

# ParkLANDS<sub>news</sub>

September 2011 Number 44



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# President's letter

The Adelaide Oval Redevelopment and Management Act 2011, assented to by His Excellency Rear Admiral Kevin Scarce AC CSC RANR on 4 August 2011 to come into operation on a day to be proclaimed, has tainted the South Australian Parliament. Our Association's request for an audience at Government House, seeking the urgent protection of the Park Lands' trustee, was refused, but elicited the information that the Park Lands are a 'statutory trust'. During the infamous Bill's passage through Parliament, this Trust should have triggered an obligatory Select Committee Enquiry under Parliamentary Standing Orders, and we also await with interest the consultation promised by Lord Mayor Stephen Yarwood 'before' the Council finalises its position on Adelaide Oval.

New threats have arisen since the National Trust of South Australia included the Adelaide Park Lands on its list of Heritage@Risk 2011 (currently on exhibition at Ayers House, North Terrace). The Adelaide City Council's bartering of the South Park Lands as cheap car parking in return for first option on any future Showground on-site car parking management contract deserves special mention. This dastardly Deed purporting to guarantee the Royal Agricultural and Horticultural Society a further 15 years of cheap Park Lands

Show car parking, including over remnant native vegetation, warrants the strongest condemnation, as does the determined efforts of Councillors to defeat Deputy Lord Mayor David Plumridge's well-intentioned attempt to mitigate its damaging impact. Our thanks to the Lord Mayor Stephen Yarwood, who commendably permitted a deputation on this item at short notice, to David for his efforts, to Cr Sue Clearihan for urging that Council get serious about remnant native vegetation, and to Cr Sandy Wilkinson for voicing his opposition to Council undercutting public transport with discount Park Lands car parking.

As Council increasingly seems disposed to facilitate Government and commercial alienation of the Park Lands, it undermines its own claims of being worthy custodians. Complicity in new alienations such as the Adelaide Stadium, Riverbank, the proposed extension of the Adelaide High School (when Government owns land at Bowden), dilatory 'return' of sites such as the Adelaide Railyards, Thebarton Police Barracks, old Adelaide Gaol, Torrens Parade Ground and SA Water site, and capped contamination of Frome and Victoria Parks make a mockery of such protestations.

The propagandist pronouncements from the Premier's office have also got it very wrong. Celebration of 175th anniversaries and return of the SA Water site (Sewerage Works) in the West Park Lands are certainly welcome, but as Government seems to struggle with historical facts we are entitled to put the record straight. As Leader of the Colonization Commissioners' First Expedition (ie our First Fleet), William Light made it clear the 'Commencement of Colonization in South Australia' occurred to the north of the Newmarket Hotel, not Kangaroo Island as the Premier mistakenly claims. Since there was no settlement without survey, and the source and hub of that survey and settlement was Light's and Fisher's Park Lands' huts, tents, and Survey Office, there is every justification for restoring this most significant site to Park Lands as open space in its 175th anniversary year, 2012.

Proven by documentary evidence to have had a natural environment of treeless grassland, the former SA Water blighted site should also be handed back forthwith along with remediation



funding. Instead of restoration, the Government's 'nature' is green wash construction,

further butchering the landscape for yet another consultancy gravy train. Such grandiose puffery ignores the material facts that tree planting in some environments is damaging, and that designs of this ilk have inevitable, and inevitably unmet, maintenance requirements. Over-use and unmet maintenance needs already have the

Park Lands worn threadbare in several places. To name but one, Rymill Park, a family favourite, is still under remediation, or poorly repaired, months after the profiteers have bumped out: worn out sandy bare patches and boggy areas associated with soil compaction are evident, and tree deaths are continuing. On a positive note I am pleased to be able to report to members the long-awaited replacement of the missing Rymill Park plaque. This may seem a small thing but the remedy of such unsightly apparent vandalism in a popular location is symbolic of the simple measures that are at the core of good management of a public park.

Higher management standards are essential if Adelaide is to achieve membership of the elite forum of World Heritage Cities. On behalf of the Association, I attended a World Heritage Nomination seminar convened by the Australian National University, Canberra, and participants were provided with a copy of a new World Heritage nomination guide. This is a very positive measure to aid preparation of nominations and understanding of the process and I believe it will provide valuable assistance in progressing the Association's aim of achieving a World Heritage nomination.

