



Whitsunday Regional Council Subordinate Local Law (Amending) Whitsunday Regional Council Subordinate Local Law No. 6 (Bathing Reserves) 2019

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law (Amending) Whitsunday Regional Council Subordinate Local Law No. 6 (Bathing Reserves) 2019*.

2 Commencement

This subordinate local law commences on the date notice of the making of the local law is published in the gazette.

3 Subordinate local laws amended

This subordinate local law amends *Whitsunday Regional Council Subordinate Local Law No. 6 (Bathing Reserves) 2014*.

Part 2 Amendment of Whitsunday Regional Council Subordinate Local Law No. 6 (Bathing Reserves) 2014

4 Replacement of s 6 (Prohibited equipment – Authorising local law, s 15(3))

Section 6 –

omit, insert –

6 Circumstances where prohibited equipment permitted— Authorising local law, s 15(2)

For section 15(2) of the authorising local law, the circumstances excluded from the application of the section are—

- (a) where life saving equipment is used by members of a life-saving patrol for surveillance of the bathing area and to assist persons in distress;
- (b) where prohibited equipment is used during a competition or event approved in writing by the local government;
- (c) where the use of prohibited equipment is necessary in an emergency;
- (d) where approval for the use of prohibited equipment is given under another local law.

5 Replacement of s 7 (Circumstances where prohibited equipment permitted – Authorising local law, s 15(2))

Section 7 –

omit, insert –

7 Prohibited equipment—Authorising local law, s 15(3)

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

- (a) a land yacht;
- (b) a tent or shelter that covers an area of more than 4 square meters;
- (c) aquatic equipment that is permanently moored;
- (d) aquatic equipment with a projection which may cause injury to a bather;
- (e) glassware (e.g. bottles, glass containers etc).

6 Amendment of s 8 (Appointment of authorised persons – Authorising local law, s 26(1)(a))

- (1) Section 8, ‘the local law’ –

omit, insert –

the authorising local law

- (2) Section 8, subsection (a) –

omit, insert –

(a) A captain;

(b) A senior life guard;

(c) Any other member,

of a life-saving patrol organised by a life-saving club that has been assigned the responsibility of patrolling a bathing reserve or part of a bathing reserve under section 19 of the authorising local law.

7 Amendment of s 9 (Limitation of authorised persons’ powers – Authorising local law, s 27)

- (1) Section 9, subsection (b), ‘patrol’ –

omit, insert –

patrols

- (2) Section 9, subsection (c), from ‘sections’ –

omit, insert –

6(1) and (6), 7(2), 8(1), 11(2)(c), 12(3), 13(1), 22(1), 23(1), 24(1), 25(2) and 35(1) and (2) of the authorising local law.

8 Amendment of s 10 (Conditions of office for authorised persons – Authorising local law, s 28(1))

Section 8, 'following conditions that there is' –

omit, insert –

condition that if there is

9 Amendment of sch 1 (Prohibited aquatic equipment for bathing reserves or parts of bathing reserves)

(1) Schedule 1, item 1, column 1, 'Region' –

omit, insert –

Regional

(2) Schedule 1, item 1, column 2, from 'than –' –

omit, insert –

than a body board.

10 Amendment of sch 2 (Restricted aquatic equipment for bathing reserves or parts of bathing reserves)

(1) Schedule 2, item 1, column 1, 'Region' –

omit, insert –

Regional

(2) Schedule 2, item 1, column 2 –

omit, insert –

Aquatic equipment, Vehicle

- (3) Schedule 2, item 1, column 3 –

omit, insert –

- (1) Not permitted in a bathing reserve unless the aquatic equipment is being used by –
- (a) a member of a life-saving patrol in the course of his or her duties as a life-saving patrol member; or
 - (b) the local government; or
 - (c) an authorised person.