

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 a 10-metre blue/white Four Winns full cabin motorboat with registration SE517Q (the **Watercraft**).
2. The Watercraft is moored in Clear Island Lake to an approved structure at the rear of 10 Tortuga Place, Clear Island Waters.
3. The waters of Clear Island Lake are within Gold Coast waters as defined under the Act.
4. The Watercraft is shown in two images in the schedule, which forms part of the Notice.

Requirements

1. A person in charge of the Watercraft must, within 7 days before 5 pm on 22 May 2025—
 - a) refloat the Watercraft and make it secure alongside the structure; and
 - b) repair the Watercraft's electrical and bilge systems; or alternatively
 - c) move the Watercraft to an appropriate location or facility to carry out the repairs set out in 1 (b) above.

Reasons

1. The Watercraft appears in poor condition, has taken on water, and is currently resting on the seabed within Clear Island Lake.
2. The Watercraft cannot remain at its current location without reasonable steps to ensure the Watercraft is not likely to:
 - a) discharge pollutants into Clear Island Lake (a **Pollution incident**); or
 - b) become stranded and derelict in waters of Clear Island Lake (a **Marine incident**).
3. An employee of the Authority has been attempting to contact the owner of the Watercraft since 12 March 2025 without success.
4. Since that date, no one has contacted the Authority about the Watercraft and the Authority has not been able to locate the owner of the Watercraft.
5. The Notice seeks to move the Watercraft from Clear Island Lake to a location that effectively manages the risk of a Pollution incident and a Marine incident.

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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 Clear Island Waters.
 - b) moving the Watercraft to prevent a Pollution incident or a Marine incident in Clear Island Lake.
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 11am on the date signed below.

ORIGINAL NOTICE SIGNED

Peter Kleinig
Manager (Waterways)

Signed at GOLD COAST on the 15th day of May 2025

SCHEDULE



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