reasonable access for powered watercraft to the Marine Stadium jetty and pontoon; and
 - c) moving and controlling the activities by watercraft on certain waters in Marine Stadium.
2. I am satisfied the purposes of the Notice—

- a) support outcomes of *The Spit Master Plan*; and
- b) achieve purposes of the Act.

Offence

A person to whom the Notice applies must comply with each requirement of the Notice, unless the person has a reasonable excuse.

A contravention of a requirement of the Notice is an offence against the Act, which carries a maximum penalty of 100 penalty units (currently \$15,480) for an individual and 500 penalty units (currently \$77,400) for a corporate entity.

A watercraft that is anchored, moored, or left in waters of Marine Stadium in contravention of a requirement of the Notice is contravening property.

Expenses

The Authority may take steps necessary and reasonable to move contravening property.

If the Authority incurs expenses in dealing with contravening property, the Authority may recover those expenses from the owner of the property as a debt payable to the State.

Previous waterways notice

The Notice supersedes and repeals the waterways notice for:

- a) Marine Stadium recreation opportunities area;
- b) Marine Stadium jetty and pontoon approach channel; and
- c) Marine Stadium jetty and pontoon watercraft manoeuvring, queuing, and turning area

published on the Authority's website and dated 31 March 2023.

Date of effect

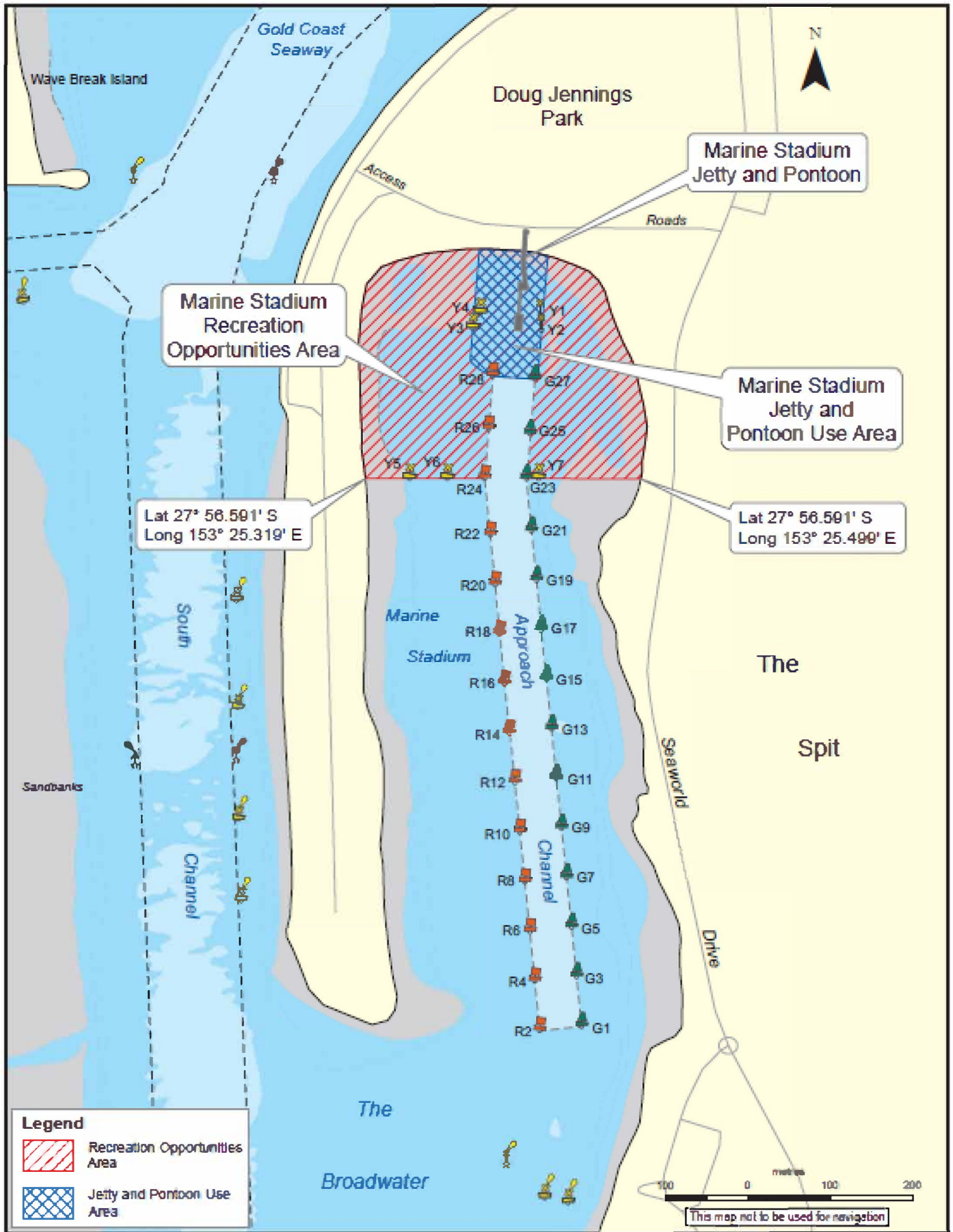
The Notice takes effect from 9 AM on 31 March 2024.



Chris Derksema

Chief Executive Officer

Signed at GOLD COAST on 27 Feb 2024



Map C4-151-2

Gold Coast Waterways Authority

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Transport and Main Roads

Datum: GDA94 horizontal, LAT vertical
Map projection: UTM (MGA zone 56)
Prepared 23 March 2023
Maritime Safety Queensland
Spatial Services

RECREATION OPPORTUNITIES AREA
31 March 2024 to 31 March 2025
MARINE STADIUM - BROADWATER - GOLD COAST

