

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, **Peter Kleinig, Manager (Waterways), Gold Coast Waterways Authority** (the **Authority**), am subdelegated by the Chief Executive Officer of the Authority under section 14 of the *Gold Coast Waterways Authority Act 2012* (the **Act**).

Watercraft

1. This waterways notice (the **Notice**) applies to the white flybridge LeisureCat Profisher motor boat named DEGMILN (the **Watercraft**).
2. The Watercraft is moored to an approved buoy mooring marked "2-213" (the **Buoy mooring**) in the Jabiru Harbour buoy mooring area within waters of Coombabah Creek near Paradise Point.
3. The waters of Coombabah Creek are within Gold Coast waters as defined under the Act.
4. The Watercraft is shown in two images, which form part of the Notice.

Requirements

1. A person in charge of the Watercraft must—
 - a) stop using the Buoy mooring for mooring of the Watercraft within 7 days; namely before 3 pm on 30 April 2025;
 - b) move the Watercraft to a location where the Watercraft is not—
 - i. an obstruction to navigation;
 - ii. a hazard to water traffic; and
 - iii. in contravention of the *Transport Infrastructure (Waterways Management) Regulation 2012* or the *Transport Operations (Marine Safety) Regulation 2016*.

Reasons

1. The Authority is the approving entity for buoy moorings in Gold Coast waters.
2. The Watercraft is not the ship stated in the Buoy mooring approval.
3. The Watercraft is unlawfully using the Buoy mooring to moor in the Jabiru Harbour buoy mooring area.
4. The Authority fixed a "GCWA Aware" sticker on the cabin of the Watercraft on 8 January 2025.
5. Since that date, no one has contacted the Authority about the "GCWA Aware" sticker, and the Authority has not been able to locate the owner of the Watercraft.
6. The Notice seeks to remove the Watercraft from the Buoy mooring.

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ABN: 31 675 234 044



Purposes

1. I make the requirements of the Notice for the following purposes—
 - a) maintaining the effective and efficient management of certain Gold Coast waters near Paradise Point; and
 - b) moving the Watercraft that is unlawfully using an authorised buoy mooring in the Jabiru Harbour buoy mooring area.
2. I am satisfied the purposes of the Notice achieve the purposes of the Act.

Offence

A person to whom the Notice applies must comply with each requirement of the Notice immediately, 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 \$16,130 for an individual, and up to five times that amount for a corporate entity.

A watercraft that is moored or left in Gold Coast waters 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.

Effect

The Notice takes effect from 3 pm on the date signed below.

ORIGINAL DOCUMENT SIGNED

Peter Kleinig
Manager (Waterways)

Signed at GOLD COAST on the 23rd day of April 2025



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