SHAPING THE BEACH: COASTAL POLITICS, COMMUNITY VALUES AND THE CREATION OF PUBLIC COASTAL SPACES IN SYDNEY

The idea of a right to free access underpins the Australian beach ethos. On most beaches around the Australian coastline anyone can freely walk across the sand and into the surf. This right to free beach access is so central to our beach culture that any threats or perceived threats to free beaches are passionately defended. It informs the way communities think about the beach and creates additional pressures for councils charged with managing these environmentally and culturally significant spaces. Yet this concept is itself a cultural construct, created by communities and government a little over a century ago and perpetuated through government decisions to create and protect beach parks in the opening decades of the twentieth century. This paper explores the transition of many Sydney beaches from private to public spaces, and traces the shifting community attitudes towards the beach that both contributed to, and evolved from these changes.

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Bondi and Manly were the first of Sydney's ocean beaches to be claimed by colonial settlers. When they were granted in 1810 there was no Crown reserve along the coast: at Manly 'Cheers' Farm' which occupied most of the peninsula was bounded 'by the water of the sea' and William Roberts' 200 acres at Bondi was bounded on the south-east side 'by the beach being part of the coast'. Over the following decade more beaches were alienated for private estates: William Cossar's 500 acres stretching south from Long Reef was bounded by the 'salt lagoon and the sea'; John Ramsay's 410 acre 'Mount Ramsay Estate' at Collaroy was bounded by the 'Narabang Lagoon' and 'on the east side by the sea'; and Robert Campbell's 700 acres around Mona Vale was simply described as 'between Pitt Water and the sea'.[i] By 1820 many of Sydney's beaches were lost from the Crown with no public reserves separating private property from the sea.

Over the following decade however, the Colonial authorities were starting to think more holistically about the needs of the growing colony, and this extended to its beaches and foreshores. In 1825 the British Colonial Office instructed Governor Darling to be more strategic in setting aside land that might be needed in the future for 'public convenience, utility, health or enjoyment'. In 1828 the Government ordered that 'all land within one hundred feet of high water mark on the sea coast, creeks, harbours and inlets' should be reserved.

This was the first attempt to directly secure Crown ownership of the colony's foreshores, and was therefore the first recognition of the value of, and a 'public interest' in, coastal land specifically – although it's likely this 'public interest' was about navigation or defence, purely utilitarian aspects of the coast, rather than public recreation. It was significant nonetheless. It ensured a clearly identifiable boundary for all future land sold or granted along the coast and adjoining beaches, although the definition and interpretation of 'high water mark' would become contentious. The reservation of foreshores did not immediately open these spaces to public recreation; they would have to be identified as appropriate and dedicated specifically for such purposes. But it did ensure that they remained public property, allowing the government, rather than individual landowners, to decide the fate of these spaces.

The subsequent differences between land granted prior to and after this order, and confusion over the 100 foot reserves where they exist, created inconsistencies in property boundaries along the NSW and Victorian coasts with which many at this conference are undoubtedly familiar.

Not only was there inconsistency in coastal boundaries of private property, but in the opening decades of the nineteenth century there was no shared sense of a 'right' to public access to the beaches and foreshores. This was a concept that gained strength in the second half of the nineteenth century through local campaigns by the growing number of people who lived within easy distance of the beaches of the eastern suburbs. They were so persistent and persuasive that by the turn of the century, the public 'right' to the beaches would be entrenched in Sydney and lead to the creation of many new beach parks on previously privately owned land.

The battle over free public access to Sydney's ocean beaches was centred on Bondi, Bronte and Tamarama Beaches: the closest beaches to the city, and all within the borough of the Waverley Council, which had shown a special interest in its beaches since it was created in 1859. Coogee, a relatively large beach to the south of Bronte was surrounded by Crown land, the first ocean beach to be reserved for future public recreation when the area was first subdivided and town gazetted in 1838. The ocean beach at Manly, which was gaining in popularity as a holiday resort from the 1860s, had also been set aside for public use by the landowner who saw broader commercial benefits in opening up the beach to all tourists.

But Bondi remained privately owned, and Bronte and Tamarama Beaches – reserved under the 1828 rule – were enclosed by private land. Between 1860 and the early 1880s Bronte and Bondi beaches became the subject of sustained campaigns from the Waverley Council and its residents for a 'right' for public access to the beaches. They initially attracted little sympathy from colonial governments that favoured private over public rights – although an 1864 petition ultimately stopped the government from handing over Bronte Beach to the adjacent land owner. But by the 1880s they achieved success, which would have implications beyond the beaches of the eastern suburbs.

In 1882 the New South Wales government resumed 25 acres at Bondi Beach to create Bondi Park. Four years later, it purchased subdivided lots surrounding Bronte Beach to create a 14 acre park. The government now acknowledged these beaches were becoming increasingly popular, and that there was a public benefit associated with accessible beaches. It also understood the lure of free public beaches to potential local investors.

But still this was not an admission of universal public rights to the beach. Rather it was a concession that the city's public needed *a* beach for recreation. These reserves and two more at Curl Curl and Cronulla were considered sufficient for current and future needs. Requests for similar resumptions at Manly's Shelly Beach and nearby Freshwater were refused by a government that argued the public now had sufficient access to the sand and surf.

