

SA Heritage Register

Nomination form



Government of South Australia
Department of Environment,
Water and Natural Resources

NOMINATION FORM

To help your nomination be successful, please fill out this form with as much information as possible.
Feel free to expand the answer fields as much as you require or append information to the form.
It is important that you attach images and a map of what you are nominating by email or by fax.

For assistance with this form you may contact:

Your local historical society or heritage adviser may be of assistance OR you may telephone an assessment officer in DEWNR on (08) 8124 4960.

A. Nominated Place

1. Name	
Name of Place / Object:	Rymill Park, Adelaide Park Lands
Any other or former name(s):	Park 14, Adelaide Park Lands
Is the place already on another heritage list?	Adelaide Park Lands and City Layout National Heritage Place Register of the National Estate: Adelaide Park Lands

2. Location					
Street Address:	Dequetteville Terrace / Rundle Road / East Terrace				
	Suburb / Town: Adelaide			Post Code: 5000	
Local Council Name:	City of Adelaide				
Land Description: (if known)	Title:	Volume:	Folio:	Parcel Type:	Parcel No:
	Plan Type:	Plan No:	Section:	Hundred:	
GPS Location/s: (If known)	Longitude / Easting / X		Latitude / Northing / Y (Datum =)		

3. Ownership	
Name of Owner(s):	[REDACTED]
Contact person: (if different from owner explain relationship)	[REDACTED]
Postal Address:	Street Address:
	Suburb / Town: Post Code:
Phone Number:	[REDACTED]
Ownership History:	Declared "Public Lands" with no reserve in the Crown whatsoever, pursuant to 4&5 Wm IV cap 95 (15 Aug 1834) and Letters Patent (19 Feb 1826, UK) and appointment of Colonization Commissioners for South Australia (Disposal of Public Lands). Purchased in Fee Simple Absolute in 1839.

4. Nominator (your details)	
Your Name/s:	[REDACTED]
Organisation/Position:	[REDACTED]
Daytime Phone:	[REDACTED]
Fax:	[REDACTED]
Postal Address:	[REDACTED]
	[REDACTED]
Email Address:	[REDACTED]

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B. Description

5. Description of nominated place or object	
Description of the nominated place or object and its current condition:	See David Jones <i>Adelaide Park Land and Squares Cultural Landscape Study</i> http://www.adelaideparklands.com.au/assets/apl_4.1.12_pk_14_mullawirraburka_assessment.pdf http://www.adelaideparklands.com.au/assets/apl_4.1.12_pk_14_mullawirraburka_assessment.pdf
Are you aware of any modifications or additions to the place or object? Can you provide dates for these changes?	See above.
Do you believe there may be historical items under the ground? Should an archaeological investigation be considered?	Yes. Yes.
Date you inspected the place or object:	April 2016
Current use of the place or object:	Park Lands, and misappropriated / stolen land (O-Bahn City Access Project construction site)
Original or former use(s):	Park Lands
Are there any current or long term threats to the nominated place or object?	O-Bahn City Access Project – immediate current threat undertaking damaging / destructive works
Name of Builder:	McConnell Dowell
Any other information:	

C. History

6. Origins and history	
Years of Construction:	Start: _____ Finish: _____
Name of Designer / Architect:	
History of the nominated place or object:	
Historical sources used to support your nomination: Please attach copies of pages from publications or newspaper articles as appropriate.	

D. Heritage Significance

7. Statement of State Significance - Why is the place or object important to South Australia?

It is of State heritage significance because

http://www.google.com.au/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&cad=rja&uact=8&ved=0ahUKEwjtlmEo6HMAhUD26YKHTqjDgYQFgggMAE&url=http%3A%2F%2Fwww.environment.gov.au%2Fsystem%2Ffiles%2Fpages%2Fc04bdf3-d299-4665-a401-922846833dbb%2Ffiles%2Fadelaide-park-lands.rtf&usq=AFQjCNGaG9-KLdKit8ahixC_wpDyF4Hslg&sig2=72fznTLrT0SudSmFk_0ciA&bvm=bv.119967911,d.dGY

8. Significance Criteria

The South Australian *Heritage Places Act 1993* lists seven criteria by which places are assessed as 'State significant.' Please tick the criteria you feel the place demonstrates and explain your reasons.

