

**SUBJECT: REPORT ON NOTICE OF MOTION – NOM 12/12/23 – MEREWETHER BEACH EMERGENCY FIRST RESPONSE SAFETY MEASURES**

**REPORT BY: CREATIVE & COMMUNITY SERVICES**

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## **EXECUTIVE DIRECTOR COMMENT**

The Office of Local Government's Water Safety Practice Note 15 is the principal document which guides NSW councils to strengthen their water safety functions and responsibilities across the service provision areas of public swimming facilities, beach patrols, lifesaving services and regulatory activities in public places within a risk management framework.

**[www.olg.nsw.gov.au/wp-content/uploads/OLG-Water-Safety-Practice-Note-15-Update.pdf](http://www.olg.nsw.gov.au/wp-content/uploads/OLG-Water-Safety-Practice-Note-15-Update.pdf)**

Practice Note 15 covers major focus topics including:

- Legislation, Policy and Key Guidance Documents.
- Water Safety Functions and Responsibilities
- Risk Management Approach to Water Safety
- Staff Qualifications and Levels
- Equipment, Facilities and Signage.

### **Beach signage:**

CN regularly audits beach signage. CN is currently installing signage on all lifeguard towers, and the southern entry to Merewether Beach as additional water safety signage across its six patrolled beaches. Additional signage has already been installed at South Newcastle Beach given it is not patrolled (neighbouring Newcastle Beach is patrolled annually from September to April).

In accordance with the OLG's Water Safety Practice Note 15, Section 6.2 permanent signage is typically placed at beach access points: "The public should be able to see the sign before accessing a facility or location so they can, based on the information depicted on the sign, make an informed decision as to whether to proceed once the risks are known to them." (p83).

Under a risk management approach, signage within water on a rock shelf is potentially hazardous to swimmers and surfers particularly in high surf. Additionally, Merewether Beach is a declared National Surfing Reserve. It is unclear if the installation of permanent signage on the rock shelf would have any impact on this declaration, given the impact on visual amenity.

### **Local beach patrol hours:**

Stockton, Nobbys, Newcastle, Bar, Dixon Park and Merewether beaches are patrolled during the summer swimming season from 23 September 2023 until 28 April 2024. Nobbys, Bar and Merewether Beach are patrolled year-round. Furthermore, Newcastle Ocean Baths

has a lifeguard year-round, with supervision at Merewether Ocean Baths on a seasonal basis.

Historically, City of Newcastle's (CN) service level for the provision of professional lifeguards at its beaches was a 6 day a week service with one 'roving' lifeguard on a Sunday to monitor and provide support as required to surf patrols by Hunter Surf Life Saving (HSLs) volunteers, who patrol local beaches on Saturdays and Sundays during the Summer period.

With the support of HSLs, CN trialled increasing its professional lifeguard service to a 7 day a week in September 2020 when surf lifesaving clubs were unable to provide consistent services due to State Government restrictions imposed to limit the spread of COVID-19. The trial has continued since the pandemic, resulting in CN lifeguards patrolling beaches in collaboration with local surf clubs on Saturdays and Sundays during the summer season.

Prior to the 7 day trial commencing, consultation with CN employees was undertaken in accordance with CN's 2023 Enterprise Agreement (EA).

CN's patrol hours vary by beach and time of year. Current patrol hours at all beaches are 7am to 5.30pm with the exception of Stockton which is 9am to 5.30pm (7am start from 18 December). On a Sunday, CN patrol hours are 9am to 5.30pm at all beaches.

CN uses a risk management process that enables the hours of daily beach patrols to be extended when appropriate. Decisions are influenced by day of the week, public holidays, prevailing weather and surf conditions, and the number of people on the beach and in the water.

Lake Macquarie City Council (LMCC) last year trialed extended patrol hours over the Christmas period from 7am to 6.30pm. The results did not support the continuation of the extended hours and this summer season regular patrol hours of 9am to 5.30pm were reinstated with a temporary extension to 6pm only.

