



free beaches australia inc.

Inc. No. IA 29529

“nude beaches for every body”

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Chief Executive Officer
Rockingham City Council
PO Box 2142
Rockingham DC 6967 WA

Dear Sir

Re: **Submission to CES397/11/06 Port Kennedy Free Beach**

Free Beaches Australia Inc (FBA) was formed in 2004 from the State Free Beach Associations in Queensland and New South Wales, and currently has over 600 members in all States and Territories. Its aim is to foster safe, family orientated, legal, clothes-optional beaches throughout Australia. A copy of our Mission Statement and “Free Beach Etiquette” guide are attached and more information is available on our web site.

We have recently been contacted by users of the Port Kennedy Free Beach, some of who are members of FBA, to liaise with Council and assist in presenting views in support of the continuance of Port Kennedy as a clothing-optional beach.

It is understood that a report has been prepared (as per Resolution 3 contained in the Minutes of the Council Meeting dated 28 November, 2006) and that this is to be considered by Council at a meeting on 27 February, 2007. **FBA requests that this submission accompany the report when it is tabled at the meeting.**

FBA would oppose any move to revoke the dress-optional status of the Port Kennedy beach.

Lack of Evidence of Inappropriate Behaviour

FBA believes that the review of the free beach status was in response to one or two complaints that had been raised with a Councillor by a ratepayer. Reference was made in the Minutes (28-Nov-06) to a photographer in the dunes in the vicinity of the free beach. Without further details as to the location of the photographer, and whether in fact this person was taking photographs of people on the beach, it is difficult for the FBA to comment. However we submit that this is hardly a reason for closing or relocating the free beach. It may be a matter for the police, and the FBA and beach users would welcome any action in this regard. At this point, FBA is not aware whether the matter has in fact, been officially reported to the police.

FBA requested a search of the WA Police database in relation to offences of an indecent nature on, or immediately adjacent to the Port Kennedy Free Beach. The result of this search was negative. However we believe that at least three vehicles have been broken into or maliciously damaged in the car park on Bayeux Avenue, as evidenced by the broken glass in the car park.

The free beach at Port Kennedy was declared by Council on 20 December 1988, and had been used informally for nude bathing for many years prior to this. It has therefore been in use as a free beach for well over 20 years, and to FBA’s knowledge this has not resulted in any significant problems.

Expected Behaviour on Free Beaches

It is noted that Council requested clarification on what is deemed to be lawful as a nudist on Western Australian beaches. We refer you to the FBA "Free Beach Etiquette" guide (attached), which whilst not a legal document, should serve to indicate what naturists view as acceptable behaviour. In simple terms, beach users behaviour should be no different to that on any other beach, whether or not clothes-optional, with the exception that people may be nude.

Port Kennedy is a Unique Free Beach

Port Kennedy Free Beach is highly valued by its users as it is the only legally recognized and signposted free beach in Perth (North Swanbourne remains an "unofficial" beach due to an impasse between the State Government and Nedlands Council). The beach is particularly important as it has easy access and safe swimming for Seniors and families (again unlike North Swanbourne). For these reasons the beach is well used by Rockingham ratepayers, people from all over the Perth region, and interstate and international visitors.

FBA understands from beach users that Port Kennedy Beach was voted the best natural beach by the "Keep Australia Beautiful Council" in 2000 and 2001. This is independent evidence that its users keep the beach clean. The positive beach community attitude is also shown by the fact that sausage sizzles are regularly held (in late January and planned for early March this year) and an Association "The Friends of Warnbro Beach" (A1005722H) was formed.

Clothed and nude beach users coexist either side of the northern end of the nude section marked by the Council sign. Families are happy to spend time on the clothed beach in clear view of the free beach users, showing that each respects the right of the other to enjoy this beautiful beach.

Port Kennedy is Very Well-Known as a Free Beach

The beach is listed as a legal free beach on several internet web sites (see selected list below).

<http://www.freebeach.com.au/WA List.htm>

<http://www.fbwa.iinet.net.au/warnbro.html>

It is also recorded in the "Bare Facts" guide to Australian naturist recreation (published Australian Sun & Health, 1996, ISBN 0-646-26368-4) and "World Guide to Nude Beaches and Resorts" (published by The Naturist Society USA, ISBN 0-934106-20-7).

The Rockingham Visitor Centre in Kent Street will correctly direct those enquiring about clothes-optional bathing to the Port Kennedy beach.