Yet the city's beach-going public would not backdown. In 1887 Tamarama Beach was leased to the adjacent aquarium and pleasure grounds. Neither the Waverley Council nor its residents accepted that Bondi and Bronte beaches were 'sufficient', and argued over two decades for free public access to Tamarama. The government supported the Aquarium company for investing in the coastal economy, and for what it considered to be improvements to the beach: what we might view today as unsympathetic changes to the coastal landscape through vegetation clearing and species introduction. But locals fought for what they argued was their 'right' to free access to the beach, and ultimately persuaded the state government that such a right existed. When the NSW Minister for Lands declared in Parliament in 1904 that 'the public *should have the unrestricted right of entry*' to a 100 foot reservation above high water mark at Tamarama Beach, he signalled a new level of government support for public beaches. Three years later, the state government created a public path to Tamarama Beach and dismantled the fence that blocked access, forcing the newly opened Wonderland City amusement park to

share the beach with non-paying customers. The government now conceded everyone had a right to enjoy Tamarama Beach.

Consecutive state governments, conservative and liberal, increasingly began to look at other parts of the Sydney coast that might be needed for the healthy recreation of the city's workers. They resumed part of Collaroy Beach in 1908, Maroubra in 1909, and Long Reef and part of Cronulla in 1911. Beach resumptions were not a budget priority during the First World War, although some in the community persisted in requesting resumptions. In the early 1920s, the government resumed beachfront land at Newport, south Collaroy, and around Bronte to extend Bronte Park. Elsewhere, including at Palm Beach, it relied on the good will of property developers to exclude the beach from subdivided lots, which they did in the realisation that public beaches enhanced property values more than including it small parcels of private land.

Eventually, one by one, Sydney's ocean beaches became public spaces. But this had not been inevitable. Nor, for most of the nineteenth century, did it even seemed likely. The reclamation of the city's ocean beaches for public use occurred through a piecemeal approach: through the willingness of consecutive governments to invest in the beaches, and through private landholders' generosity in sharing the remaining sand and surf with the broader public. More than anything else, these beaches were resumed to appease a vocal public that demanded access to the city's ocean coast. The governments of the early twentieth century were not responding to a new demand, but rather to something that had been discussed and debated over half a century. The idea that the public had a 'right' to free public beaches was so influential precisely because people had been talking about this perceived right and developing the language for so long.

By describing the new reserves they were creating in terms of public benefits and rights, governments also reinforced the popular belief in a right to free beaches. Soon, the arguments for free public beaches were extended beyond just creating public beaches, to informing the ways new and old beach parks were used. As coastal councils increasingly looked towards commercial leases as a much-needed revenue source, beachgoers argued ventures like amusement parks which charged a fee for entry challenged the principle of the free beach – even where they only occupied a small portion of beach parks, away from the surf.

The Coogee Pier, for which the Randwick Council obtained permission from the government in 1923, and an approved amusement park behind Maroubra Beach in 1935, which never got off the ground, were two exceptions to the rule. Elsewhere most applications for leases for amusements which might charge entry fees to portions of beach parks were refused by governments keen to defend the public beach spaces they had invested in. At Bondi in the early 1930s, the Waverley Council's attempts to secure a lease for a Luna-Park style amusement park on the southern corner of Bondi Park sparked a battle that lasted for three years. In a clash that pitched environmentalists, architects, planners and beachgoers against the councils and commercial interests, the state government eventually intervened to rule against an amusement park, citing the principle of the free beach as central to its decision.

But it wasn't just amusement parks that were rejected for threatening accepted values of the beach. This same philosophy saw the Labour government of the 1910s repeatedly attempt to evict campers from the newly declared park on Long Reef, for occupying spaces that were needed for public recreation. It saw the end to a proposal for a netted shark enclosure on Manly Beach in the 1930s, which would have created safe bathing on the ocean beach in a period of regular shark attacks, but at the cost of individuals paying a fee to enter the beach. Any commercial developments that didn't directly service surf and sun-based recreation was opposed by beachgoers intent on protecting their 'rights' to the beach. In a period in which coastal councils struggled to

convince the state government to invest in ocean beach infrastructure and maintenance, they were also unable to maximise commercial interest in local beaches and beach parks. They were caught out by a beachgoing public unwilling to pay for their pleasure, and unwilling to permit a beach economy they saw as encroaching on their rights to free sun and surf.

The beaches that local governments manage today have been shaped by the community attitudes of a century ago. Physically, they are an artefact of a community movement, shaped for a particular kind of recreation that required little more than surf sheds, surf life saving clubs, seawalls, pathways, kiosks and car parks. Culturally, they also bear the markers of these earlier battles for the beach. After a period of so much change in the late nineteenth and early twentieth centuries, in these respects, very little has changed since.

References

Ford, Caroline (2014). *Sydney Beaches: A History*. NewSouth: Sydney

Ford, Caroline (2007). *The First Wave: The Making of a Beach Culture in Sydney, 1810-1920*. PhD thesis: University of Sydney.

[i] Land Grants books 1809-1819, Department of Lands.