

Fraser Coast Regional Council

Bathing Reserves (Amendment) Subordinate Local Law

(No. 1) 2023

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Bathing Reserves (Amendment) Subordinate Local Law (No. 1) 2023*.

2 Subordinate local law amended

This subordinate local law amends *Subordinate Local Law No. 6 (Bathing Reserves) 2011*.

Part 2 Amendment of subordinate local law

3 Amendment of s4 (Definitions)

Section 4(1) and (2)—

omit, insert—

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

4 Amendment of s5 (Prohibition or restriction of aquatic equipment – Authorising local law, s12(1))

Section 5—

omit, insert—

‘5 Prohibition or restriction of aquatic equipment and prescribed equipment —Authorising local law, s12(1)

- (1) For section 12(1)(a) of the authorising local law, the aquatic 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)(b) of the authorising local law, the aquatic 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.
- (3) For section 12(1)(c) of the authorising local law, the prescribed 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.
- (4) For section 12(1)(d) of the authorising local law, the prescribed 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.

- (5) For section 12(6) of the authorising local law, an item or object is classified as prescribed equipment if the item or object is 1 of the following—
- (a) a spear gun; or
 - (b) a fishing spear; or
 - (c) a tent or shelter that covers an area of more than 10m².

5 Omission of s6 (Prohibited equipment — Authorising local law, s15(3))

Section 6—

omit.

6 Omission of s7 (Circumstances where prohibited equipment permitted — Authorising local law, s15(2))

Section 7—

omit.

7 Replacement of sch 1 (Prohibited aquatic equipment for bathing reserves or parts of bathing reserves)

Schedule 1 —

omit, insert—

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

Section 5(1) and (3)

	Column 1	Column 2
	Bathing reserve of part of bathing reserve	Aquatic equipment or prescribed equipment which is prohibited
1.	Any part of a bathing reserve (including foreshore and waters)— (a) within 100m of any point on the Urangan Pier; but (b) excluding any area which a vessel may traverse under normal navigational channel operations ¹	All aquatic equipment

¹ A signalled navigation channel exists adjacent to the end of the Urangan Pier



2.	All bathing reserves in the local government area	(a) A land yacht; (b) Aquatic equipment, if the aquatic equipment is permanently moored; (c) A fishing spear; (d) A loaded spear gun.
3.	Within 50m of a bathing area in a bathing reserve in the local government area	Motorised aquatic equipment.

8 Replacement of sch 2 (Restricted aquatic equipment for bathing reserves or parts of bathing reserves)

Schedule 2 —

omit, insert—

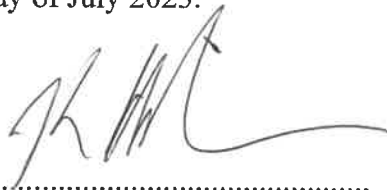
‘Schedule 2 Restricted aquatic equipment and prescribed equipment for bathing reserves or parts of bathing reserves

Section 5(2) and (4)

	Column 1	Column 2	Column 3
	Bathing reserve or part of bathing reserve	Aquatic equipment or prescribed equipment the use of which is restricted	Extent of restriction
1.	The bathing reserves, or parts of bathing reserve which adjoin, or are contiguous to, each of the following — (a) the seashore between Scarness Pier and Margaret Street Groyne; (b) the seashore between Grinsteads Road and the western end of Mant Street; (c) the seashore between the intersection of Mant and Corfield	Motorised aquatic equipment including boats, vessels and jet skis.	Permitted only — (a) if an authorised person has temporarily set aside the area for aquatic equipment of a particular type; or (b) within a boat access or navigation channel; or (c) within 20m of a public boat ramp; or

	Streets and the eastern end of Aplin Street.		(d) within 50m of a pier or jetty; or (e) beyond a distance of 200m from the high-water mark.
2.	All bathing reserves in the local government area.	A tent or shelter that covers an area of more than 10m ² .	Permitted only in accordance with an approval granted by the local government in respect of the use of the tent or shelter.
3.	All bathing reserves in the local government area.	A spear gun that is not loaded.	Permitted only if the spear gun is located within the confines of a vessel that is in a boat access or navigation channel.

This and the preceding 4 pages bearing my initials is a certified copy of *Bathing Reserves (Amendment) Subordinate Local Law (No. 1) 2023* made in accordance with the provisions of the *Local Government Act 2009* by Fraser Coast Regional Council by resolution dated the 26th day of July 2023.



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 Chief Executive Officer

