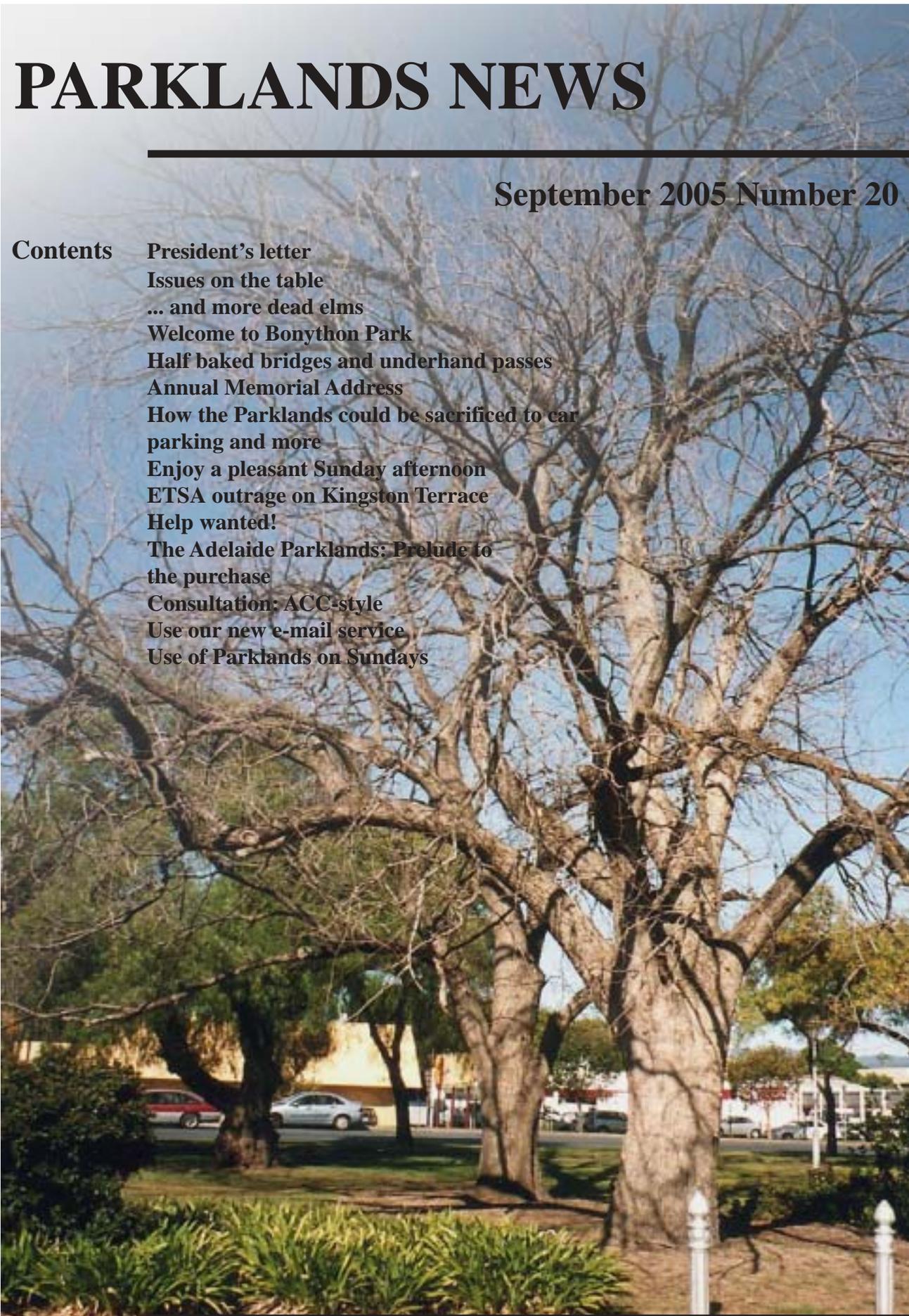


PARKLANDS NEWS

September 2005 Number 20

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Adelaide Parklands Preservation Association Inc
PO Box 3040 Rundle Mall Adelaide 5000 Web: www.adelaide-parklands.org

President's letter

APPA President Ian Gilfillan is away on a well earned break and, as the recently elected Deputy President, I have been asked to replace him for this edition.

I've been an APPA member for a number of years on and off and, as a long-time inner city resident, I've always taken great pleasure in knowing the Parklands are just down my street—in many ways they have become part of my own backyard.

The unique quality of Adelaide's Parklands has also made them a target over the years for rapacious developers eager to get their hands on what they often call 'wasted space'. So, too, with various councils and governments and that's why APPA has become such an important player in safeguarding our Parklands against the slow and gradual dismemberment of cherished open community spaces.

Back in 2002 the Labor Party was returned to government after an eight year absence. Part of its election commitment was to introduce new legislation to protect the Parklands from future

development and ensure that never again would we be forced to accept intrusions into the Parklands like the Next Generation gym and tennis complex. At the same time, I became the Chief-of-Staff to the Environment Minister, John Hill, who had been given responsibility for the Parklands and for developing the new legislation. This was the first time that I had worked for the ALP but I was encouraged by its commitments to the environment in general and the Parklands in particular. To avoid any perception of a conflict of interest, I resigned my membership from APPA for the duration of my ministerial employment.