*Kelly Henderson*

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## ISSUES ON THE TABLE

Adelaide Bowling Club activities

Alienated Park Lands

Biodiversity survey

Britannia intersection land grab

Dying elms and other trees

Flood mitigation works

Heritage listing of 1889 Arbor Day plantings

Land grabs at RAH site, railway yards, Adelaide Oval and for tram extensions

'Purple water' damage

SACA expansionist ambitions

Stadium Management Authority

Watering regime during drought

World Heritage listing

*Front cover: White ibis (Threskiornis molucca) feeding in Botanic Park. Photo taken by Gunta Groves, 17 July 2011.*



# Updates from the ACC

*The information below was provided by Martin Cook, Senior Park Lands Planner, Adelaide City Council.*

## Fountain in Rymill Park remnant

The attractive circular fountain located in the Rymill Park remnant bounded by Pirie Street, East Terrace and Grenfell Street will soon be emerging from its longstanding shroud. Structural repairs were commenced in 2010 to cracks and masonry damage, but then it was discovered the electrics were in poor condition and additional funding was sought in this year's ACC budget. The upgraded electrics will include improved LED lighting. This pretty little fountain should be back in service by the end of September 2011.

## Former SA Water site in Narnungga/Park 25

Work is continuing to return this site to Park Lands (located on the corner of Port Road and East Terrace). The landscape design is still being finalised but works are expected to commence quite quickly to allow some planting to occur before the onset of warm weather. Contamination remediation is now complete.

*Editor's note:* 'Returning' this section of Park Lands to Park Lands has been a favourite pastime of Premier Rann. On 24 August, *The Advertiser* obligingly indulged the Premier's tenth (at least!) re-announcement of 'returning' the old E&WS (now SA Water) depot to Park Lands. The 6.07 hectare site has always been Park Lands, notwithstanding the original alienation of this site as a storage yard for sewer pipes in 1879.

## The word according to State Labor Leader Mike Rann

The displayed quotes are extracts from campaign material entitled *Parklands Directions Statement and Open Spaces: Labor's plan to save the parklands* (circa 2000).

## ACC wants to help

Last year, the Adelaide City Council launched a service for members of the public to lodge comments, complaints and congratulations. You may, for example, wish to report a hazard or water leak, ask a question, comment on a Council policy or decision, or report graffiti or rubbish. APPA also encourages members to comment on events that damage the Park Lands, unduly interfere with your normal park access and to especially report those events where organisers fail to clean up their site properly, which is an ongoing problem. You will receive a reference number when appropriate (or if you request one), which will aid follow-up communications.

The service seems to be working fairly well, judging by some recent success including the removal of a long-dead poplar tree in Victoria Square and some forgotten bud lighting which had been choking a plane tree on King William Road as well as affecting two other trees on North Terrace.

Make contact with the Council by ringing the Customer Centre on 8203 7203 (all hours), or by e-mail to <city@adelaidecitycouncil.com>.

**Kyle Penick**

## Opportunity to resume roadway

Proposals for changes to sections of the north-east Park Lands (Kangatilla/Park 4 and Ngampa Yerta/Park 5) have received Council approval. (This was first reported in the March 2011 edition of *Park Lands News*.) The various elements of the plans are to be progressively implemented over a 5 year period. With a budget of \$1.7 million, stage one of the project will include a dog park in the north-east corner of Park 5, which is bordered by Robe Terrace and Medindie Road. Ultimately, the 'activity hub' will include a range of community use sporting facilities, picnic areas, an oval and walking trails.

Park 4, bordered by O'Connell Street, Main North Road, Barton Terrace East and Le Fevre Terrace, is separated from Park 5 by Le Fevre Terrace. It is now opportune for Council to move for the closure of Le Fevre Terrace from the corner of Barton Terrace East and Medindie Road. The northern end of Le Fevre Terrace exits onto Main North Road and returning this section of roadway to Park Lands would re-unite Parks 4 and 5 without causing significant increase in travel time or inconvenience for motorists brave enough to attempt accessing Main North Road from this exit.

**Philip Groves**

*ParkLANDSnews September 2011—3*

# Economists do agree on some things

***The First Law of Economics dictates that for every economist there exists an equal and opposite economist. The Second Law of Economics says they're both wrong.***

Giving lie to the popular belief that economists rarely agree amongst themselves, the Economic Society of Australia (ESA) conducted a survey of more than 500 of its members at the Annual Conference of Economists in July 2011. Some 57 propositions were put to members in the 'Policy Opinion Survey of Australian Economists 2011'. The most emphatically supported survey statement was number 45: 'Prior to approval of any major public infrastructure project, an independent and expert cost-benefit study should be conducted and released publicly'. A total of 531 economists responded to this statement, with 84.9 per cent agreeing, or agreeing strongly, with this statement.

This expert professional belief contrasts dramatically with what is happening on the Park Lands riverbank and alienated Park Lands railyards. In what Premier Rann recently described as 'the state's biggest ever building site', development plans are well underway, or construction has already commenced, for the Adelaide Oval, the Adelaide Convention Centre expansion, the federally funded SA Health and Medical Research Institute, and the new Royal Adelaide Hospital. None of these projects has been subjected to independent and expert cost-benefit studies. No private enterprise project would ever proceed without comprehensive cost-benefit studies and detailed costings. But, as far as the members of the Rann Government are concerned, why allow mere detail to get in the way of their onslaught on the Park Lands? After all, it's only public land and public money, and they won't be around to be held accountable when the final costs are known.