Western Australians Do Not Object to Clothes-Free Bathing

FBA is not aware of any credible independent research into the attitude of Western Australians to nude bathing at properly designated beaches. However there are two proxies that strongly indicate attitudes in our society. A telephone survey by the independent Roper-Starch polling organization in 2000 showed that 80% of Americans believed that "people who enjoy nude sunbathing should be able to do so without interference from officials as long as they do so at a beach that is accepted for that purpose." A poll of readers of the "Sydney Morning Herald" on 28 October 2005 showed that only 17% were against a new free beach for Sydney (sources attached).

It is noted that the population of Port Kennedy has grown significantly since the free beach was originally established. However the presence of the beach is well known to residents and this information is easily available to potential purchasers. The fact that clothed families use the beach close to the nude section demonstrates that this is not an impediment to many people.

Status of Sand Dunes, Fencing and Signage

Over the past few years, with wind blown movement of sand at Port Kennedy, the fencing on the ocean side has become buried or is in a state of disrepair. In addition it is noted that there is only one sign on the fence line, and this demarcates the southern boundary of the dog beach.

FBA, as a matter of policy, discourages anyone from disturbing the dunes and therefore suggests that improving/repairing the fencing, and erecting signs would assist in this matter.

Conclusions

FBA contends that the present Port Kennedy beach is ideally suited to clothes-free recreation for the following reasons:

1. The sand dunes provide adequate visual screening of unclad bathers. The Port Kennedy Golf Course forms an effective barrier behind the beach.
2. Access for seniors and families is good, meaning that the beach is well used by all types of people.
3. The beach is not too remote, which evidence from elsewhere suggests can be a contributing factor to undesirable behaviour.
4. There is good access for emergency services if required.
5. The beach is very well known, and clearly signposted both on the beach and near the car park. No-one can claim that they have been shocked by accidentally seeing nude people.
6. There is an active beach community of frequent beach users, and the beach is supported by Perth's three recognized nudist clubs and the FBA. All these groups will be happy to work with Council and the police to ensure that the beach maintains its good reputation.

Furthermore, based on the evidence presented above, FBA concludes that:

1. The beach attracts tourists, and people from all over Perth, who after leaving the beach are likely to patronize the shops and restaurants in the Rockingham area. The beach is undoubtedly a positive economic contributor to the Rockingham economy.
2. The vast majority of West Australians do not object to nude bathing that takes place at beaches in designated areas.
3. Whilst it is appropriate to consider the views of the few people who hold very firm negative views against public nudity in any form, it is unreasonable to expect all other members of society to be bound by these views.
4. Removing the legal status of the beach would not stop nude bathing, however it would discourage mainstream family naturists and would increase the likelihood of undesirable behaviour. Patrolling the beach would require significantly increased Council and Police resources.

The Council review of the Port Kennedy Free Beach was instigated by concerns of inappropriate behaviour that have been shown to be minor at worst, and therefore **FBA believes that no further action need be taken by Council on this matter.**

FBA and beach users would welcome the opportunity to discuss these matters with Councillors and/or Council officers if that would be of assistance.

It is acknowledged that nude bathing is not an activity regularly enjoyed by all Australians. However there are many minority groups in our society who pursue a wide variety of interests and lifestyles. As Don Dunstan, the South Australian Premier who gave Australia its first legal free beach, said: *"Unless people are hurting others in the community they should be able to be individuals and do their own thing. I believe the richness of society comes from its diversity and individuality."*

Yours Sincerely

Free Beaches Australia Inc



Tony Morgan
State Representative - Western Australia



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During the latter half of the 20th Century many countries in the developed world came to recognize that the human body, of itself, is not an obscene object, and that there is considerable support within the community for the provision of some public areas where nude recreational activities such as swimming, sunbathing, and the playing of various sports may be practiced legally. In many parts of Europe for example, Governments have been very supportive in the provision of such facilities, which in turn has led to the establishment of many commercial clothes optional resorts that now make valuable contributions to their respective economies.

Free Beaches Australia (FBA) was formed in 2004 from the State Associations in Queensland and New South Wales, and currently has over 600 members in all States and Territories. Our aim is to foster safe, family orientated, legal, clothes-optional beaches throughout Australia. We do this by:

- Lobbying Government and working with all levels of Government in a constructive manner to promote and better manage our free beaches.
- Supporting carnivals and beach recreational days.
- Keeping our beaches clean.
- Presenting a positive image of the nudist¹ or naturist² lifestyle and the FBA to the general public.
- Working towards safer beaches for nudists.