One of the first tasks set by the Minister in relation to the Parklands was to establish a working group to develop some options. The group included representatives from the Adelaide City Council and the Department of Environment and Heritage, and our own Jim Daly from APPA.

The Minister believed the key to producing protecting legislation was to gain support from the broader community, the ACC and APPA. This meant there would be some compromises to be borne by all.



Three years have passed, I am no longer with the government, and a draft Bill is finally out for public consultation, with parliament set to debate it when it returns in September. Copies of the Bill are available on government and ACC Web sites and I would encourage all members to spend time looking at it. As an APPA member, I believe it is not perfect but, at the same time, I believe it is a significant step in the right direction and there is still time for further negotiation on what will be one of the most important pieces of legislation ever created for our Parklands.

Kym Winter-Dewhirst

ISSUES ON THE TABLE

Parklands Trust legislation

World Heritage listing

Land grab at Victoria Park Racecourse

Biodiversity survey

Heritage listing of 1889 Arbor Day plantings

Adelaide Bowling Club's activities

Hurtle Square redevelopment

Britannia intersection

General and Park Lands PAR

Dying elms

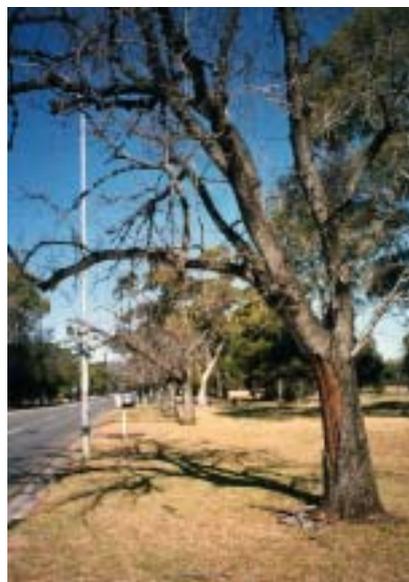
SACA car park push

Bakewell Bridge

*Front page: Dead elms in Kingston Gardens, February 2005.
Photo by Gunta Groves*

... and more dead elms

Besides the dead elms in Kingston Gardens (front page photo), there are many others throughout the Parklands—at least another 8 in this location shown below.



In response to landscape architect Ian Barwick's recent criticisms, the Adelaide City Council will re-assess its watering policies.

Kyle Penick made some enquiries about tree maintenance in April this year. It is interesting to note from his research that the ACC has 7 people for the maintenance of approximately 200 000 trees, while the City of Melbourne employs about 20 people for approximately 50 000 trees, and spends \$2.5m a year on just tree care. By comparison, ACC spends approximately \$500 000 a year. Kyle concluded that Adelaide's tree maintenance program is severely underfunded.

Gunta Groves

Dead elms in Pityarrilla (Park 19) along the southern edge of Glen Osmond Road, February 2005. Photo by Gunta Groves

WELCOME TO BONYTHON PARK

The place of circuses



Bonython Park on 3 July 2005 during site works after the Cirque du Soleil occupation. Photo taken by Gunta Groves

Bonython Park and circuses are almost synonymous. This year, Cirque du Soleil also used this area of Parklands instead of the more usual Ellis Park location.

Usually, circus tenures are low impact, benign occupancies that leave no trace when they are gone. Cirque du Soleil, however, is different. Someone decided that for this company's convenience the whole area should go under asphalt. As a sop to those concerned about the use of bitumen and, especially, hard paving in the Parklands, a system of laying down matting with the bitumen on top was devised and obviously approved at some stage by the Adelaide City Council. The idea was to promote the concept as environmentally friendly and impermanent in that the hard surface could be removed after the event and the area returned to grass very quickly—in fact, within four weeks, it was said.

As I write (beginning of August), the area is still fenced off and the sparse small blades of grass are starting to peep through a huge expanse of

muddy ground. It is now six weeks of Parklands' alienation after the Cirque du Soleil moved out. I would expect that the area could not be returned to normal use for some months yet.

The area involved is 15 000 square metres according to the ACC. In a discussion on 20 April during one of the infrequent meetings of the ACC Adelaide Park Lands Committee, several Councillors and the Lord Mayor expressed surprise and concern that such a coverage of Parklands had been allowed. The ACC's General Manager informed the meeting that a geo-textile fabric (the pile on the right in the photo above) had been laid on the ground first, a stone fill placed on top of that, followed by a 4.5cm layer of bitumen. This was all going to be peeled back and the area remediated in four weeks before the next event.

The Councillors and Lord Mayor were particularly concerned that they had no knowledge of this as none of the detail had been made available to them. To add to this 'circus', no-one

appeared to know whether the ACC was involved in the work of laying the bitumen or how much it was costing. The Lord Mayor expressed the view that perhaps, next time, Cirque du Soleil should use the showgrounds instead of the Parklands.

At the very end of the meeting on 20 April, the Committee was told by a member of the administration that the ACC had not been involved in laying the bitumen or would be involved in the remediation afterwards.

Overall, this was an amazing performance by the Committee and the ACC administration. No-one knew how the situation came about (or wasn't telling), no-one knew how much it was going to cost, no-one had any idea how long the remediation would take (the four-week statement was self-evidently wrong), and no definite action was taken to ensure that the situation is not repeated. What a circus!