As the city's most popular beaches, lifeguard patrol hours are identical for Bar Beach, Nobbys Beach and Merewether Beach. Any changes to current patrol hours should be considered holistically across all six patrolled beaches, and must be done under the terms of the 2023 EA. It should be noted that HSLs has indicated to CN staff that it does not support the proposed extension of patrol hours at Merewether Beach.

CN regularly meets with all six surf clubs and HSLs to discuss water and beach safety. Patrol hours are discussed to ensure an optimum level of collaboration between CN lifeguards and HSLs volunteers. CN is unaware of any desire by Cooks Hill, Nobbys or Merewether surf clubs for patrol hours to be extended. It is unclear from the Notice of Motion if the proposed extension of patrol hours until 7pm would extend to HSLs volunteers who work Saturdays and Sundays.

### **Provision of lifesaving equipment to general public:**

Surf Life Saving NSW and its affiliated surf clubs are responsible for afterhours rescues on NSW beaches including Merewether. Any call to 000 relating to an aquatic emergency is allocated to Surfcom which is Surf Life Saving's 24/7 state operations centre.

Surf Life Saving NSW requires that surf clubs have core items of emergency response equipment set up and ready to respond 24/7 including:

- IRB (fully set up with full tank of fuel)
- ATV

- Radios
- Oxygen equipment
- Defibrillator
- Rescue tubes
- Rescue Boards.

Surf Life Saving NSW advises that each club/service should also identify and form a team of qualified members who may be available to respond (if available) to incidents at their beach (and surrounding areas) outside of patrol hours and/or in support of an on-duty patrol and that this team is made up of appropriately experienced and qualified personnel who are versed in the relevant Surf Life Saving NSW procedures and all club specific procedures. Clubs are to have a minimum of 6 members on their call out team with most clubs having between 10 and 20 members.

Emergency response beacons are also placed by Surf Life Saving NSW at various “Blackspot Locations” along the NSW coast to provide fast communication to the NSW State Operations Centre in an emergency. None are currently located within the Newcastle LGA.

Previous conversations with HSLs regarding the general public having access to lifesaving equipment have indicated a lack of support. This is due to the increased safety risk of providing untrained members of the public access to beach rescue equipment. There is a significant risk that the provision of equipment may give members of the public a false sense of confidence when undertaking a rescue in dangerous surf conditions.

## **ALTERNATE RECOMMENDATION:**

That Council:

1. Notes that City of Newcastle regularly monitors water safety signage at its six patrolled beaches in accordance with the conditions within the Office of Local Government's Water Safety Practice Note 15.
2. Notes that water safety signage for the southern access point to Merewether Beach is currently being developed and will be installed before the end of December.
3. Notes City of Newcastle provides a 7 day a week professional lifeguard service at all six patrolled beach locations within the Newcastle LGA during the extended summer season.
4. Notes current beach patrol hours are 7am to 5.30pm with the exception of Stockton being 9am to 5.30pm (7am start from 18 December) and Sunday patrol hours being 9am to 5.30pm which all include a risk management process that enables staff to extend daily patrol hours when conditions and user demand require it.
5. Notes that Lake Macquarie City Council last year trialled extended patrol hours over the Christmas period from 7am to 6.30pm and that as a result has changed its hours to 9am to 6pm for this Summer period.
6. Notes that any change to the work hours of CN lifeguards must be done under the terms of the City of Newcastle Enterprise Agreement 2023, and a failure to consult with parties to that agreement as well as staff would be a breach of the EA.
7. Notes Surf Life Saving NSW is responsible for after-hours rescues on all beaches within the Newcastle LGA.
8. Recognises that Merewether Surf Club complies with Surf Life Saving NSW's requirement that it have emergency response equipment available 24/7.
9. Writes to Surf Live Saving NSW seeking advice on the provision of an Emergency Response Beacon at the city's beaches to enhance communication to the State Operations Centre.