



Subordinate Local Law No. 12.8

(Aquatic Centres) 2011

Reprinted as in force on 13 April 2017

Reprint No. 1

It is hereby certified that this is a true and correct copy of
Subordinate Local Law No. 12.8 (Aquatic Centres) 2011 made, in accordance with
the *Local Government Act 2009*, by the Council of the City of Logan.

T. Rohl
Chief Executive Officer



Subordinate Local Law No. 12.8 (Aquatic Centres) 2011

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Logan City Council

Subordinate Local Law No. 12.8

(Aquatic Centres) 2011

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 12.8 (Aquatic Centres) 2011*.

2 Authorising local law

This subordinate local law is made pursuant to *Local Law No. 12 (Council Property and Other Public Places) 2003*.

3 Object

The object of this subordinate local law is to assist in the implementation of *Local Law No. 12 (Council Property and Other Public Places) 2003* by specifying pursuant to section 9(1) (Regulation of council property) of *Local Law No. 12 (Council Property and Other Public Places) 2003* restrictions on the use of aquatic centres and by ensuring—

- (a) aquatic centres generally comply with essential standards of health and safety; and
- (b) the operation or use of aquatic centres do not result in nuisance to adjoining occupiers or others; and
- (c) aquatic centres are properly managed and supervised.

4 Definitions—the dictionary

The dictionary in Schedule 2 (Dictionary) defines particular words used in this subordinate local law.

Part 2 Aquatic Centres

5 Hours of operation

An aquatic centre shall be open for use by the public during such periods as the local government may from time to time by resolution declare.

6 Admission fee

The admission fee for entry to or use of an aquatic centre shall be the fee that the local government may from time to time by resolution declare.

7 Admission

- (1) The manager or a council officer may—
 - (a) refuse the admission of a person to an aquatic centre at any time; or
 - (b) impose restrictions or conditions on a person's entry to an aquatic centre.
- (2) A minor must not enter or be an aquatic centre if the minor:
 - (a) is under the age of 13 years and is not:
 - (i) accompanied by a person who is 16 years or more in age who acts responsibly; or
 - (ii) attending a supervised program in an aquatic centre (for example, a program with a teacher or an instructor supervising the minor); or
 - (b) does not meet the age requirements of a performance or event being held in an aquatic centre (for example, requirements that a person must not be under the age of 18 years, or requirements that a person under the age of 18 years may only attend if supervised by a parent).
- (3) A person must not leave a minor at or in an aquatic centre if the minor's admission would be contrary to section 7(2) of this subordinate local law.
- (4) In this section—

minor means a person who is under the age of 18 years.

8 Regulated conduct

A person must not—

- (a) use profane, indecent, obscene, insulting, abusive or threatening language in an aquatic centre; or
- (b) behave in an offensive, threatening or indecent manner in an aquatic centre; or
- (c) by disorderly conduct cause serious alarm or affront to a person in an aquatic centre; or

- (d) cause annoyance or inconvenience to any other person in an aquatic centre; or
- (e) stand or loiter to the inconvenience, annoyance or obstruction of any person in an aquatic centre; or
- (f) behave in a riotous or disorderly manner in an aquatic centre; or
- (g) dunk another person under the water in a swimming pool in an aquatic centre; or
- (h) throw another person into a swimming pool in an aquatic centre; or
- (i) run around or dive into a swimming pool in an aquatic centre; or
- (j) create or take part in any disturbance in an aquatic centre; or
- (k) sing any obscene song or ballad or write or draw any indecent or obscene word, figure or representation whilst in an aquatic centre; or
- (l) obstruct a council officer in the performance of that council officer's work or duties in an aquatic centre; or
- (m) obstruct the manager or any employee of the aquatic centre in the performance of their duties; or
- (n) if the person is more than 5 years of age, enter into any part of an aquatic centre which is set apart for the exclusive use of the opposite sex, other than for the purpose of rendering emergency assistance; or
- (o) carry or convey any article or substance of an offensive or indecent character or any article of any length or dimension as to be an inconvenience, obstruction, hazard or danger to any person into or within an aquatic centre; or
- (p) carry or convey into an aquatic centre or otherwise possess within an aquatic centre a glass receptacle; or
- (q) place or cause or permit to be placed in an aquatic centre anything whatsoever so as to be an inconvenience, obstruction, hazard or danger to any person; or
- (r) throw a stone or other article in an aquatic centre; or
- (s) take a stone or like article into an aquatic centre without the permission of the manager; or
- (t) push into any line of persons within or outside an aquatic centre that has been fixed by the manager or a council officer; or