Gunta Groves

Next newsletter deadline: 31 October 2005

Half baked bridges and underhand passes

With a temporary 'marginal electorate' reprieve for the area near the Britannia Roundabout, the battle to preserve Adelaide's Parklands is set to move to Bakewell Bridge.

Aside from red herrings of 'amenity' and 'accessibility', according to a Transport SA submission to the Parliamentary Public Works Committee, to provide freight clearances 'it would be desirable to replace the Bakewell Bridge which presently has sub-standard clearances of 4.1 metres (minimum requirement 5.3 metres)'.¹

However, it may be that Parklands in the vicinity of Bakewell Bridge and Britannia Roundabout were endangered when Adelaide City Council's 2003 commentary on South Australia's Draft Transport Plan failed to require protection of the Parklands:

*The Council seeks commitment to grade separation at the Britannia Roundabout, similar grade separation at other key intersections in the Inner Ring Route and replacement of the Bakewell Bridge.*²

Anyway, it seems that Bakewell Bridge is blocking completion of a road freight link, which might otherwise slingshot heavy vehicles around our Parklands from South Road into Fitzroy Terrace via the new City West Connector, bringing a flood of B-Double trucks thundering past the western Parklands, and putting more pressure on the Victoria Park area and Britannia Roundabout as the final stage in this SA Freight Council Inc (SAFC) High Priority Project.³

Consensus is evident with SAFC's Ring Route reasoning being identical to statements attributed to Business SA⁴ in an Australian Chamber of Commerce and Industry submission, also dated April 2005:

*Ring Route—Bakewell Bridge, Britannia Roundabout, Fitzroy Terrace upgrade ... Cost \$42 million ... additional investment is required in areas such as the Britannia Roundabout, the Bakewell Bridge and for continuing enhancements and upgrades. Project will increase the efficiency of traffic flow around the city fringe, improve safety for all road users including the freight industry ...*⁵

The exact area of Parklands affected by the freight industry ring route project is unspecified. However, from examination of the Bakewell site and underpass concept drawings, the project is likely to affect parkland which currently has trees growing on it. Sound familiar? No mention yet of the Act of Parliament required to amend the existing Mile End Overway Bridge Act 1925⁶ and Mile End Overway Bridge Act Amendment Act 1960⁷, or of the expensive compensation payable (presumably from the Highways Fund).⁸

Also absent from the 'community engagement' is the image depicting the bridge option associated with the announcement for a \$30 million rebuild of the Bakewell Bridge on 28 March 2004 by Premier Mike Rann and Transport Minister Trish White.⁹ Given the low lying land, and past evidence of a high water table in the western Parklands, it seems strange that the Department is favouring the underpass option, particularly in light of the remediation work carried out in June 2004 to address flooding problems at Millswood Underpass, which required a new stormwater drainage and pumping system to reduce the incidence of flooding during heavy rainfalls.¹⁰

Note: The initial 'community engagement' period closed on 12 August 2005, but see <http://www.transport.sa.gov.au/transport_network/projects/

> bakewell_bridge/index.asp> or phone 1300 781 832 or e-mail <bakewell.bridge@transport.sa.gov.au>.

Kelly Henderson

Endnotes

¹ *City West Connector South Road to James Congdon Drive, including the Intersections with South Road, Sir Donald Bradman Drive and Railway Terrace*, Submission to the South Australian Parliamentary Public Works Committee, Transport SA, 17 March 2004, p 7

² Strategy & Policy Committee 25/8/2003 Agenda Item No 5.1—Attachment A p 187

³ 'Ring Route—Bakewell Bridge, Britannia Roundabout, Fitzroy Tce upgrade' *South Australia's Freight Transport Infrastructure Principles and Project Priorities*, SA Freight Council Inc Submission, April 2005, p 13, sourced from <<http://www.infrastructure.gov.au/submissions/SAFreightCouncil/Submission.pdf>>

⁴ <http://www.acci.asn.au/text_files/submissions/2005/April%202005%20Exports%20and%20Infrastructure.pdf>

⁵ *ibid*, item 6.3.6

⁶ *An Act to close certain Public Streets in the Park Lands of the City of Adelaide and in the Municipality of Thebarton, to declare certain lands in the said Park Lands and Municipality to be Public Streets, and for other purposes*, No 1713 of 1925, [Assented to January 6th, 1926]

⁷ *An Act to amend the Mile End Overway Bridge Act 1925*, No 23 of 1960 [Assented to 29th September, 1960]

⁸ *ibid*, Section 4

⁹ <http://www.transport.sa.gov.au/news_media/media_releases_content_2004/june/bakewell_bridge.asp>

¹⁰ <http://www.transport.sa.gov.au/news_media/media_releases_content_2004/june/millswood_underpass.asp>