**Philip Groves**

\* Go to <<http://www.ecosoc.org.au>> to view the ESA survey in its entirety.

# ACC gets it wrong— even when it's right!

A belated attempt by the Adelaide City Council to garner support from the public of South Australia over its quest to maintain control over the Adelaide Oval surrounds went pear-shaped on the weekend of 18–19 June. A letter and flyer outlining the ACC position on the draft Adelaide Oval Redevelopment and Management Bill 2011 was intended for insertion in the *Sunday Mail* of 19 June. Readers were to be urged to contact their local politicians in support of the ACC's proposed changes to the Bill.

Instead, and at the eleventh hour, the letter from Lord Mayor Stephen Yarwood and the flyer insert was withdrawn from the *Sunday Mail*. A number of theories for the withdrawal of the insert emerged. The Lord Mayor denied the withdrawal was a waste of ratepayers' money, and was pulled because it was no longer 'necessary or appropriate' in the Council's negotiations with the State Government over keeping control of the Park Lands surrounding Adelaide Oval.

This is a very strange explanation given that lobbying and representations were approaching their zenith at this time, and would continue for some time after. Assuming a print run of, say, at least 250 000 letters and 250 000 flyers, plus cancelled insertion costs, this was a significant waste of ratepayers' money despite the Lord Mayor's assertions. The most credible reason for the cancellation of the insert is found in the text of the letter accompanying the flyer.

The letter from Lord Mayor Yarwood stated, in part:

*The draft legislation proposes to take away from Council the care, control and management of a large area of Park Lands around the Adelaide Oval. Council has explained to the State Government and Opposition parties [sic] that it disagrees—because the Park Lands belong to you, the ratepayers and residents of Adelaide.*

In 1837, Colonel William Light allocated land for the Park Lands which was intended for 'the healthful recreation of the inhabitants of the City'. The land was formally purchased by Governor Gawler in 1839 and set aside for public purposes. Is there a whiff of political interference in the Lord Mayor's factually correct statement 'because the Park lands belong to you, the ratepayers and residents of Adelaide'? Is this yet another lesson for the ACC? It's one thing to be factually (even legally) correct over the title to the Adelaide Park Lands, but it seems political correctness must take priority.

As a footnote to these developments, the ACC website carried a standard letter for the public to download and forward to members of parliament, supporting the retention of Council control over the Adelaide Oval and surrounds. The closing sentence of the letter reads: 'The Park Lands are owned by the people of South Australia, and need to be carefully looked after for future generations'.

**Philip Groves**

# World Monuments Fund

The World Monuments Fund (WMF) is the leading independent organisation dedicated to saving the world's most treasured places. Founded in 1965, the WMF is a private, international, non-profit organisation dedicated to the preservation of historic architecture and cultural heritage sites around the world through fieldwork, advocacy, grantmaking, education, and training. Headquartered in New York, the WMF has offices and affiliates around the world. To date, WMF has worked at more than 500 sites in 91 countries, including many UNESCO World Heritage sites.

Every two years, the WMF publishes the 'World Monuments Watch' (formerly the 'World Monuments Watch List of 100 Most Endangered Sites'). Since the list was first compiled in 1996, this initiative has drawn international attention to cultural heritage sites around the world threatened by neglect, vandalism, armed conflict, commercial development, natural disasters, and climate change.

The Adelaide Park Lands are under threat by at least three of these endangerments.

The sites are nominated by international and local preservation groups and professionals, including local authorities. Sites of all types are eligible, including secular and religious architecture, archaeological sites, landscapes and townscapes, and dating from all periods, from ancient to contemporary. An independent panel of international experts reviews and selects the sites that make up the list.

APPA President Kelly Henderson has successfully lodged a submission nominating the Adelaide Park Lands for the 'World Monuments Watch' list. APPA has received advice that nominations are being reviewed over the next several months.

**Philip Groves**

**'Adelaide's Parklands  
help make our city  
special.'**

**—Mike Rann**

# Kevin Foley's River- bank

**What was ex-Treasurer Kevin Foley responding to when, on 1 December 2009, he told Parliament the following?**

*Anyone can see that it is a poor man's Las Vegas on the Torrens. It would, without doubt, strip us of our AAA credit rating and plunge the state into very serious financial troubles.*

The answer: Kevin Foley was responding to the Opposition Liberal Party's Master Plan for Adelaide, which included extensive Park Lands Riverbank development. Apparently the current Rann Government's plans for the Park Lands Riverbank precinct poses no such threats.