- (u) obstruct, hinder or prevent the free passage of any person or vehicle into, out of or within an aquatic centre; or
- (v) do or say anything to hinder or interfere with the proper progress or conduct of an authorised activity; or
- (w) contravene any restriction or condition to which the person's entry to an aquatic centre was subject; or
- (x) enter any part of an aquatic centre when excluded or banned by the direction of the manager or a council officer; or
- (y) enter into an aquatic centre if the person is intoxicated or under the influence of a dangerous drug; or
- (z) carry into an aquatic centre or otherwise possess within an aquatic centre any dangerous drug; or
- (aa) deposit any litter, scraps, waste material or rubbish of any kind in an aquatic centre other than in a waste container provided by the local government; or
- (bb) expectorate in an aquatic centre; or
- (cc) create or place filth, or commit a nuisance of any kind, within an aquatic centre; or
- (dd) deface, mark or damage a building, structure, fitting or fixture in an aquatic centre; or
- (ee) foul or pollute the water in a swimming pool in an aquatic centre; or
- (ff) foul or soil a shower room, dressing room or other facility in an aquatic centre; or
- (gg) use soap or any other substance in a swimming pool in an aquatic centre which causes or may cause the water in the swimming pool to become turbid or otherwise unfit for the purpose of swimming; or
- (hh) enter into a swimming pool in an aquatic centre if the person has an infectious, contagious or offensive disease, illness or skin complaint; or
- (ii) enter into or depart from an aquatic centre other than by means of a designated entrance or exit; or
- (jj) enter into a shower room cubicle or a dressing room cubicle which is being used by another person in an aquatic centre without the consent of the other person; or

- (kk) dress, undress or otherwise remove or disarrange any part of the person's bathing costume in an aquatic centre, other than in a shower room, dressing room or toilet; or
- (ll) expose to view any obscene books, print, picture, drawing, painting or other indecent exhibition or representation in an aquatic centre; or
- (mm) willfully expose his or her person in an aquatic centre; or
- (nn) teach, train or coach any other person or persons in any aquatic sports for a fee or reward within an aquatic centre, without first obtaining the permission of the local government; or
- (oo) incorrectly state their age or the age of another person for the purpose of entering an aquatic centre; or
- (pp) if a person holds a swim pass issued in their name, allow another person to use the swim pass to gain access to an aquatic centre; or
- (qq) use a swim pass issued in the name of another person to gain or attempt to gain access to an aquatic centre.

9 Liquor not to be brought into an aquatic centre

A person (other than a council officer acting in the course of the council officer's employment) must not bring liquor into any public area of an aquatic centre, unless authorised by—

- (a) the prior written approval of the local government; or
- (b) a direction of a council officer.

10 Smoking

A person must not smoke—

- (a) within an enclosed part of an aquatic centre; or
- (b) within 4 metres of an entrance to an aquatic centre.

11 Patrons to wear swimming costumes

All patrons of an aquatic centre must wear suitable and appropriate swimming costumes that cover the body so as to prevent indecent exposure of the person.

12 Animals not allowed

- (1) A person must not lead, carry or otherwise allow an animal, other than a guide dog, hearing dog or assistance dog, to enter an aquatic centre.

- (2) If any animal other than a guide dog, hearing dog or assistance dog is found in an aquatic centre, the owner or person in charge of the animal shall immediately remove the animal upon being requested to do so by the manager or a council officer.

13 Patrons to comply with direction of lifeguards

All patrons of an aquatic centre must comply with any direction given by a lifeguard.

14 Swimming events

- (1) The manager may, with the approval of the local government, allow an aquatic centre to be used by a hirer for the purpose of a swimming event, being—
- (a) swimming races; or
 - (b) a swimming carnival; or
 - (c) any other purpose approved by the local government.
- (2) A hirer that uses an aquatic centre for a swimming event may either—
- (a) charge the general public for admission to the aquatic centre during the swimming event; or
 - (b) exclude the general public from the aquatic centre during the swimming event.
- (3) If a hirer excludes the general public from an aquatic centre pursuant to subsection (2)(b), the hirer must pay to the local government a fee for the use of the aquatic centre that has either—
- (a) been fixed by the local government and is in force at the time of the use of the aquatic centre; or
 - (b) if no charge has been fixed by the local government, a charge agreed upon between the hirer and the local government.

15 Patrons and hirers to leave aquatic centres

- (1) The manager or a council officer may direct persons to leave an aquatic centre—
- (a) at the conclusion of every session for which an aquatic centre has been made open for admission by the general public; or
 - (b) at the conclusion of every swimming event for which an aquatic centre has been used pursuant to section 14 (Swimming events) of this subordinate local law; or

- (c) at any time that the manager deems necessary for the care, consideration, safety and well-being of the patrons of an aquatic centre or for the protection of an aquatic centre.
- (2) If a person is directed to leave an aquatic centre pursuant to subsection (1), a person must do so immediately.
- (3) In the event of lightning and storms, the manager or a council officer will operate by the 30/30 rule and when necessary will direct patrons to evacuate swimming pools in an aquatic centre. The manager or a council officer will advise patrons when it is safe to return to a swimming pool in an aquatic centre.