ADELAIDE PARKLANDS PRESERVATION ASSOCIATION INC

A PLEASANT SUNDAY AFTERNOON

SUNDAY 30 OCTOBER 2005

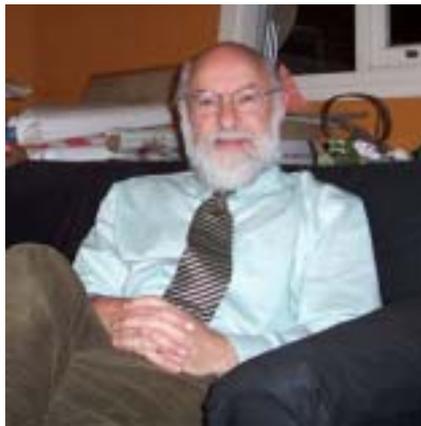
3pm to 5pm

BOTANIC GARDENS LECTURE THEATRE
GOODMAN BUILDING, HACKNEY ROAD

ANNUAL MEMORIAL ADDRESS

BY

DR KEN MARRIOTT
NOTED PARKS AND RECREATION PLANNER



'A benefits approach to valuing the Adelaide Parklands'

Come along, bring a friend and enjoy:
a lively talk and update on the Park Lands Bill
fine music
light refreshments, champagne and drinks

Cost: \$15.00 each

Ticket reservations: Brian Mitchell on 8263 5168

See pamphlet enclosed for more details

How the Parklands could be sacrificed to car parking and more

On 25 July 2005 the Adelaide City Council (ACC) meeting was asked by Cr Taylor to approve an outrageous proposal by the South Australian Cricket Association (SACA) to turn Tardanya Womma (Park 26), located just north of the Adelaide Oval, into a car park, possibly with lighting and advertising. It would be managed by SACA with all income going to SACA. The ACC would receive \$100 000 a year for this favour.

The timing of Cr Taylor's motion may or may not have been significant in that, at the time, Cr Clearihan and Cr Brine were on leave.

Kelly Henderson was given leave to make a deputation to the meeting to enlighten Councillors about the area being Parklands and to urge caution. She made the point that the ACC itself had been successful in the case of *Adelaide CC v Lester & Park Fast (Aust) Pty Ltd* (Damian Lester had used Parklands to create a car park). Cr Magasdi moved a commendable alternative motion as an amendment to the original motion put by Cr Taylor. This amendment, provided here in full, was approved and signalled a major re-assessment by the ACC of SACA's proposal.

That the CEO and the Administration prepare and provide a report to be brought back to Council on:

1. A local area consultation to be undertaken how ratepayers feel about leasing the northern Park Land in front of the Cathedral, on Pennington Terrace, to the SA Cricket Association.

2. The implications of such lease in regard to:

a. Increased frequency of usage of the car park.

b. An increased area to the use of car parking including the north western oval.

c. Whether the parking is to be used for other than sporting functions held at the oval, ie a lease of entertainment areas for private functions including the temporary tent.

3. Whether the Council has legal and indeed moral right to abrogate its responsibility for looking after the Park Lands and sub-lease an area for parking use.

4. What advantages would such lease bring to the ratepayers of the City of Adelaide and indeed the residents of Adelaide.

5. Would this set a precedent allowing other organisations, such as the Royal Show Society at Wayville, the South Australian Jockey Club etc, to apply for similar rights to take over parking in their related Park Land areas.

Full marks to Cr Magasdi and like-minded colleagues for this one. They join a long and illustrious list of protectors of the Parklands commencing with our Colonisation Commissioners, Gilles (Colonial Treasurer), Fisher (Resident Commissioner and Adelaide's first Mayor), Gawler (Governor and Resident Commissioner) and Gouger (Colonial Secretary).

Two weeks is a long time in local government ...

Just two weeks later, disappointment followed. On 8 August Cr Angove moved to revoke this decision by Council and proposed a new motion. In a surprise turn-around, Council voted in favour of the new motion, which is printed below so that you can come to your own conclusions about the direction that Council intends to take.

That the Chief Executive Officer presents the Council at the earliest opportunity a report addressing a proposal by the South Australian Cricket Association to manage the areas of parklands adjacent Adelaide Oval, generally referred to as 'the Northern Car Park'. Given that this area has had long-term use as an ancillary car park to facilitate events held at the Adelaide Oval, the report should include:

- an assessment of the impact of proposed improvements to the landscaping of the area*
- an assessment of how the proposal would enhance the management of the area as a temporary parking facility for events held at the Adelaide Oval*
- what alternative tenure arrangements would need to be put in place to facilitate this management change eg a temporary or long-term lease to SACA or outsourcing to SACA for their control of ancillary parking and associated care for the said area*
- any other matters relevant to the proposal such as impact on casual staff, ingress/egress facilities, lighting etc.*

There is no mention of the legal implications, no mention of residents, no mention of setting precedents—and no marks to SACA or some ACC Councillors who, apparently, have been negotiating this 'car park' since December 2004.

We all need to monitor developments on this closely and make our opinions known. We need PARKLANDS, not car PARKING!

Gunta Groves

ENJOY A PLEASANT SUNDAY AFTERNOON

at the

Annual Memorial Address

This year we have invited Dr Ken Marriott, Managing Director and Principal of HM Leisure to deliver the Annual Memorial Address on Sunday 30 October, 3.00pm to 5.00pm, Botanic Gardens Lecture Theatre, Goodman Building, Hackney Road.

Ken is well known as a leading Australian parks planner and visits Adelaide regularly in his professional capacity. He has extensive overseas experience in Asia, the Pacific region and New Zealand.

Ken will also be conducting a Professional Seminar on Parklands on the management and the use of open space, jointly sponsored by APPA, Adelaide City Council and the Parks and Leisure Association.

This annual occasion gives exposure to the work of the Adelaide Parklands Preservation Association Inc and heightens the awareness of the

importance of the Parklands to the people of Adelaide.