Our Aim:

Nude beaches for every body.

Our Vision:

To create a united nudist culture, accepted within mainstream society by developing safe, clean, fun family nudist beaches and recreational areas throughout the Commonwealth of Australia.

Our Mission:

To become Australia's premier nudist lobby organization by encouraging healthy, fun participation of all members through active regional area involvement.

Our Goals:

- To develop 'Free Beaches Australia' Australian membership to 10,000 plus members by 2010.
- To lobby all levels of Government, the Community and the nudist population for the declaration, maintenance and appreciation of adequate nudist beaches and recreational areas.
- To consistently exceed the entire community's expectations in the areas of public safety, 'free beach etiquette', excellence and community involvement.

More information about the FBA is available on our Website at www.freebeach.com.au.

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1. “Nudism:- The practice or cult of going nude in the belief that it benefits health” Collins Australian Pocket English Dictionary.
2. “Naturism is a way of life in harmony with nature, characterized by the practice of communal nudity, with the intention of encouraging respect for oneself, respect for others and for the environment.” Definition courtesy of International Naturist Foundation.

FREE BEACH ETIQUETTE

The Naturist/Nudist community is a fantastic, caring group of people from a diverse range of backgrounds who are aware of the fragile balance and scrutiny their textile-free family lifestyle attracts. This common sense approach to ‘free beach etiquette’ has been developed to ensure the growth, and safety of Australian naturism, and to facilitate a balanced acceptance of the clothes-free family lifestyle within mainstream society.

- Stay out of dunes and re-vegetation areas.
- Obey regulations - National Park, life saving, fire, fishing and parking.
- Don’t wander from established nude areas – this may risk the areas closure.
- No overt sexual activity - be nude not lewd – this just undermines our objectives.
- Don’t litter – carry out more than you brought in.
- Respect the property of others – ‘if your bum is bare cover the chair’.
- No unauthorized photography of others, especially children.
- Respect the privacy of others – allow others to have space – don’t stare.
- Come prepared & be sun smart – bring water, food, towels, sunscreens etc.
- Speak up for standards – carry copies of Free Beach Etiquette – report criminal activity to police.

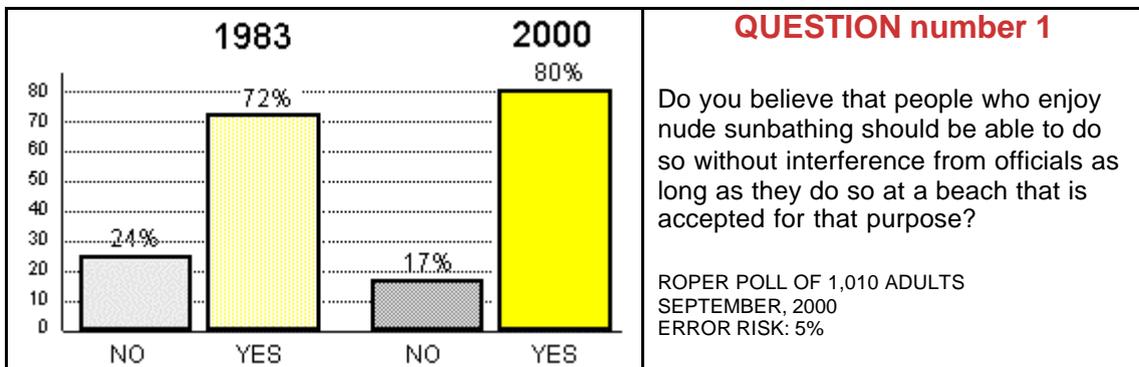
NEF/Roper Poll 2000

American Attitudes on Skinny-dipping and Nude Sunbathing

In 1983, The Naturist Society (TNS) commissioned an independent Gallup poll of the attitudes of Americans concerning skinny-dipping and nude sunbathing. The results were quite encouraging and have been used for years as evidence of the acceptance of naturist activities in the U.S. However, with the approach of a new millennium, the numbers had unquestionably become outdated.

