

Free Beach Action NSW

Group Meeting

Wednesday, 20 August 2008

Malabar RSL Club

In attendance: Pete, Vince, Stuart, Chris, Karen, Libia, John, Mark, Ross, Max, Juan, Katy, Mark, Eddie, Graham and Linda.

Apologies: Gerald Ganglbauer, Colleen, Luke and Ikumi, Paul Brown, Debra and Karol, Jo Mulholland, Philip Johnson, Bob Reed.

The meeting was opened at 7.12pm with Pete thanking those members and friends present for coming to our first formal meeting and asking everyone to introduce themselves by first name for the record. Happily, everyone did so and even added the suburbs they are from (Bexley was best represented with 3 members present!). The apologies were next put on the record before an agenda for the meeting was passed out to everyone. (Introductions and apologies formed items 1 and 2 on this agenda).

Item 3: Survey re Little Congwong Beach.

Each of the group were handed a survey form and asked to anonymously score 1 through to 5 on the following issues (1 being agree most and 5 agree least). The scores shown represent the average of all scores provided by the 16 members & friends present.

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| 1. Fear of being arrested, summonsed or fined at Little Congwong Beach | 2.5 |
| 2. The activities of 'perverts' or 'deviants' in scrub surrounding the beach are the main cause for the increased attention by the authorities | 2.6 |
| 3. There are reports that the beach is being promoted as a gay beat and this is giving the wider community a tainted image of our beach | 3.2 |
| 4. Randwick City Council has an agenda to shut down our free beach | 1.9 |
| 5. Keep Little Congwong Beach clean (carry out more than U bring in) | 1.1 |

6. Be active in discouraging offensive behaviour or ‘gawking’ on Little Congwong Beach	1.5
7. I have never seen any offensive behaviour on Little Congwong Beach	2.4
8. I have made good friends with other nudists on Little Congwong Beach	1.4
9. I would be prepared to take any charge or fine imposed on me to Court	2.6
10. I will now make my way to another free beach that is legal	3.1
11. I would consider being the new Convenor for NSW FBA Group	3.1
12. How long have you practiced naturism/nudism?	12yrs
13. How long have you been coming to Little Congwong Beach?	8.6yrs

Item 4: Discussion on recent signage placed on the approaches to the beach:

Copies of a photograph taken on 5/8/08 of the recent signage were passed out to the group. Mark informed everyone that since the photo was taken all three signs and their posts had been completely removed at ground level. Regardless of the signs present whereabouts, it was pointed out that apart from carrying the usual insignias for Randwick City Council and National Parks & Wildlife, the new signs now bore the insignia of the NSW Police Force. Pete spoke about the varying levels of intervention each of these authorities may use against anyone caught nude on an ‘unofficial’ free beach. The National Parks & wildlife Service can prosecute park users for ‘offensive conduct’, which would likely be done by summons to appear at a Local Court. Similarly, Local Governments (Council) can also summons you for being nude in an area not gazetted under Section 633(2) of the Local Government Act if they get your details. At this point Pete told the group he had accessed the Randwick City Council website earlier today and under the title ‘places for people’ he found ‘beaches’. Under ‘beaches’ he found Little Congwong Beach.

The following text written about this beach on the official Council website was read out,

“Little Congwong Beach is located within the Botany Bay National Park and is in the care and control of the **National Parks and Wildlife Service**. It is not a surf beach as it faces Botany Bay rather than the open ocean”.

http://www.randwick.nsw.gov.au/Places_for_people/Recreation_and_leisure/Beaches/

Pete said he would make further inquiries in relation to this text, but on face value it could be reasonably argued that Randwick City Council admit on their own website they do not have ‘care or control’ of Little Congwong Beach. Mark mentioned he had heard of one female La Perouse resident whining to Council about the nudists on Little Congwong. A few more in the group had also heard of a local woman who wanted the nudity on Little Congwong Beach to cease and a board walk erected

behind the beach in a similar fashion to the one on Reef Beach which is now basically empty public space.

Possibly, Council have put the new signs up to appease any local La Perouse residents who are against us using Little Congwong Beach as a free beach. Pete made the point that any such boardwalk would have to go through sensitive revegetated sand dunes and would be opposed by scores more people than those complaining about the nudists on the beach now.

Pete moved on to what the NSW police can do if they decided to take action nudists on 'unofficial' free beaches. It was explained police have a widely varying range of options from, 1. Merely giving a warning to cover up or leave the beach. 2. Confirming your details and issuing you with an on the spot \$200 fine for 'offensive behaviour' with no criminal conviction recorded. 3. Confirming your details and issuing you with a Field Court Attendance Notice for 'wilful and obscene exposure' to appear at Court. 4. Confirming your details and issuing a Future Court Attendance Notice (summons) to appear at Court for 'wilful and obscene exposure'. 5. Arresting you regardless of whether you provide your details or not, charging you with 'wilful and obscene exposure', fingerprinting you, photographing you and possibly imposing bail on you not to return to the beach until you appear at Court. Discussion was had on the wording of certain offences Pete had mentioned. The consensus of the group was that merely being naked on a traditional nude beach was not offensive behaviour/conduct or obscene exposure. Pete made a number of points about police reacting better to good attitude rather than bad and that whether they want to or not, police may be tasked (directed) to appear on the beach and take action due to the direct wishes of their Commander or a Ministerial File to the Local Area Commander. Such files only need one, but usually more letters from residents to their local State Government representative complaining of the ongoing 'breaches' of the law on Little Congwong Beach and must be answered by the Local Area Commander within 28 days ideally. Visits to the beach by police may or may not be in uniform. It was stressed, police do have more important issues to focus on and their main charter is 'Protection of Life and Property'. Eastern Beaches Local Area Command is also a busy LAC with a huge area to cover.