**Philip Groves**



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***‘For visitors from overseas or interstate, the Parklands set our city apart from the others.’—Mike Rann***

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## **Saving Park Lands Creek and its trees**

***Park Lands Creek runs through the South Park Lands of Adelaide, collecting stormwater run-off from the surrounding suburbs and the southern CBD area of Adelaide City Council.***

Large volumes of water after heavy rains has led to the erosion of the creek banks in Kurrangga (Park 20) between Unley and Peacock Roads, around a number of significant remnant River Red Gums (*Eucalyptus camaldulensis*), leading to exposure of the tree root systems.

The Brown Hill and Keswick Creek Flood Management Master Plan will seek to address these problems in the future but, in the interim, Adelaide City Council in conjunction with, and funded by, the Natural Resources Management Board engineered a solution to prevent further damage to the existing trees.

This involved re-shaping some sections of the creek bank and constructing a number of ‘fences’ in the creek bed around each tree root area at risk. This serves the purpose of collecting debris and silt during water flows and ultimately diverting the water away from the tree roots. This is a relatively low cost and short term solution until further works can be carried out to divert stormwater into the Park Lands as part of the Master Plan.

The works were completed by the Council’s Biodiversity Team at a cost of approximately \$44.5 K, with positive results already occurring after subsequent rainfalls.

***Martin Cook***  
**Senior Park Lands Planner**  
**Executive Officer, Adelaide Park**  
**Lands Authority**

*Top right: Tree roots exposed by erosion endangering the stability of the tree.*

*Bottom right: ‘Fence’ construction to decrease erosion.*

*Photos supplied by Martin Cook.*





# The Minister For Not Accepting Anything

Infrastructure Minister Patrick 'Cow Pat' Conlon is relishing his new role as the government attack dog now that former Treasurer, Kevin Foley, has been politically euthanased. Considered a 'natural' for the role (no training required for this Minister), Minister Conlon is attacking on all fronts.

As reported in the June edition of *Park Lands News*, Minister Conlon did not accept that the government had breached planning laws over demolition works in the alienated Park Lands railyards. More recently (wearing his Minister for Local Government collar), Minister Conlon was reported as 'not necessarily' accepting irrefutable Local Government Association data that SA councils received the lowest per capita State Government funding compared with any other state. (In fact, SA councils have received less than half the average per person grant funding received by Victorian and Western Australian councils for the period 2004–2009.) But Minister Conlon does not accept fact.

Neither does Minister Conlon or the government accept an Adelaide City Council decision to refuse a government request for a huge reduction in lease fees for the 5 year lease of a site in Park Lands west of the Morphett Street Bridge. This lease site is for the Adelaide Convention Centre expansion works. The government's Office of Major Projects asked the ACC for a 95 per cent reduction in normal lease fees, offering to pay \$20,000 a year for the 5 year lease period.

This was rejected by Council. Instead, Council voted for a figure of \$100,000 a year, or \$500,000 for the full lease period, which is still a considerable reduction in applicable full fee charges.

With the Adelaide Oval Redevelopment and Management Act 2011 now having passed all stages and awaiting procoamation, Minister Conlon did not accept (but the government did) the special annual sub-lease fee incorporated into the Act. APPA lobbied for the Stadium Management Authority to be required to pay a substantial annual sub-lease fee for its use of the Adelaide Oval Core Area. Incorporated in the Act is an initial \$200,000 annual lease fee for the 2015–2016 financial year, rising by \$200,000 annually until 2019–2020 when the lease fee will be fixed at \$1,000,000 (indexed) thereafter. The Act requires the Treasurer to pay all amounts received from the SMA for the sub-lease into the Sport and Recreation Fund. Minister Conlon's response to this provision? He foreshadowed reducing the government's annual contribution to the Sport and Recreation Fund by the value of the SMA lease payment, thus circumventing the Act's intention. This Minister is saying he does not accept the government's own agreed provisions in the Act. Do we really have to suffer Minister Conlon until 2014, or will the Shop, Distributive and Allied Employees Association help us all out and call on him before then?

**Philip Groves**

preservation of the Adelaide Park Lands have been met, with the exception of the formation of the Adelaide Park Lands Authority, an Authority in name only as it remains unfunded, unsupported, and largely ignored by the State Government. Infrastructure Minister Patrick Conlon recently described members of the Authority Board as 'delusional and out of step with public view' when they advised the government against overdeveloping the Riverbank Park Lands.

