

1995—No. 2

LOCAL GOVERNMENT ACT 1993—REGULATION

(Relating to the control of bathing)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Local Government Act 1993, has been pleased to make the Regulation set forth hereunder.

RON PHILLIPS, M.P.,
Acting Minister for Local Government and Co-operatives.

Commencement

1. This Regulation commences on 6 January 1995.

Amendment

2. The Local Government (Penalty Notice Offences) Regulation 1993 is amended:

- (a) by inserting before clause 1 the following heading:

PART 1—PRELIMINARY

- (b) by omitting from clause 1 the words “(Penalty Notice Offences)” and by inserting instead the word “(General)”;

- (c) by inserting before clause 4 the following heading:

PART 2—PENALTY NOTICE OFFENCES

- (d) by inserting after clause 6 the following Part:

PART 3—CONTROL OF BATHING

Control of bathing

7. (1) Notices that are used by a council to control bathing must comply with the requirements of AS 2416.

(2) A council that uses flags to designate an area for bathing must ensure that the flags are removed from the area whenever the area is closed for bathing.

(3) In this clause:

“AS 2416” means the Australian Standard entitled “Design and Application of Water Safety Signs” and numbered “AS 2416–1985”, as published by the Standards Association of Australia on 7 June 1985;

“bathing” includes surfing and any other similar form of recreation.

EXPLANATORY NOTE

The object of this Regulation is to amend the Local Government (Penalty Notice Offences) Regulation 1993 so as:

- (a) to rename that Regulation as the Local Government (General) Regulation 1993; and
- (b) to require councils to use standard signs to control bathing; and
- (c) to further require councils to ensure that flags used to designate bathing areas are removed whenever those areas are closed for bathing.

This Regulation is made under the Local Government Act 1993, including section 748 (the general regulation making power) and section 633.