Y	It demonstrates important aspects of the evolution or pattern of the State's history.	See Donovan & Associates Report on Cultural Significance of the Adelaide Park Lands prepared for Adelaide City Council Adelaide Park Lands Management Strategy. See all previous Adelaide Park Lands State Heritage nominations including applications for emergency Provisional entry SH Register.
Y	It has rare, uncommon or endangered qualities that are of cultural significance.	The first physical town-planning manifestation of the Benthamite-Wakefieldian Systematic Colonization. A rare exemplar of the 19 th century ideal / model city that influenced Ebenezer Howard's later development of Garden Cities.
y	It may yield information that will contribute to an understanding of the State's history, including its natural history.	See all previous Adelaide Park Lands State Heritage nominations including applications for emergency Provisional entry on the State Heritage Register.
Y	It is an outstanding representative of a particular class of places of cultural significance.	See all previous Adelaide Park Lands State Heritage nominations including applications for emergency Provisional entry on the State Heritage Register.
Y	It demonstrates a high degree of creative, aesthetic or technical accomplishment or is an outstanding representative of particular construction techniques or design characteristics.	See all previous Adelaide Park Lands State Heritage nominations including applications for emergency Provisional entry on the State Heritage Register.
Y	It has strong cultural or spiritual associations for the community or a group within it.	See all previous Adelaide Park Lands State Heritage nominations including applications for emergency Provisional entry on the State Heritage Register.
Y	It has a special association with the life or work of a person or organisation or an event of historical importance.	See all previous Adelaide Park Lands State Heritage nominations including applications for emergency Provisional entry on the State Heritage Register.