During the discussion of item 4 of the agenda Pete passed around colour photocopies of the most recent Google Earth satellite images of Congwong and Little Congwong Beaches. The images show a ratio of 20:1 more bodies on Little Congwong Beach. Some of the group reckon they were waving at the passing satellite at the time! The much larger number of people enjoying the sun and crystal clear water at Little Congwong Beach surprised no one of the group.

Item 5: Discussion re any offensive behaviour witnessed on or near the beach

Only two incidents of inappropriate or offensive behaviour were reported to meeting. One by Mark who said the incident related to a male gawking and parading in front of a young woman. Mark and other locals moving in and telling the pest to move on dealt with this matter. The second incident reported related to a male swimming too close to one of the children of a lady present at the meeting, again swift action in telling this individual keep away had a satisfactory result. Discussion followed that possibly there are some 'urban myths' or misconceptions in the textile community

about all nudists being sex maniacs and that the scrub behind Little Congwong and other nude beaches are full of deviants. Mark mentioned that higher wire fencing separating the pathway leading to the beach and scrub would have more effective in stopping people getting into the scrub, but apparently NPWS can only have the fences as high they are (1200mm)

Item 6: Discussion re the future of the NSW Free Beach Action Group.

The group recognized and appreciated the efforts of Gerald over the past years in lobbying numerous governing bodies and others in a tireless effort to achieve legal status for Little Congwong Beach. Due to health reasons Gerald is stepping down as Convenor. Pete explained to those present (and Gerald by email) why professionally, he is not in a position to be Convenor but would be more than happy to assist on any future committee or executive if nominated.

Karen nominated Chris as the next Convenor, a nomination that was supported by the group with Vince making a comment something like, "A woman being the leader of our group would give us more credibility and acceptance." Chris received lots of encouragement and said she'd have to give it some consideration before giving an answer.

Pete suggested the NSW FBA Group design a logo for letterheads, emails and possibly caps and T-shirts. The idea of having a logo was popular with the group and who thought it should be looked at to give the Group an organized image.

Item 7: The future of Little Congwong Beach as a free beach, what can be done?

Pete handed out ample copies of petition forms addressed to the General Manager of Randwick City Council for the group to have signed by anyone who supports Little Congwong Beach being gazetted a legal free beach under the provisions of Section 633(2) of the NSW Local Government Act. Pete also pledged to continue lobbying Randwick City Council Mayor NOTLEY-SMITH, Sydney Lord Mayor Clover MOORE, and leaders of the gay community, former Randwick Mayor Ted SENG who has admitted publicly to practicing naturism and NRL star Craig WING who is running for office in the next Randwick Council elections. Apparently one of Craig's family members has frequently enjoyed time on Little Congwong Beach.

Chris also suggested everyone write a letter to the Southern Courier, Telegraph and Herald newspapers promoting the positive side of our naturist lifestyle, particularly in relation to Little Congwong Beach which has over a 40 year history as a free beach.

Vince expressed the view that should the NSW Liberal Party win the next State election, our chances of achieving legal nude beach status are much slimmer, as traditionally, Labor Governments are more nudist friendly. Ross (apologies if it wasn't Ross) told the group that when Pam ALLEN was the NSW Labor Government Minister for the Environment 1995 – 1999 she was very supportive of many beaches in NSW National Parks being used for unclad bathing.

Clearly, the consensus of the group is to keep lobbying and have our voices heard out there in the community.

Item 8: Any other business including the 'Aussie Naturists' website.

Pete spoke about a relatively new free website dedicated to Australian naturists/nudists 'Aussie Naturists' which he and Colleen are members of. Pete spoke about the features of the site including member's home pages for their profiles, an extensive forum covering a lot of naturist issues, picture gallery, chat room for registered members only, information on nude beaches & resorts here and overseas. A number the group expressed an interest in the site and possibly joining. Fliers relating to the site were passed out to the group.

Item 9: Discuss support for any future meetings

The whole group supported a call to meet again with Chris suggesting we do so every month. Agreement was reached on the meetings being on a Wednesday night. The group agreed the Malabar RSL Club was suitable so the next meeting is planned for 7pm Wednesday 17th of September 2008 at the same venue.

The official part of the meeting was closed at 8.30pm

Item 10: Drinks for those who wish to chat informally downstairs.

Yes, the whole group had a quiet drink and chatted near the bar before saying goodbye and heading off in various directions.

Cheers,
Pete

P.S. Chris, CONGWONG is an indigenous word meaning 'Black Snake', which are common in the area.