You will recall that we held our Centenary Celebrations in this venue and it was a great occasion for people to meet and share our interest in the preservation of the Adelaide Parklands. This year we will also have the opportunity to get an update on the Park Lands Bill to establish a Park Lands Authority, and some live music will add to the occasion.

Light refreshments, champagne and other drinks will round off what will be a pleasant Sunday afternoon. There is convenient parking close by.

See the pamphlet in this issue for more details and where and how to book.

If you would like any further details and publicity information, please phone me on 8267 4192.

Jim Daly

ETSA *outrage on* **Kingston** **Terrace**

The Adelaide City Council meeting on 8 August included a discussion about the siting of an ETSA Utilities transformer in the northern Parklands.

Cr Clearihan's concern about the transformer, which suddenly appeared recently opposite residences on Kingston Terrace, is commendable. We hope the Councillor's question, 'What is the possibility of having this transformer moved?', gets a 'can-do' response—especially in light of the advice to Council that ETSA failed to comply with requirements to notify residents.

Kelly Henderson

Next newsletter copy
deadline:

31 October 2005

HELP WANTED!

Brian Mitchell is currently fulfilling two roles: Secretary and Acting Treasurer. He would love to hand over the money management to someone else.

Can YOU help?

You need to be able to attend committee meetings monthly and take charge of the receipt book.

Brian will tell you all about it if you ring him on 8263 5168.

The Adelaide Parklands

Prelude to the purchase

The survival today of thousands of acres of freely accessible open space in the City of Adelaide is a remarkable testimony to the philosophical ideals exemplified in the founding of this 'Paradise of Dissent'¹ as a radical utopia, and to the unremitting vigilance of successive generations of parklands' protectors.

This second article explores in greater detail the cultural environment in Britain which led to the determination to establish 'Open Space in the Vicinity of populous Towns, as Public Walks and Places of Exercise, calculated to promote the Health and Comfort of the Inhabitants'² and which ultimately secured an enduring Trust with the purchase³ of the fee simple⁴ of the Adelaide Parklands.

Paradise Lost

Since earliest times there have been specifications for reservation of land around cities, including those instructions published in the world's best-selling and most widely distributed book, the Bible, with an estimated 2.5 billion copies sold since 1815, translated into 2233 languages and dialects.⁵ FJ Osborn outlined the historical origins of the green-belt principle⁶ from the Levitical Cities of Palestine (c 13th Century BC) to Howard's *Garden cities of tomorrow* (1898). Open lands encircling Levitical Cities were to be inalienable:

The Lord said to Moses ... Command the people of Israel, that they give to the Levites ... cities to dwell in; and you shall give to the Levites pasture lands

round about the cities ... The pasture lands ... shall reach from the wall of the city outward a thousand cubits all round ... the city being in the middle⁷

But the fields of common land belonging to their cities may not be sold; for that is their perpetual possession.⁸

Sir Thomas More's⁹ *Utopia*, first printed in Latin in 1516, was translated into English in 1551 and retranslated several times, and reprinted by Dibden in 1808¹⁰ and by others thereafter. In some respects Adelaide's layout bears a vague resemblance to More's Utopian city of Amaurote:

The cytie of Amaurote standeth vpon the syde of a low hill, in fashion almoste four square ... The ryuere of Anyder rysethe .xxiii. myles aboue Amaurote owte of a lytle springe ... before the cytie yt ys halfe a myle brode ... They haue also an other ryuere, whiche in dede is not very great. But it runneth gentelley and pleasauntlye ... downe a slope through the myddes of the citie ...¹¹

The stretes be appoynted and set forth verry commodious and handsome¹²

[The Utopians] *walk abroad in the fields, or into the country that belongeth to the city.¹³*

Euerye cytie is diuided into foure equall partes. In the myddes of euery quarter there is a market place ... in the circuite of the citie, a little without the walles, they haue .iiii. hospitalles ...¹⁴

It is not surprising to find criticism in More's *Utopia* for Britain's enclosure of common fields, commons and wastes to the profit of rich men and the destruction of husbandry, displacement of population, and increase of unemployment: 'the

vnreasonable couetousnes of a fewe' was stated to be 'to the vtter vndoing of your llande', and 'peculiare to ... Englishe men alone':

Forsooth ... your shepe, that were wont to be so myke and tame ... be become so greate devowerers, and so wylde, that they eate up and swallow down the very men them selves. They consume, destroy, and deuoure hole fields, howses, and cities ... Therefore, that one covetous and unsatiabie comaraunte¹⁵ and verry plague of his native contrey may compass abowte and inclose many thousand acres of grounde to gether ... Caste out thies pernycious abomynacyons; ... Suffer not thies ryche men to bye vp all ...¹⁶

Ideas of enclosures damaging society and of city dwellers walking in the country or circuit of lands belonging to the city were established well before an enclosure in 1618 provided for open space, yet somehow that right was later lost:

1,266 acres of common and waste lands were enclosed and divided up amongst the owners of land in Blackburn, but some 18 acres were to be set out and used 'for the mustering and training of people in that part, and for the recreation of the Inhabitants of the said Town, and for the good and profit of the said Town and Poor thereof, as a gift forever ...'¹⁷