E. Additional Information

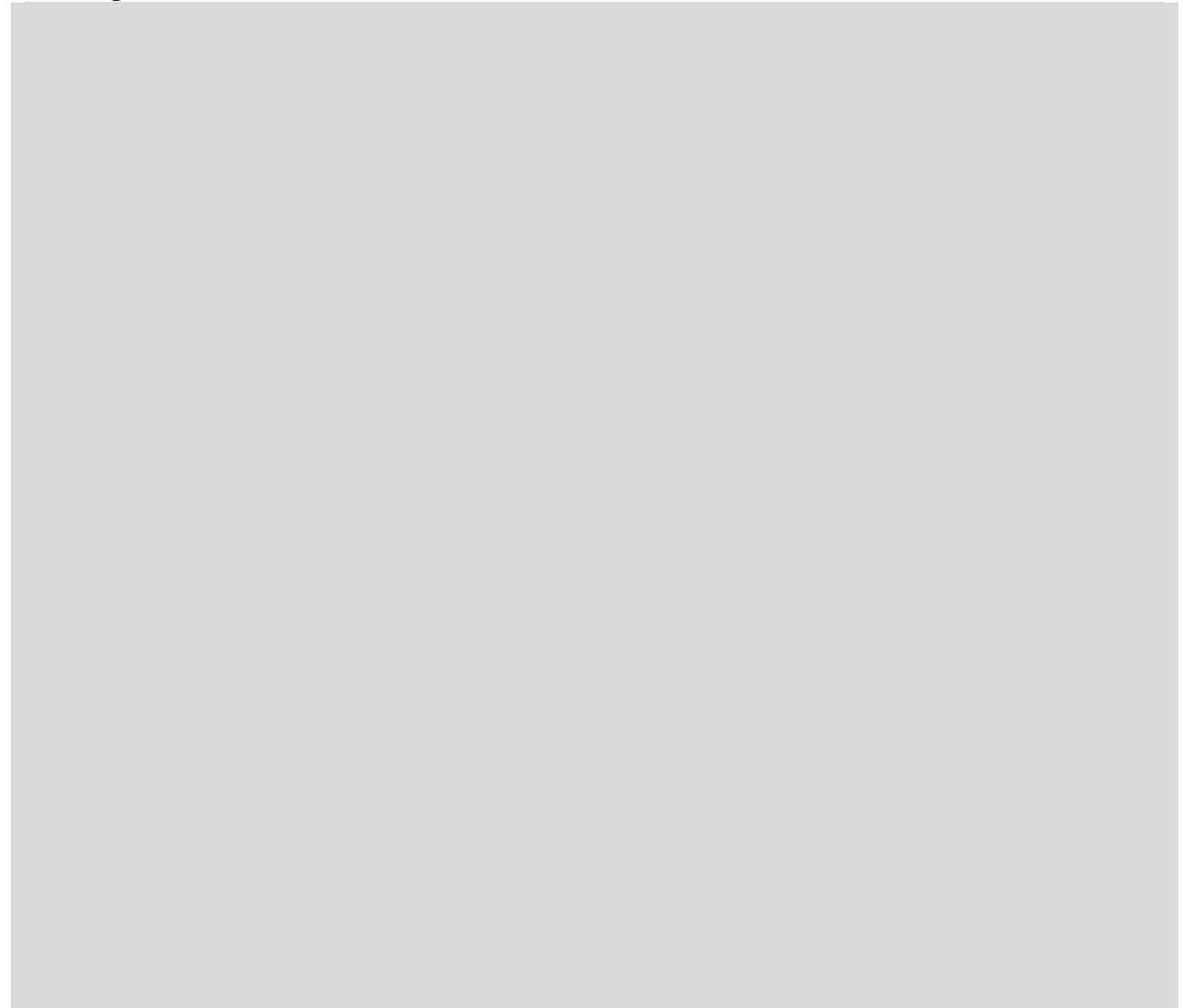
9. Images/Maps/Diagrams/Site Plans

A full range of images including maps, site plans, and photographs will help your nomination.

Please provide:

- a clear outline of the place or object being nominated within any maps or plans provided
- high quality images of the place or object (please list the total number of images being provided)
- the subject of each image
- the date each image was created
- the author of each image, and
- the copyright holder of each image (if known)

Paste images here:



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NOMINATION FORM

nominations for State heritage listing and submissions on provisional entries publicly available via webpage or to interested parties. The Council will adhere to the Privacy Principles and your name and personal details will not be released.

I/we, [redacted]
to be heritage listed.

nominate [redacted]

The information I/we have provided is correct to my/our knowledge.

Your Signature/s: [redacted]

Date:

The personal information collected from this form will be handled in accordance with the Department of Environment, Water and Natural Resources privacy statement. Personal information provided in this application may be provided to other SA Government agencies.

A heritage officer may contact you to discuss aspects of the nomination.