The November 2008 placement of the Adelaide Park Lands and City Layout on the National Heritage List was achieved in spite of the Rann Government, rather than by the Rann Government. Large areas of Park Lands were excluded from the Listing, including the site of the new Royal Adelaide Hospital—their exclusion no doubt influenced by the Rann Government with the connivance of the federal government. There has been no attempt or interest shown by the Rann Government to progress State Heritage Listing for the Park Lands, or to move for World Heritage Listing, despite undertakings by Rann as Opposition Leader to do so as far back as 1999.

Premier Rann's 27 July address to mark the 175th anniversary of settlement in South Australia made the arrogant claim that just as Wakefield's plan defined South Australia's shape at its inception, the blueprints of today in the form of South Australia's Strategic Plan and the 30-Year Plan for Greater Adelaide are the continuation of that plan. He went on to say:

*Indeed, the blueprint that is shaping South Australia's growth into the 21st Century towards our 200 years of European settlement, is as innovative and as carefully-designed as the plans by Light and Wakefield.*

I, and many others, think not.

**Philip Groves**

## Rann's legacy

The formation of the Rann Labor Government in 2002 came about courtesy of former Adelaide Lord Mayor Dr Jane Lomax-Smith, who delivered the seat of Adelaide to Labor. Dr Lomax-Smith's popularity as Lord Mayor and her commitment to the preservation of the Adelaide Park Lands were exploited by Rann, who campaigned heavily on the preservation of Adelaide's Park Lands and urban open spaces. Labor made much of former Liberal Government sell-offs of public land for housing, and their abuses of the Adelaide Park Lands. In a hung parliament, the Independent ex-Liberal Peter Lewis then supported

the installation of the first of three Rann Governments.

Nine years on, the Rann Government record speaks for itself. Unprecedented assaults on the Adelaide Park Lands, the wholesale selling-off of publicly owned open space, and the complete reversal of promises not to allow the SA Jockey Club owned Cheltenham racecourse to be re-zoned from open space and redeveloped for housing. Incidentally, the racing industry, of which the SAJC is the dominant player, still owes the state treasury tens of millions of dollars. None of Rann's commitments to the

***Governments of both persuasions have been seen to have failed the Parklands over the years, while the Adelaide City Council does not have the power to defend them against State Governments.'***

**—Mike Rann**

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***'This Directions Statement is a draft "greenprint" for the Parklands—a plan designed to preserve, maintain and enhance our parklands.'—Mike Rann***

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## The Premier-in-waiting

Congratulations to the Hon Jay Weatherill for his elevation to the office of Premier of South Australia, becoming effective on 20 October. Currently serving as the Minister for Education, Jay Weatherill was also a former Minister for the Environment and Heritage. Jay Weatherill is being described as the 'popular' choice to replace Mike Rann. He has been 'chosen' by the factions and the Shop, Distributive and Allied Employees Association (or should that be the other way around?) in an attempt to arrest the party's flagging fortunes in time to have some hope of retaining government at the next state elections due in 2014.

As the Member for Cheltenham, Jay Weatherill has not redeemed himself in the eyes of many of his constituents. Minister Weatherill was openly opposed to the re-zoning of Cheltenham racecourse, and his candidature for the seat of Cheltenham included that opposition. (Also opposed was the Member for Port Adelaide, Kevin Foley!) The government's decision to re-zone the racetrack land enabled the SA Jockey Club to collect vast windfall profits from the sale of the racetrack, at the expense of one of the most important remaining open spaces in the western suburbs. If the current letters to the editor of *The Advertiser* are typical of how electors view his performance in this matter are any guide, then Jay Weatherill

has substantial ground to make up. He failed the ultimate test of his convictions over Cheltenham racecourse, unlike a former cabinet colleague Dr Jane Lomax-Smith, who was prepared (and did) take on the Cabinet over government plans to install the corporate entertainment complex in Victoria Park.

Although Jay Weatherill cannot be blamed in isolation for the government's about-face over the re-zoning of Cheltenham (and the lost opportunities of retaining this large urban open space), the fact remains there is a perception that he 'rolled over' on this issue. Did he press for the State Government to purchase the racecourse from the SAJC? Ironically, he claims some credit for the establishment of a local residents' association, which fought valiantly to prevent the re-zoning of the racecourse which the Rann Labor Government regularly said it would never do.

From 20 October, Premier Jay Weatherill will have the opportunity to rehabilitate himself, not only in the eyes of the constituents of the seat of Cheltenham, but the wider South Australian community. He can make a start by vetoing some of the current government public expenditure excesses. Let's all make up a list and forward it to the new Premier.

**Philip Groves**

taxpayers as to why taxpayers replaced more than \$3.4 million in corporate sponsorship of the 2010 event because of the withdrawal of this amount by Holden, General Motors and Ford. We have yet to discover if the same sum was 'tipped in' by SA taxpayers for the 2011 event. And when does the SAMSB plan to compensate all the local businesses suffering financially every year due to this commercial event, as well as the residents forced out of their homes? Has the SAMSB ever given back anything to redress its annual degradation of our community owned Park Lands?