But the rights of recreation seem to have been lost by 1833, for when William Fielden, MP for Blackburn was asked by the Committee on Public Walks; 'Is there any place to which the children of the humbler classes may resort for any game or exercise?' ... his answer was 'None whatever.'¹⁸

The impact on society of such a lack of open space emerged in the town

This is the second article in a series on the Adelaide Parklands and the historical basis for their creation and survival. The first article, entitled 'An historic public walk', appeared in the June 2005 issue of *Parklands News*.

laws forbidding children playing in the streets, in the complaints of newspaper correspondents about the flying of kites, and in magistrates' fines upon the running races on the turnpike roads, which had become a general nuisance.¹⁹

For those who relied upon forage and grazing on unenclosed lands adjoining towns and villages, enclosures were very serious matters. Since simple husbandry offered a defence against pauperism through the expedient of keeping geese or a cow, it is not surprising enclosures were bitterly resented.

*The law locks up the man or woman
Who steals the goose from off the common
But lets the greater robber loose
Who steals the Common from the goose.*²⁰

Civil War

In 1801, enclosure of Otmoor, to the north of Oxford, was opposed by 'a Mob at each Place', until the enclosure was 'shipwrecked'.²¹ Otmoor had been enjoyed by the inhabitants without stint from time immemorial. According to tradition it was a gift to the inhabitants of its vicinity for a common²² and 'the greatest benefit was reaped by the cottagers, many of whom turned out large numbers of geese ... and thereby brought up their families in comparative plenty'.²³ Nevertheless, it had been decided by the law that 'no man can have any right in common ... wherein he has no interest but only habitation: so that the poor, as such, had no right to the common whatever'.²⁴

Although ultimately successful, a later attempt to enclose Otmoor in 1814 met with 'large Mobs, armed with every description of offensive weapons' and 'threats of immediate death'.²⁵ The inhabitants remained unreconciled to the enclosure of Otmoor, and in September 1830 'five hundred men, women and children assembled from the Otmoor towns'

along with 'five hundred more from elsewhere', and 'armed with reep-hooks, hatchets, bill-hooks and duckets they marched the seven-mile-long boundary of Otmoor', destroying all the fences, whereupon the Riot Act was read.²⁶

Although the original enclosure was fifteen years old, Otmoor was still in rebellion: 'whenever there was a full moon the patriots of the moor turned out and pulled down the fences'.²⁷ The magistrates of Oxford declared no constabulary force of theirs would be able to suppress the Otmoor outrages and asked for soldiers, and one magistrate wrote to Lord Melbourne that 'all the towns in the neighbourhood of Otmoor are more or less infected with the feelings of the most violent, and cannot at all be depended upon'.²⁸

*So long and so bitter was the civil war roused by an enclosure which Parliament had sanctioned in absolute disregard of the opinions or traditions or circumstances of the mass of the people it affected.*²⁹

Otmoor's civil war was evident in the newspapers³⁰ and law courts, with a 'pamphlet war' ensuing and 'Otmoor Associations ... formed to fight for the rights of Otmoor commoners'. As late as 1833, 'two men [were] indicted for malicious destruction of a bridge built by order of the trustees of the Otmoor drainage scheme'.³¹ In that year the Select Committee on Public Walks recommended that 'provision of Public Walks and Open Places would much conduce to the comfort, health and content'³² of the 'middle' or 'humbler' classes.

Whilst the South Australia Colonization Act was in the British Parliament, another enclosure Bill was pending,³³ this time for Kingsclere and, subsequently, the 1836 Inclosure of Open and Arable Fields Act³⁴ was passed which

Provided always that nothing in this Act ... shall authorise the

*inclosure of ... any open or common meadow or pasture lands or fields ... situate and being within one mile of any city or town of five thousand inhabitants, or within one mile and a half of any city or town of fifteen thousand inhabitants ...*³⁵

However, in comparison to Adelaide's 2332 acres of Park Ground,³⁶ the 1840 Report of the Committee on the Health of Towns indicated a lamentable lack of progress in England: 'Manchester has no public park or other grounds where the population can walk and breathe fresh air ... In this respect Manchester is disgracefully defective ...'³⁷

Paradise of Dissent

It is but a short step to see that the planners of South Australia who 'let the particular shortcomings of liberty in England determine the particular guarantees of liberty in South Australia'³⁸ might be minded to establish an antipodean 'Levitical City'.

Having once sketched the outline of these inalienable lands, that instrument of past enclosures—the British Parliament—did not effect their destruction although Adelaide's Parklands had to be purchased to secure them for the inhabitants. The whole of Australia may be indebted for this determination to retain in perpetuity freely accessible open space round about the city of Adelaide. As Thomas Worsnop³⁹ wrote of the Act for regulating the Sale of Waste Land belonging to the Crown in the Australian Colonies:⁴⁰

*It is evident this Waste Lands Act was brought into existence principally by the force of circumstances surrounding the action of Governor Gawler in respect to the purchase of the Park Lands; and section 3 ... gives the power of reservation of lands for these purposes, not sufficiently provided for in the Act constituting South Australia a British Province.*⁴¹

Continued from page 5

Postscript

The preservation of Adelaide's Parklands was by no means accidental. In the history of their reservation, dedication and purchase lies the secret to their successful continuation, setting them apart from the myriad of commons and open spaces near towns which have long since been enclosed and converted for private profit.

