

Subordinate Local Law No. 6 (Bathing Reserves) 2010

Contents

Part 1	Preliminary.....	2
	1 Short title.....	2
	2 Purpose and how it is to be achieved.....	2
	3 Authorising local law.....	2
	4 Definitions.....	2
Part 2	Bathing reserves.....	2
Part 3	Use of aquatic equipment in bathing reserves.....	2
	5 Prohibition or restriction of aquatic equipment—Authorising local law, s 12(1).....	2
Part 4	Behaviour in bathing reserves.....	3
	6 Prohibited equipment—Authorising local law, s 15(3).....	3
	7 Circumstances where prohibited equipment permitted—Authorising local law, s 15(2).....	3
Part 5	Life-saving clubs and powers of authorised persons.....	3
Part 6	Authorised persons.....	3
	8 Appointment of authorised persons—Authorising local law, s 26(1)(a).....	3
	9 Limitation of authorised persons' powers—Authorising local law, s 27.....	4
	10 Conditions of office for authorised persons—Authorising local law, s 28(1).....	4
Part 7	Miscellaneous.....	4
Schedule 1	Prohibited aquatic equipment for bathing reserves or parts of bathing reserves.....	5
Schedule 2	Restricted aquatic equipment for bathing reserves or parts of bathing reserves.....	6

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 6 (Bathing Reserves) 2010*.

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) [insert year]*, 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) [insert year]* (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—

- ...
- ...

[Insert list of prohibited equipment – for example, ‘a tent or beach shelter that covers more than 4 square metres’]

7 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—

- ...
- ...

[Insert list of circumstances – for example, ‘where the prohibited equipment is used during a competition or event approved by the local government’]

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

8 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—

- ...
- ...

[Insert categories of persons – for example:

- *a person who holds a particular rank in a life-saving patrol organised by a life-saving club that has been assigned the responsibility for patrolling a bathing reserve or a part of a bathing reserve under section 19 of the*

authorising local law]

9 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 8 of this subordinate local law are limited as follows—

- ...
- ...

[Insert limitations – for example:

- *'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'*
- *'an authorised person may only exercise the powers under sections ... [insert sections] of the authorising local law'*
- *'an authorised person who is a captain of a life-saving patrol may only exercise the powers under sections ... [insert sections] of the authorising local law'*

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

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

- ...
- ...

[Insert conditions – for example:

- *If there is any conflict between an authorised person appointed under section 26(1)(b) of the authorising local law and an authorised person appointed under section 8 of this subordinate local law regarding the way the powers of an authorised person should be exercised under the local law, the powers shall be exercised as directed by the authorised person appointed under section 26(1)(b).]*

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	Column 2
	Bathing reserve or part of bathing reserve	Prohibited aquatic equipment
1	All bathing reserves within the local government area	<p><i>[Insert list of aquatic equipment or classes of aquatic equipment that are prohibited in all bathing reserves within the local government area:</i></p> <ul style="list-style-type: none"> • <i>in relation to ‘aquatic equipment’, this can include any of the items listed in the definition in the schedule to the model local law (e.g. boat, surf ski, jet ski etc)</i> • <i>in relation to ‘classes of aquatic equipment’, this might be things like ‘a boat over 8 feet long’ or ‘a body board that is made of material that is not cushioned’]</i>
2	<i>[Where the prohibition is to apply to a particular bathing reserve – describe the reserve using the terms in the gazette notice under the Local Government Act 2009 that declared the reserve]</i>	<i>[Insert list of aquatic equipment that is prohibited in the particular bathing reserve mentioned in column 1]</i>
3	<i>[Where the prohibition is to apply to a particular part of a bathing reserve – clearly define the particular bathing reserve and the particular part of that bathing reserve where the equipment is prohibited]</i>	<i>[Insert list of aquatic equipment that is prohibited in the particular part of the particular bathing reserve mentioned in column 1]</i>
4		

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
1	All bathing reserves within the local government area	<i>[Insert item of aquatic equipment to be restricted, using items in the definition in the schedule to the model local law. A separate row below should be created for each item of equipment]</i>	<p><i>[Insert description of the extent to which the item of equipment is to be restricted – for example:</i></p> <ul style="list-style-type: none"> • <i>‘permitted only between the hours of 7am and 6pm’</i> • <i>‘permitted only if the following safety measures are in place...’</i> • <i>‘permitted only if the outboard engine is off’]</i>
2	<i>[Where the restriction is to apply to a particular bathing reserve – describe the reserve using the terms in the gazette notice under the Local Government Act 2009 that declared the reserve]</i>	<i>[Insert item of aquatic equipment that is restricted in the particular bathing reserve mentioned in column 1]</i>	<i>[Insert description of the extent to which the item of aquatic equipment is to be restricted]</i>
3	<i>[Where the prohibition is to apply to a particular part of a bathing reserve – clearly define the particular bathing reserve and the particular part of that bathing reserve where the equipment is prohibited]</i>	<i>[Insert item of aquatic equipment that is restricted in the particular part of the particular bathing reserve mentioned in column 1]</i>	<i>[Insert description of the extent to which the item of aquatic equipment is to be restricted]</i>
4			