Joining in the chorus, the general manager of the SA division of the Australian Hotels Association likened the ACC decision not to continue its minor sponsorship of this commercial event with the laughable example of the Melbourne City Council turning its back on the Melbourne Cup. A responsible liquor industry would be turning its back on support for the car race. Or haven't they heard of the connection between speed, alcohol and tragic consequences?

A spokesperson for the Motor Trade Association also criticised the ACC decision to direct sponsorship money to non-commercial events. The MTA spokesperson belittled the ACC contribution to the event, which probably amounts to hundreds of thousands of dollars in the form of uncharged services and income foregone, saying the Council should pick up the rubbish after the event—that's what he expects the Council to do.

We have heard no criticism from the MTA over the \$3.4 million withdrawal of corporate sponsorship by its own key motor industry players. What is the MTA's contribution to this event, an event which contributes little, if at all, to the SA economy, unless you happen to be in the automotive or liquor industries? We can all see (and experience) what the liquor and automotive industries take from the event, but what exactly do they contribute? Road safety experts could provide an answer. The Motor Accident Commission could supply some answers as well.

**Philip Groves**

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## Speed and alcohol 'knicker twist'

In July, spokespersons for the State Government's SA Motor Sport Board (SAMSB), which is responsible for conducting the annual V8 car race in Adelaide's streets and Park Lands, and the Australian Hotels Association (SA Div) again got their respective speed and alcohol knickers in a twist when the Adelaide City Council declined to provide ratepayer sponsorship of the race for the second year in succession.

In his criticism, the spokesperson for the SAMSB, Mike Drewer, failed to acknowledge the ACC for all the unpaid work performed annually by its employees for the benefit of the event, nor was there any acknowledgment of the significant income foregone by the ACC due to the conduct of this event. Promoters of the car race pay nothing for the use of city streets and the Park Lands. Perhaps Mike Drewer could enlighten SA

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***‘The parklands are our heritage, our inheritance from Colonel William Light. If we destroy them, we destroy the essence and cultural life of our city.’—Mike Rann***

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# The Adelaide Oval Redevelopment and Management Act 2011

***The Adelaide Oval Redevelopment and Management Act 2011, announced by Infrastructure Minister Patrick ‘Cow Pat’ Conlon on 18 May 2011, passed all stages of both Houses of Parliament in late July, was assented to by the Governor and now awaits proclamation.***

This Bill was announced only 16 days after the SA Cricket Association vote on 2 May, indicating it must have been drafted months earlier. All the secret discussions and consultations between the State Government and the Adelaide City Council were nothing but a sham, it seems.

Over 40 amendments to the Bill were introduced to the Parliament by the Opposition Liberal Party, minor parties and Independents. Notwithstanding some of the well-intentioned but mostly innocuous ‘feel good’ amendments, none of them had any effect on altering the principal intent of the Bill, which was to remove the ACC from its role as custodian of the Park Lands with responsibility for the care, control and management of most of Park 26 being the Adelaide Oval and the remaining open space Park Lands surrounding the Oval.

## **Adelaide Oval Core Area**

The Act prescribes that the ACC must, at the request of the Minister, grant a lease to the Minister over all of the Adelaide Oval Core Area (being the Adelaide Oval proper) or any part of that area specified by the Minister. The Minister is authorised to grant a lease of up to 80 years over any part of the Adelaide Oval Core Area to the Adelaide Oval Stadium Management Authority. The previous maximum leasehold period of 42 years, which required the approval of both Houses of Parliament, is now bypassed. An 80 year lease of community owned Park Lands is, to all intents and purposes, handing effective freehold title to private commercial sporting bodies. Any development within the Adelaide Oval Core Area will be taken to be

complying development under section 35 of the *Development Act 1993*, with the Development Assessment Commission taken to be the relevant authority in relation to any proposed development.

## **Adelaide Oval Licence Area**

The Act prescribes a licence to the Minister in the same manner as the Core Area prescribes a lease. The licence period must be a term of up to 20 years at a time, with the total term of a licence not exceeding 80 years. The licence area is effectively all of the remaining open space Park Lands surrounding the Adelaide Oval, with the exception of Creswell Garden and Pennington Gardens West.

Given that the eastern boundary of the Adelaide Oval expansion will absorb more than 8000m<sup>2</sup> of Creswell Garden and Pennington Gardens West, there is no comfort in their exclusion from the Licence Area.