Blackburn, Halifax, Stockport and Rochdale did not obtain parks until the 1850s.⁴² Areas of Otmoor which proved difficult to drain were taken over by the Royal Society for the Protection of Birds⁴³ and in 1997 the RSPB began the ambitious task of recreating a nationally important wetland on the moor, a £2 million project involving the purchase and restoration of 220 hectares.⁴⁴

Kelly Henderson

Endnotes

¹ *Paradise of Dissent South Australia 1829–1857*, Douglas Pike, Halstead Press NSW 1967

² Report from the Select Committee on Public Walks ordered by the House of Commons to be Printed 27 June 1833

³ Letter from Thomas Worsnop to the Commissioner of Crown Lands, Adelaide, April 19th 1884, as reprinted in *Title to the Adelaide Park Lands*, Municipal Corporation of Adelaide, 1885 'in the name, and upon trust for the citizens of Adelaide'

⁴ The estate in fee simple is the largest most comprehensive estate in land which the law recognises, the most extensive in quantum and the most absolute in respect to the rights which it confers, from *Land Law*, Peter Butt, The Law Book Company Limited 1988 p 90

⁵ See Guinness Book of Records <<http://www.guinnessworldrecords.com/>>

⁶ 'The Country-Belt Principle: Its Historical Origins' by FJ Osborn in *Town and Country Planning* Volume XIII No 49 Spring 1945 p 11

⁷ *The Holy Bible containing the Old and New Testaments*, Revised Standard Edition, Nelson 1957, Numbers 35 v 1–5
⁸ *ibid*, Leviticus 25, v 34

⁹ Thomas More (1478–1534), knighted in 1521 and chosen Speaker in the House of Commons in 1523, beheaded in the reign of Henry VIII after being found guilty of treason and sentenced to death because he would not acknowledge the title of the King to Supremacy over the Church

¹⁰ *More's Utopia*, Edited with Introduction and Notes by J Churton, Collins, Oxford 1961, Introduction pp li

¹¹ *ibid*, pp 53–54

¹² *ibid*, pp 53–54

¹³ 'The Country-Belt Principle: Its Historical Origins' by FJ Osborn in *Town and Country Planning* Volume XIII No 49 Spring 1945 p 15

¹⁴ *More's Utopia*, pp 67–69

¹⁵ 'an insatiably greedy person', *More's Utopia*, Edited with Introduction and Notes by J Churton, Collins, Oxford 1961, p 261

¹⁶ *ibid*, pp 15–18

¹⁷ *The Bleak Age*, JL & Barbara Hammond, Pelican Books 1947, p 81

¹⁸ *ibid*, p 81

¹⁹ *ibid*, p 86

²⁰ *Public Parks*, Hazel Conway, 1996

²¹ *The Village Labourer*, JL & Barbara Hammond, Guild Books 1948, p 87

²² *ibid*, p 83

²³ *ibid*, p 85

²⁴ *ibid*, p 88

²⁵ *ibid*, p 86

²⁶ *ibid*, p 90

²⁷ *ibid*, pp 91–92

²⁸ *ibid*, p 92

²⁹ *ibid*, p 92

³⁰ *Oxford Journal, Oxford University and City Herald*, from *The Village Labourer* pp 88–91

³¹ <http://oxford-consultants.tripod.com/what_is_otmoor.htm>

³² Report from the Select Committee on Public Walks ordered by the House of Commons to be Printed 27 June 1833

³³ House of Commons Thursday, June 5, 1834, *The Parliamentary Debates*, Third Series Vol 24 June 2 to July 9, 1834

³⁴ 6 & 7 Wm IV Cap. CXV. An Act for facilitating the Inclosure of Open and Arable Fields in England and Wales [20th August 1836]

³⁵ *ibid*, Section 55

³⁶ Set apart in 1837 by Colonel William Light, first Surveyor-General of the British Province of South Australia

³⁷ Description of the Condition of Manchester by John Robertson, Surgeon (Report of the Committee on Health of Towns, 1840 (XI) pp 221–222, App. II) 1840, from *English Economic History*, Bland Brown & Tawney, G Bell & Sons Ltd 1914, p 521

³⁸ *Paradise of Dissent*, Douglas Pike, Melbourne University Press 1967, p 3

³⁹ Town Clerk, Corporation of the City of Adelaide

⁴⁰ 5 & 6 Victoria Cap. XXXVI. An Act for regulating the Sale of Waste Land belonging to the Crown in the Australian Colonies [22nd June 1842]

⁴¹ Adelaide City Archives Town Clerk's Department (C15) Digest of Proceedings S35 4 Dec 1878 to 28 Nov 1879 sheet 6 of 9, p 292

⁴² *The Bleak Age*, JL & Barbara Hammond, Pelican Books 1947, p 234

⁴³ <http://oxford-consultants.tripod.com/what_is_otmoor.htm>

⁴⁴ <http://www.defence-estates.mod.uk/conservation_enviro/sanctuary/sanctuary_issue28/otmoor.htm>

Consultation: ACC-style

Currently, the Adelaide City Council is consulting on a series of Community Land Management Plans for the Parklands. The plans are well prepared and presented but make some alarming assumptions about land ownership, the retention of existing unacceptable activities such as car parking, and commercial ventures that masquerade as community activities. The consultation on Victoria Park was even so skewed as to present the SAJC proposal for a large grandstand in the middle of Victoria Park as a 'fait accompli' and somehow the best option for preserving the character of the Park!