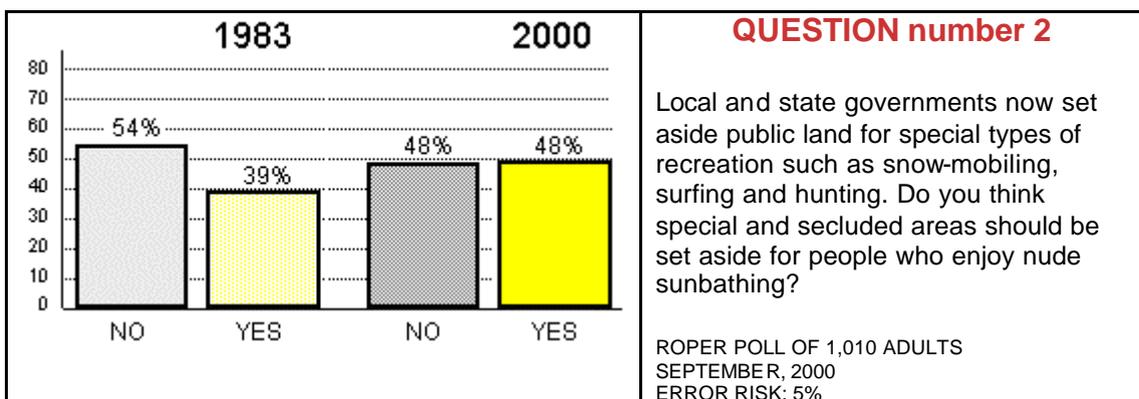
The Naturist Education Foundation (NEF) is the non-profit educational and informational arm of The Naturist Society. Using the exact same questions asked by Gallup for TNS in 1983, NEF commissioned the well-known and highly respected Roper-Starch polling organization to take the pulse of America in 2000.

NEF anticipated good numbers, but the results of the **2000 NEF/Roper Poll** carry more positive news for naturists than anyone could have imagined. Here are the three questions asked in the nationwide scientific sampling, along with the gratifying answers of Americans.



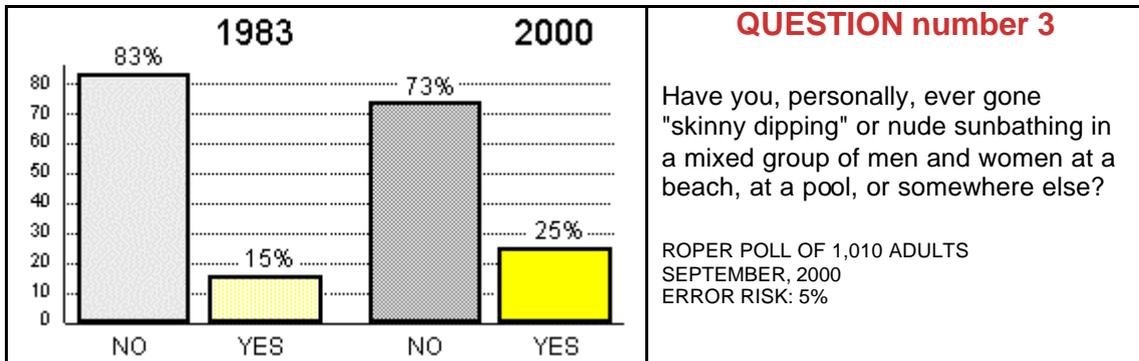
Nude Sunbathing? No Problem!

Few American adults object to nude sunbathing that takes place at beaches in designated areas. The increase in acceptance over the past 17 years is significant. The 2000 NEF/Roper Poll indicates that fully four out of five Americans today support nude sunbathing at places accepted for that purpose. Approval for nude beaches remains higher for men than for women, but the support among women has risen from 65% in 1983 to 75% in 2000.



Designated Nude Beaches - an idea for the 21st Century

As legitimate and recognized of users of public land in the U.S., naturists have finally turned the corner. The idea of setting aside portions of public land for special recreational use is not new, but in 1983, the majority of Americans were not quite ready to approve designated areas for nude sunbathing. In 2000, the idea has achieved parity, with as many people supporting it as are opposed to it. The 2000 NEF/Roper Poll shows broad support across the country and compared to 1983, an increase of more than 10% in support among women.



51 Million Skinny-dippers

The 2000 NEF/Roper Poll shows that one of every four adults in the U.S. has been skinny-dipping or has sunbathed nude in a mixed-gender social setting. Using current population estimates from the U.S. Census Bureau, the poll suggests more than 51 million Americans have participated at one time or another in nude recreation.

For more information on the 2000 NEF/Roper Poll, contact the Naturist Education Foundation

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Reader Poll

Sydney Morning Herald

Another nudist beach for Sydney : Rate the idea

For, even on section of major beach - 32%

For, if it's out of the way - 26%

Don't mind - 26%

Opposed - 17%

Total Votes: 1763 Poll date: 28/10/05

Source: <http://smh.com.au/polls/results.htm>