The Act provides for the existing Community Land Management Plans (CLMPs) to remain in force over the nominated Licence Areas, although it is hard to see how the CLMP provisions will have any further relevance in practical terms. The main effect of the Licence Area is for the Minister to be able to sub-lease the areas to the SMA for the purposes of car parking on event days. Both the Core Area and the Licence Area have been declared ‘designated land’ and is, therefore, exempt from rates under the Local Government Act 1999. There is no doubt that the Minister will create a sub-lease to the SMA which will enable private commercial sporting bodies to charge and retain car parking fees and revenue from community owned Park Lands.

## **Special annual sub-lease fee**

The Act stipulates that the SMA pays an annual sub-lease fee for its use of the Adelaide Oval Core Area. The initial lease fee of \$200,000 for the 2015–2016 financial year will rise by \$200,000 annually until the 2019–2020 financial year when the lease is fixed at \$1,000,000 (indexed) thereafter. The Act requires the State Treasurer to pay all amounts received from the SMA

sub-lease into the Sport and Recreation Fund. Again, the Park Lands are reduced to a government cash cow rather than the money being paid into the Park Lands Fund managed by the Adelaide Park Lands Authority. (To see Minister Conlon’s response to this provision, refer to the last paragraph in ‘The Minister For Not Accepting Anything’ elsewhere in this edition.)

The Act even provides for the temporary use of adjacent areas during the construction period of the Adelaide Oval redevelopment. Instead of the Adelaide Oval surface being utilised for construction purposes, expect to see the Creswell Garden and Pennington Gardens West laid waste for a few years. Any other development would have to confine its activities to its existing footprint.

Astoundingly, some ACC councillors and the Lord Mayor are satisfied with these outcomes.

This Act embodies the blackest day in the history of the Adelaide Park Lands. By removing the Adelaide City Council from its historical role as custodian of the Park Lands from this important Adelaide Oval precinct, our Parliament is complicit in handing over community owned Park Lands to private commercial sporting bodies. The Act not only breaks down and undermines the integrity of our National Heritage Listed Park Lands, it places the rest of the Park Lands at grave risk of similar State Government adventures in the future.

***Philip Groves***

## **NEXT NEWSLETTER COPY DEADLINE:**

**31 October 2011**  
Always in search of pithy articles, educational information and comment on current issues



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**‘Recently we have seen the Olsen Government’s “landbank” proposal—a recipe for more building in the Parklands.’**

**—Mike Rann**

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## **‘King Arnie’ of Rymill Park**

One-time Lord Mayoral candidate, Arnie Rossis, has relinquished his lease of the Rymill Park Kiosk and the adjacent row boat hire facilities, due to ill health. Arnie had previously operated the elegant Town Hall Garden Café in its leafy setting at the rear of the Town Hall. We are left to speculate what might have been if Arnie had found his way inside the Town Hall as the Lord Mayor.

For more than 13 years, Arnie has been the gentle and charming friend of the Park Lands, operating the Kiosk as a respectful, low-impact facility on the lakeside site within Rymill Park. Arnie’s management of the kiosk has been a model example of how the Park Lands can be used without detracting from the ambience of the Park Lands experience and setting.

The prayers of thousands of Park Land users who have experienced your hospitality over the years go with you, Arnie. May you have a speedy and complete recovery. The duck population will miss you as well. We might have to call for a sharing of the Kaurua name Mullawirraburka for the park, which means ‘King John’. How does ‘King Arnie’ sound?

**Philip Groves**

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**‘But without full and genuine commitment to the parklands at the State Government level, their future can never be adequately guaranteed.’**

**—Mike Rann**

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## **Be very afraid—Arkaroola to be protected**

On 22 July, with his future as Premier of South Australia ebbing away, Premier Rann made the welcome, but possibly fateful, announcement of a permanent ban on mining in the Arkaroola Wilderness Sanctuary in the northern Flinders Ranges.

The Premier also announced the government’s intention to lodge an application to have the area World Heritage Listed, saying ‘This area is very important for our state and our nation. It helps define us as a state. Its pristine beauty—it’s an area we want to protect forever. Any reasonable person would say we’re making the right decision’.

If this rhetoric sounds familiar, I take you back to 1999 and the then Labor Opposition Leader Mike Rann’s policy document *Labor’s plan to save the parklands*. The document included the following commitments:

*A Rann Labor Government would support the placement of the Parklands on appropriate heritage and national estate lists as further recognition and protection of Adelaide’s unique parklands. This would include an examination of potential World Heritage Listing and its implications.*

If promises over Arkaroola go the same way as the Rann Government’s promises for the Adelaide Park Lands and urban open spaces, the sanctuary’s famous Yellow-footed Rock Wallabies should be very afraid. In the not too distant future, they will be dodging bulldozers.

The traditional owners of the Flinders Ranges were not impressed by the Premier’s announcement, labelling it a political stunt. The chairperson of the Adnyamathanha Traditional Lands Association said the government had ignored the traditional owners in the decision-making process, and that Kakadu in the Northern Territory has World Heritage Listing and still has uranium mining operations.