A recent attempt by one Councillor to move a motion to lease a large area of Parklands to SACA was made without any consultation whatsoever—the only party consulted was the proponent who had prepared a report written in glowing terms to suggest that the proposal for regular parking of hundreds of cars would be a way of 'further enhancing the parklands' and a 'win-win for all'. Absolutely incredible!

Thanks to Councillor Magasdi, this disastrous motion failed, but the threat remains (see p 6)!

Again, recently, a proposal by SAFM to relocate the Skyshow to Victoria Park involved no consultation by the Council, just a request to the promoter to letterbox a selected area around East Terrace—a complete abrogation of Council responsibility to the residents of the south-east precinct of the City.

To their credit, Burnside and other adjoining councils consulted widely and, as a result of widespread community opposition, SAFM has dropped the idea.

APPA is concerned at this trend by the Council to not consult on major Parklands issues, or worse, to consult by proxy through proponents, which runs the risk of being less than objective.

David Plumridge

USE OUR NEW E-MAIL SERVICE

Some people have already seen the light (pun intended) and sent in their e-mail addresses. If you would like to receive the *Parklands News* by e-mail as a PDF, and other APPA notices by e-mail, fill in the form below and mail it to:

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PO Box 3040 Rundle Mall
Adelaide 5000.

E-mailing newsletters to members saves us printing and mailing costs.

You can also download PDFs of the current and immediate past eight newsletters from our Web site at <www.adelaide-parklands.org>.

Gunta Groves

I would like to receive the following by e-mail instead of in the post:

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My e-mail address is: _____

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Use of Parklands on Sundays

This is an interesting historical snippet found by Kyle Penick in the papers of the ACC Policy—Parkland Sub-Committee 1945–1972 (#50/101:01 Part 1 4092/0039).

Arising from what was apparently an objectionable and unauthorised use of the parklands for organised sport, a deputation from the Council of Churches waited upon the Lord Mayor in August, 1939, in which the Council was asked to take action to prevent the playing of organised sport on the parklands on Sunday, principally on the following grounds:

- (1) That the organised games now being played constitute a breach of the fourth commandment.
- (2) That children find the attraction of watching organised sport greater than the attraction of Sunday Schools.
- (3) That the quietude of Sunday is disturbed for many people by the noise and bustle attendant on organised sports.
- (4) That the sentiment of a great number of people is definitely against

organised Sunday sport on the Park Lands.

(5) That whereas Sunday games are played only by a small minority of lessees of sporting grounds, the increase in the number of games played, and the attendant organisation and advertising is extremely undesirable.'

As a result of this deputation the Council appointed a special Committee which recommended to Council the current policy which is set out in the conditions contained in the Permits issued to sporting bodies, namely:

'Clause 6(a) The ground for play, and for which the permit is issued, shall not be used at any time on Sundays except for the sole and exclusive purpose of practice by the members only of the Club to which the permit is issued. In particular, but without derogating from the foregoing,

the ground shall not be used on Sundays for any competitive match or game, whether confined to members of the Club to which the permit is issued or not. No Club to or for whose benefit a permit is issued shall play on or use on Sunday any ground (other than the particular ground allotted to it) for any purpose whatsoever.'

'Clause 7(a) No Club, or its members, or any other person or persons holding a permit shall advertise any games being played or to be played on a Sunday on the ground allotted for the use of such Club and its members, or any other person or persons, and in the event of any Club or its members or person or persons aforesaid so doing the permit shall be deemed to be automatically cancelled.'

Editor: So there!

MEMBERSHIP APPLICATION FORM

Adelaide Parklands Preservation Assoc Inc PO Box 3040 Rundle Mall Adelaide SA 5000

Name
Address
Telephone E-mail Date

- \$15 single (full rate) Renew
- \$25 corporate New
- \$20 family (full rate) Send *Parklands News* via e-mail, OR
- \$15 family (concession) Send *Parklands News* and other notices via e-mail
- \$10 single (concession) Donation \$.....

Method of payment

- Cheque attached Money order attached

OBJECTIVES OF THE ASSOCIATION ARE TO ENSURE THAT:

- the Parklands be available for use by the general public
- the public should so far as practicable, have free and unrestricted access to the Parklands
- the Parklands should be reserved as a place for public recreation, leisure and enjoyment
- alienated areas of the Parklands are restored for recreational use, preferably as open space
- the character of the Parklands as a place dividing the City of Adelaide from the suburbs should be preserved
- the Parklands should be preserved and maintained in a manner that enhances their special place in the design of the City of Adelaide
- the amenity of the Parklands is not impaired by inappropriate development of nearby lands.

I agree to be bound by the Constitution of the Association. Signature

Please make cheque/money order payable to: Adelaide Parklands Preservation Association Inc (*not 'APPA'*)
Send to: Adelaide Parklands Preservation Assoc Inc, PO Box 3040 Rundle Mall Adelaide SA 5000 09/05

Committee 2005–2006

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Deputy President: Kym Winter-Dewhirst
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Membership:

Membership of the Association is open to all who support the objectives of the Association. Members receive the *Parklands News* four times a year.