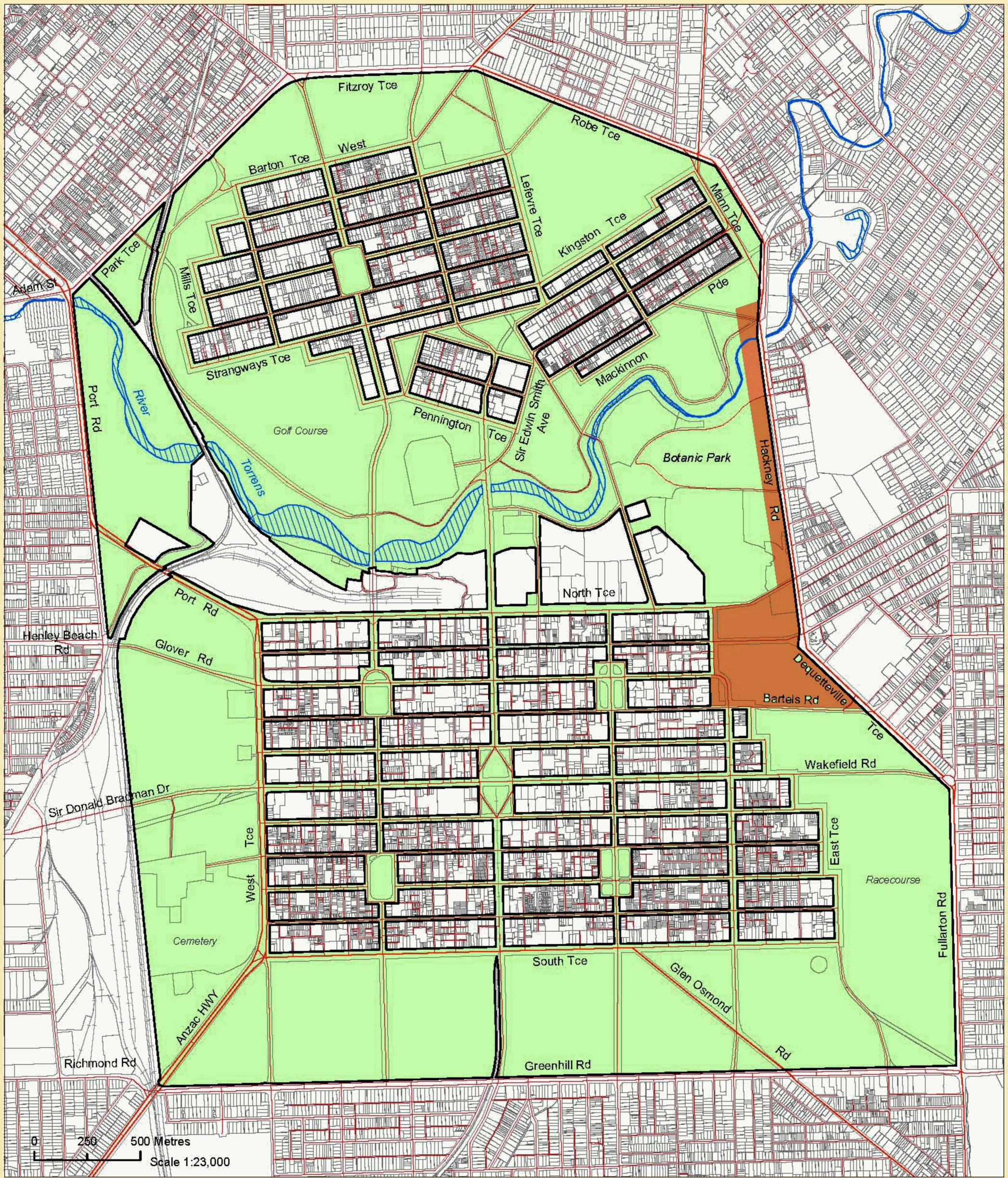
Nomination Form Checklist

Please check that your nomination includes:

- A clear indication of the location of the place or object (including map/s). Where a number of features are nominated, show the location of each and/or a boundary surrounding the significant elements of the site.
- A history of the place or object explaining important aspects relevant to the nomination.
This should generally help support arguments of cultural significance.
- A clear description of the nominated place or object/s.
- A statement of significance and indication on how the place or object satisfies one or more of the significance criteria.
- A heritage officer may contact you to discuss aspects of the nomination.

Email: DEWNRHeritage@sa.gov.au

Post: Executive Officer, South Australian Heritage Council
Department of Environment, Water and Natural Resources
GPO Box 1047, Adelaide 5001



LEGEND

 Listed place

The Adelaide Park Lands and City Layout

National Heritage List

Place ID: 105758 File: 3/03/001/0279

Data Sources:
 Cadastre for Australia (SA) - Cadlite
 RoadNet Comprehensive - Roads
 RoadNet Comprehensive - Railways
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 Produced by: Heritage Division
 Canberra, GDA94, 7/11/2008
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PARKLANDS NEWS

September 2005 Number 20

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	The Adelaide Parklands: Prelude to the purchase
	Consultation: ACC-style
	Use our new e-mail service
	Use of Parklands on Sundays

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

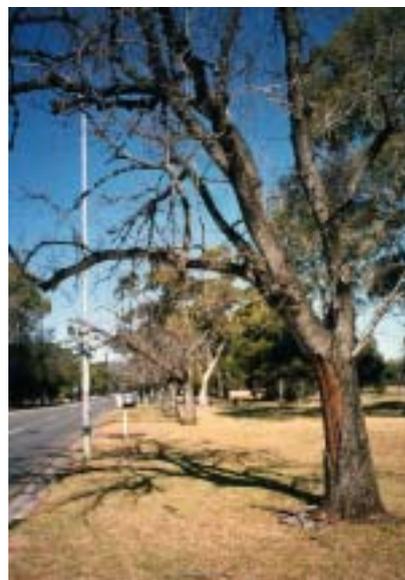
SACA car park push

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

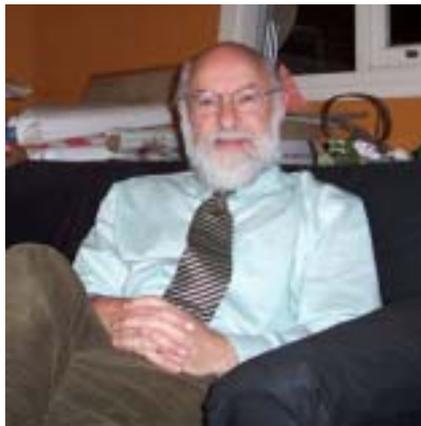
3pm to 5pm

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 euerye 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 few' 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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Adelaide 5000.

