



New South Wales

The Hon. Paul Lynch MP

Minister for Local Government

Minister for Aboriginal Affairs

Minister Assisting the Minister for Health (Mental Health)

Ms Maria Lopes and Mr Gerald Ganglbauer
Free Beach Action
PO Box 522
STRAWBERRY HILLS NSW 2012

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10 MAY 2007

Dear Ms Lopes and Mr Ganglbauer

I am writing in reply to your email of 7 March 2007 to the former Minister for Local Government regarding Randwick City Council and nude bathing at Little Congwong Beach.

I note your concerns and your support for increasing the number of areas at which nude bathing is permitted, including Little Congwong Beach.

As you know, section 633 of the *Local Government Act 1993* provides local councils with powers to control nude bathing within their local government areas. It also permits nude bathing at a number of designated public beaches in Sydney and environs.

I note that all the designated beaches referred to in the Act are located within National Parks. Therefore, it is appropriate that you made a submission to the Minister administering the *National Parks and Wildlife Act 1974* for consideration.

Councils have a wide range of discretionary powers, including some powers to regulate nude bathing. The Department of Local Government monitors council operations, in part to determine whether they exercise their powers in accordance with any relevant legislation and broadly in keeping with any guidelines or standards issued by the appropriate Government authority. Provided they do so, councils are not generally subject to intervention as to the manner in which they exercise those powers.

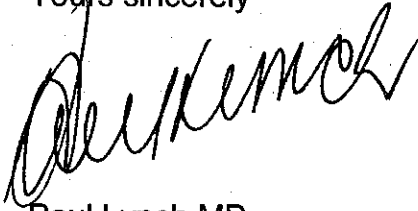
You have taken the appropriate course of action by raising your concerns and suggestions with relevant local councils. I suggest you continue to put your concerns about Little Congwong Beach to Randwick City Council, possibly by writing to the General Manager, Mr Ray Brownlee.

Public nudity is a contentious social issue, so it is important that the rights of nude bathers are balanced with the expectations and mores of contemporary society and

the rights of others. I consider that the current legislative provisions achieve this balance.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Lynch', written in a cursive style.

Paul Lynch MP
Minister