



New South Wales

The Hon. Barbara Perry MP

Minister for Local Government
Minister Assisting the Minister for Health (Mental Health)

Mr Pete Dee
C/- NSW Free Beach Action Group
PO Box 522
STRAWBERRY HILLS NSW 2012

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27 JAN 2009

Dear Mr Dee

I am writing in reply to your email of 29 October 2008 regarding Randwick City Council and your request that Little Congwong Beach be listed as a designated nude bathing beach under section 633 (6) of the *Local Government Act 1993*.

I have noted your comments and the petition forwarded with your correspondence on behalf of the NSW Free Beach Action Group.

As Little Congwong Beach is in the Randwick City local government area, the Council is responsible for regulating activities on the beach. Section 633 of the *Local Government Act 1993* (the Act) empowers councils to erect signs to permit nude bathing on local beaches within their local government area. Councils are also responsible for enforcing penalties for nude bathing in areas where it is prohibited, such as Little Congwong Beach.

I understand that Randwick City Council, at its meeting on 22 November 2005, considered this issue and resolved not to allow nude bathing at Little Congwong Beach. Councils regularly have to make decisions about what activities can be conducted on their land and when doing so have to balance the many and often conflicting desires of their community.

I am only willing to consider including Little Congwong Beach on the list of 'designated beaches' under section 633(6) of the Act, with the support of Randwick City Council. In addition, given that Botany Bay National Park is adjacent to Little Congwong Beach, it will be my intention to liaise with my colleague, the Minister for Climate Change and the Environment, the Hon Carmel Tebbutt MP, who is responsible for the *National Parks and Wildlife Act 1974*, before making any decision on the designation of this beach.

You may wish to continue to raise the Group's concerns with the elected councillors at Randwick City Council.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Barbara Perry', with a long horizontal flourish extending to the right.

Barbara Perry MP
Minister