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<www.adelaide-parklands.org>.

Gunta Groves

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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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A/Treasurer: Brian Mitchell
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activities is now
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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.

PARKLANDS NEWS

December 2005 Number 21

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President's letter

If you were one of the crowd to have enjoyed the Pleasant Sunday Afternoon celebration of the surviving wonder of our Parklands, you will most probably agree with me that it was truly very pleasant (see report on page 3). I must say how grateful I was that the Minister and the Lord Mayor were able to speak to the gathering. Over the 20 years I have been closely concerned with the Parklands this is the first occasion when I have felt confident that we have genuine care expressed by both the Council and Parliament in the ongoing wellbeing of the Parklands. Although not perfect, the Parklands Bill is the result of the deliberations of people who are not trying to surreptitiously gain some power to abuse the Parklands. On the contrary, I believe they are trying to extend legislative protection for the Parklands.

Now on a completely different tack. I have been contacted by two people who had cause to complain about events in Victoria Park.

Victoria Park, to quote Peter Cundell's 'the blooming obvious!', is PARKLANDS. So what are the complaints? First, at the last Clipsal

500, APPA was involved with measuring sound levels during the event in some locations, both on the Parklands and in residences on East Terrace. One resident recorded levels inside her house, with closed doors and windows to keep out as best as possible the outside noise, that were higher than legally acceptable in an industrial workplace! She rightly wonders, as must many others, what right does an event held on the Parklands, condoned by the government, have to destroy her quality of life in her own home? We are all deliberating on what action she could take for compensation. A comprehensive and obvious answer, which could obviate the need for any action, is to move the Clipsal 500 away from the Parklands and residences altogether.

The second is the case of an inoffensive chap walking along the walk-ride way across the centre of Victoria Park where he was halted by an officious fellow who said his organisation had control over that area and told him he could not proceed towards the city. There was nothing obstructing the path and no signs. With a little encouragement from me, he has sought answers from the Adelaide City Council and a



locally based Councillor but, to date, to no avail. One can conjecture what organisation was involved. There are some unacceptable activities that take place there, including the 4WD show, which would be welcomed and wonderfully well catered for in the Wayville Show Grounds. Why are such events on the Parklands at all? But to date we have no answer to the arbitrary takeover of the public path.

I share these incidents with you to highlight the effect decisions that abuse the spirit of the Parklands can have on many ordinary people trying to enjoy their Parklands.

Ian Gilfillan

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: Himeji Garden, South Parklands, October 2003.
Photo by Gunta Groves*

Vale dear David Mead 1950–2005

David was the honorary auditor for our Association for a decade, taking over from his father Jack who had done the job from Day 1.

David's sudden death on 28 October at age 55 shocked and saddened all of us who knew him.

Thank you David for your generous service to our Association and our Parklands.

To his wife Liz, father Jack and mother Joyce, and all his family, we extend our heartfelt sympathy.

Next newsletter copy deadline: **31 January 2006**

...AND ALL HAD A GOOD TIME!



What a fine way to spend 'A Pleasant Sunday Afternoon'. Over 60 people enjoyed champagne, an excellent afternoon tea and beautiful music provided by the Aurora Strings in the marvellous setting of Goodman Building in the Parklands on Sunday 30 October.

This was the occasion of the 2005 Annual Memorial Address which this year was given by Dr Ken Marriott, a highly credentialed parks and recreation planner. He spoke eloquently on the benefits of the Adelaide Parklands using examples of good and poor parks planning (a summary of his presentation appears on page 10).

APPA President Ian Gilfillan hosted the event. Both Minister John Hill and Lord Mayor Michael Harbison attended and assured the gathering that the proposed Parklands Authority, as outlined in the Adelaide Parklands Bill before Parliament, was the start of a new era for the care, control and management of the Parklands. Jane Lomax-Smith, the Member for Adelaide and Minister for Education and Children's Services and for Tourism, also enthusiastically lent her support to the proposed Bill. Representatives from adjoining councils (Evonne Moore from Norwood and Mike Hudson from Unley) and Adelaide City councillors (Creston Magasdi and Susan Clearihan) were also present.

