



**Douglas Shire Council
Subordinate Local Law No. 6
(Bathing Reserves) 2020**

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 6 (Bathing Reserves) 2020*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 6 (Bathing Reserves) 2020*, which provides for the orderly management and regulation of activities within bathing reserves placed under the local government's control.
- (2) The purpose is to be achieved by providing for—
 - (a) the regulation of the use of aquatic equipment within bathing reserves; and
 - (b) the appointment and powers of authorised persons to manage and enforce the regulation of conduct within bathing reserves.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 6 (Bathing Reserves) 2020* (the **authorising local law**).

4 Definitions

Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.

Part 2 Bathing reserves

This part in the authorising local law does not contain any matters to be provided for by subordinate local law.

Part 3 Use of aquatic equipment in bathing reserves

5 Prohibition or restriction of aquatic equipment—authorising local law, s 12(1)

- (1) For section 12(1) of the authorising local law, the equipment mentioned in column 2 of schedule 1 is prohibited in the corresponding bathing reserve or part of a bathing reserve mentioned in column 1 of schedule 1.
- (2) For section 12(1) of the authorising local law, the equipment mentioned in column 2 of schedule 2 is restricted in the corresponding bathing reserve or part of a bathing reserve mentioned in column 1 of schedule 2, to the extent described in column 3 of schedule 2.

Part 4 Behaviour in bathing reserves

6 Prohibited equipment—authorising local law, s 15(3)

For section 15(3) of the authorising local law, the following equipment is prohibited equipment—

- (a) glassware.

7 Circumstances where prohibited equipment permitted—authorising local law, s 15(2)

For section 15(2) of the authorising local law, section 15(1) of the authorising local law does not apply in the following circumstances—

- (a) where prohibited equipment is used during a competition or event approved by the local government; or
- (b) approval is given under another local law.

8 Restriction on particular animals in bathing reserves—authorising local law, s 17

For section 17 of the authorising local law, the animals mentioned in column 2 of schedule 3 are restricted in the corresponding bathing reserve or part of a bathing reserve mentioned in column 1 of schedule 3, to the extent described in column 3 of schedule 3.

Part 5 Life-saving clubs and powers of authorised persons

This part in the authorising local law does not contain any matters to be provided for by subordinate local law.

Part 6 Authorised persons

9 Appointment of authorised persons—authorising local law, s 26(1)(a)

For section 26(1)(a) of the authorising local law, the following persons are authorised persons for the local law—

- (a) the senior lifeguard from a recognised life-saving club assigned by the club or Surf Life Saving Queensland to patrol a bathing reserve or part of a bathing reserve, at a particular time.

10 Limitation of authorised persons' powers—authorising local law, s 27

For section 27 of the authorising local law, the powers of an authorised person appointed under section 9 of this subordinate local law are limited as follows—

- (a) an authorised person may only exercise the powers of an authorised person in the part of the bathing reserve assigned to the life-saving club under section 19 of the authorising local law and during the times that the person is part of a life-saving patrol.

11 Conditions of office for authorised persons—authorising local law, s 28(1)

For section 28(1) of the authorising local law, an authorised person identified under section 8 of this subordinate local law holds office on the following conditions—

Such conditions as may be prescribed in the instrument of appointment.

Part 7 Miscellaneous

This part in the authorising local law does not contain any matters to be provided for by subordinate local law.

Schedule 1 Prohibited aquatic equipment for bathing reserves or parts of bathing reserves

Section 5(1)

Column 1 Bathing reserve or part of bathing reserve	Column 2 Prohibited aquatic equipment
Intentionally left blank	Intentionally left blank

Schedule 2 Restricted aquatic equipment for bathing reserves or parts of bathing reserves

Section 5(2)

Column 1 Bathing reserve or part of bathing reserve	Column 2 Restricted aquatic equipment	Column 3 Extent of restriction
All bathing reserves within the local government area.	Ship Jet ski Another device, whether motorised or not for use on or in the water to carry a person or thing across or through the water or for recreational use in the water	Permitted only if— (a) authorised by an authorised person, subject to conditions fixed by the authorised person when giving the authorisation; and (b) the aquatic device is operated safely; and (c) the aquatic device is not taken within 50 metres of people in the water, or an anchored ship.

Schedule 3 **Restricted animals in bathing reserves or parts of bathing reserves**

Section 8

Column 1 Bathing reserve or part of bathing reserve	Column 2 Restricted animal(s)	Column 3 Extent of restriction
Four Mile Beach Bathing Reserve	Horses, camels and donkeys	Permitted only: (a) if authorised under the conditions of an approval for a prescribed activity; or (b) with the written permission of the chief executive officer.