Premier Rann entered the South Australian parliament on an anti-uranium mining stance. It has been announced he will leave the office of Premier of South Australia in October 2011, with plans for one of his last acts as Premier to be ‘signing off’ on the indenture Bill for BHP Billiton’s Olympic Dam expansion plans at Roxby Downs. The huge Olympic Dam mine includes massive quantities of uranium oxide, which will undoubtedly be extracted. This very much illustrates the chameleon-like character of Mike Rann, whether it be on the subject of uranium mining, the preservation of the Adelaide Park Lands, or the retention of publicly owned open spaces and the retention of the state’s food production land. Some observers have described Rann’s hypocrisy on these and other matters as simple pragmatism. Others see him lacking in genuine values.

Apparently, another reason for delaying Premier Rann’s departure from office until October 2011 is that it will enable him to break former Premier Don Dunstan’s record as Labor’s second-longest serving Premier of South Australia. Other than that comparison with Don Dunstan, anyone who thinks Rann’s tenure as Premier of South Australia can be compared in any other way with that of Don Dunstan is totally delusional (as Pat Conlon might say).

As this edition goes to print, Marathon Resources, the company granted an exploration licence, expiring in late February 2012, for the Arkaroola area, has said it will consider every avenue available to it, including legal action for compensation over the ban on mining. Premier Rann has stated that Marathon is eligible for compensation as the result of the ban, although he has not shared with us why an exploration licence should entitle the company to compensation. The public purse is once again unilaterally declared open by Premier Rann. Arkaroola may be protected, but the taxpayer is not.

**Philip Groves**

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***'It relies heavily on community consultation because Labor recognises that the Parklands don't belong to a State Government or a city council; they belong to the people and future generations.'*—Mike Rann**

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## **Veil of secrecy still hangs over the ACC**

Not for the first time, Deputy Lord Mayor and Councillor David Plumridge has spoken out against the Adelaide City Council's tendency to discuss too many matters in secret. Councillor Plumridge told a recent council meeting it could not 'continue to work behind a veil of secrecy', and he is on the record for being vehemently opposed to Council considering matters involving community owned land and public funds in secret. This Association, too, has frequently stated that there can be no justification for considering matters relating to the Adelaide Park Lands 'in confidence'.

Members of the North Adelaide Society Inc are also concerned. The Society's June 2011 newsletter (No 163) reflected that concern in its report, 'Secrecy increasing—More confidential items in council's agendas and minutes'. The report says that since the last city council elections in November 2010, the number of 'in confidence' agenda recommendations by Council's administration, and the number of endorsements of these by elected members, have risen markedly. This means that a wide range of matters that would normally be discussed in public, and minuted, are now being censored. Each 'in confidence' agenda item needs a proposer and seconder to ensure this confidentiality. If the current 'in confidence' trend continues, there is no doubt that 2011 will see the highest number of closed door meetings in Council's history. The newsletter contains a number of examples of the suppression of public debate caused by invoking the confidentiality provisions of the Local Government Act, including extensive coverage of the Adelaide Oval development proposal, and how public scrutiny faltered at the first post.

It is disappointing that a number of David Plumridge's fellow councillors have not adopted his advice and belief that openness and transparency must prevail when dealing with public funds and assets. If the report in the *City Messenger* of 14 July is to be believed, a first-term 'greenhorn' member of Council, Houssam Abiad, denied that Council

Houssam Abiad, denied that Council went into confidence too often, despite overwhelming evidence to the contrary. Councillor Abiad said he believed the public should be kept informed as much as possible, and was quoted as saying 'If we are discussing things in confidence, we should be sending out a public brief saying this is roughly what happened yesterday that we can tell you so the public feels engaged and connected'.

It is unlikely that ratepayers will feel 'engaged and connected' when they are treated like mushrooms and fed with compost after the fact.

This Association commends David Plumridge for his continuing efforts to bring full public scrutiny and transparency to bear on Council deliberations, particularly those involving public funds and the community owned Adelaide Park Lands. Perhaps the Local Government Act requires some 'tweaking' in this regard if councillors continue to support practices that are not, and should not be, condoned.

**Philip Groves**

### **Let's all move to Port Adelaide!**

*... I think Gillman is a lousy idea and I do not support it personally. I am not going to openly support a loud, intrusive form of entertainment in the middle of my electorate ... I do not want my legacy in Port Adelaide to be a screaming motor sport park driving the residents of Rosewater, Ottoway, Semaphore, Taperoo and North Haven crazy.*

(Speaking about the Gillman motorplex proposal: The Hon KO Foley, Hansard, House of Assembly Estimates Committee A, Friday 1 July 2011, pp 247–8)

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#### **Membership:**

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

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