Schedule 1 Aquatic Centres

Sections 5 to 15

Aquatic Centre	Property address
Logan North Aquatic and Fitness Centre	Sports Drive Springwood Qld 4127
Aquatic Centre – Beenleigh	City Road Beenleigh Qld 4207
Aquatic Centre – Bethania	88 - 118 Station Road Bethania Qld 4205
Aquatic Centre – Eagleby	Cowper Avenue Eagleby Qld 4207
Logan West Aquatic and Fitness Centre	29 Wineglass Drive Hillcrest Qld 4118
Gould Adams Park Aquatic Centre	558 - 662 Kingston Road Kingston Qld 4114

Schedule 2 Dictionary

section 4

aquatic centre means—

- (a) any of the public aquatic centres and their associated facilities established by the local government and listed in Schedule 1 (Aquatic Centres) of this subordinate local law; and
- (b) any other aquatic facilities constructed or acquired by the local government; and
- (c) any aquatic centres or swimming enclosures (including wading pools and any concrete concourse immediately surrounding an aquatic centre) in the care and control of the local government whether operated directly by the staff of the local government or by a lessee thereof.

aquatic sport includes but is not limited to swimming, water polo and synchronised swimming.

assistance dog has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

authorised activity means any activity able to be lawfully carried out in an aquatic centre.

council officer has the meaning given in *Local Law No. 2 (Administration) 2010*.

dangerous drug has the meaning given in the *Drugs Misuse Act 1986*.

dressing room cubicle means an individual cubicle within a dressing room.

guide dog has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

hearing dog has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

hirer means any person or persons, swimming club or school that hires an aquatic centre for a swimming event.

manager means the person for the time being in charge or having control or management of the aquatic centre. The term includes any lessee of the aquatic centre.

mark includes to write, draw or carve.

shower room cubicle means an individual cubicle within a shower room.

swim pass means a pass issued to a person by the local government upon payment of a fee that allows that person to access an aquatic centre.

30/30 rule means that patrons will not be allowed in a swimming pool in an aquatic centre—

- (a) if there is 30 seconds or less between seeing lightening and hearing the associated thunder; and
- (b) 30 minutes after hearing the last clap of thunder.

Endnotes

1 Index to Endnotes

- 2 Date to which amendments incorporated
- 3 Key
- 4 Table of reprints
- 5 List of legislation
- 6 List of annotations

2 Date to which amendments incorporated

This reprint includes all amendments that commenced operation on or before the 13 April 2017.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation
amd	= amended
ch	= chapter
def	= definition
div	= division
hdg	= heading
ins	= inserted
om	= omitted
p	= page
pt	= part
renum	= renumbered
rep	= repealed
s	= section
sch	= schedule
sdiv	= subdivision

4 Table of reprints

A reprint is issued upon the commencement of an amending instrument. A reprint is given the date of commencement of the amending instrument.

Table of reprints of this subordinate local law

Reprint No.	Amendments included	Reprint date
1	<i>Amending Subordinate Local Law No. 2 (Miscellaneous Subordinate Local Laws) 2017</i>	13 April 2017

5 List of legislation

Original Local Law

Local Law No. 12 (Council Property and Other Public Places) 2003
date of gazettal 27 June 2003

Amending Local Law

Amending Local Law No. 1 (Miscellaneous Local Laws) 2005
date of gazettal 24 June 2005

Amending Local Law No. 2 (Miscellaneous Local Laws) 2005
date of gazettal 10 February 2006

Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011
date of gazettal 4 November 2011

Amending Local Law No. 2 (Miscellaneous Local Laws) 2017
date of gazettal 13 April 2017

Original Subordinate Local Laws

Subordinate Local Law No. 12.1 (Business on Public Places Other Than Council Facilities and Community Facilities) 2003
date of public notice 27 June 2003

Subordinate Local Law No. 12.2 (City Administration Centre) 2003
date of public notice 27 June 2003

Subordinate Local Law No. 12.3 (Major Venues) 2003
date of public notice 27 June 2003

Subordinate Local Law No. 12.4 (Community Venues) 2003
date of public notice 27 June 2003

Subordinate Local Law No. 12.5 (Waste Management Facilities) 2003
date of public notice 27 June 2003

Subordinate Local Law No. 12.6 (Council Logos) 2003

date of public notice 27 June 2003
Subordinate Local Law No. 12.7 (Queens Road Depot) 2003
date of public notice 27 June 2003

Amending Subordinate Local Law

Amending Subordinate Local Law No. 2 (Miscellaneous Subordinate Local Laws) 2017
date of gazettal 13 April 2017

6 List of annotations

PART 2—AQUATIC CENTRES

Refusal of admission

s 7 amd Amending Subordinate Local Law No. 2 (Miscellaneous Subordinate
Local Laws) 2017 s 24

Removal of offenders

s 16 om Amending Subordinate Local Law No. 2 (Miscellaneous Subordinate
Local Laws) 2017 s 25

SCHEDULE 1—AQUATIC CENTRES

amd Amending Subordinate Local Law No. 2 (Miscellaneous Subordinate
Local Laws) 2017 s 26