Ken Marriott conducted a seminar the next morning with over 30 professional planners and managers from local councils, government departments and the private sector. The seminar was arranged by APPA in conjunction with the Parks and Leisure Association.

It was encouraging to have such a good attendance of members and friends of the Parklands at the Memorial Address, which saw past friendships renewed and new connections made between people with a passion for the Parklands. This annual event is an important opportunity for the Association to show itself as an effective agency in the preservation of the Adelaide Parklands.

Jim Daly

Top photo: Aurora Strings members: Sarah McCarthy, Katerina Stevens, Bronwyn Whyatt and Neil Thompson.



Above: Ken Marriott speaking about the benefits approach to parklands planning.

Right: David Morris, foundation member and past president of APPA 1989–1996, was presented with an Honorary Life Membership of the Association by current president Ian Gilfillan. All photos taken by Gunta Groves.



BRICKBATS AND NO BOUQUETS

This newsletter is not big enough to accommodate all the dreadful things that are happening to the Adelaide Parklands. I'll start with just a few.

Syringe Avenue

The historic Elm Avenue in Tuttinga (Park 17) is the site of numerous used syringes. Similarly, Osmond Gardens, Himeji Garden and the surrounding Wita Wirra (Park 18) are polluted with discarded syringes, used condoms, and empty food and alcohol containers. No doubt other areas of the Parklands are similarly desecrated.

Nonsense in our press

On 9 October and 6 November, Kevin Naughton and the *Sunday Mail* have been responsible for publishing nonsense regarding the building of permanent multi-storey facilities in Victoria Park to further the interests of commercial entities such as the Clipsal 500 and the South Australian Jockey Club. An example of the kinds of erroneous statements made by Mr Naughton was on page 42 of the *Sunday Mail* (6 November 2005) when he claimed: 'Victoria Park racecourse is owned by Adelaide City Council and is recognised as a multi-use/event area'. Kevin Naughton should check his facts, like all responsible journalists.

In a short summary with the article, the *Sunday Mail* states 'The concept promotes extended major event use of the area to take pressure off other areas of the Adelaide Parklands'. What about the pressure on Victoria Park? And why should there be any kind of pressure on the Parklands at all? 'Bah! Humbug!' to him and the *Sunday Mail*.

Political inaction

Yes, I know there is Parklands legislation being debated in Parliament but, with a state election looming, one would have thought that opposition parties, especially the Liberal Party, would be anxious to declare policies and make statements to highlight their points of difference from the Labor government. Why haven't we heard from them regarding the Adelaide Parklands—for example, about protecting Parklands from commercial exploitation, and about improving the Adelaide Park Lands Bill 2005 currently before Parliament.

Political action

The Labor government is hell-bent on getting legislation through that allows them to do whatever they like when they have a pet project. Two recent examples are the Mile End

Underpass Bill 2005 and the Victoria Square Bill 2005. Both contain sops that claim there are benefits to the Parklands while preparing the way for permanent alienation of dedicated land for an underpass and bridge, and a tramline, respectively.

And more: Liberal and SAJC member, Angus Redford, wants to enshrine in the Adelaide Park Lands Bill a 99-year lease of Victoria Park to the SAJC—that's as good as giving it to them!

'Monkey bikes'

The miniature motorbikes known as 'monkey' or 'pocket' bikes are turning up on the bituminised sections of Victoria Park. These riders and accompanying friends have no regard for the law or for the legitimate users of the Parklands. These bikes are unregistered (because they don't comply with Australian Design Rules), and are ridden mostly by unlicensed and often very young riders. They disturb the peace of the Parklands and pollute the air. When contacted, the Adelaide City Council declined to do anything about this illegal activity.

Gunta Groves



Above and right: Alienation of Veale Gardens, and Walyo Yerta (Park 21) for car parking, during the Sunday Mail's Festival of Garden Living in October 2005.



All photos taken by Gunta Groves.

Above right: Bonython Park in October 2005, still suffering from the effect of Cirque du Soleil more than 14 weeks after the event.



The Adelaide Parklands

Creation of the 'Adelaide Park' trust, and the park purchase

This is the third 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*, and the second, entitled 'Prelude to the purchase', appeared in the September issue.

The creation and dedication in 1837 of the Adelaide Park by Colonel William Light, first Surveyor-General of the new British Province of South Australia, and the establishment of an inter-generational trust protecting this land for Adelaide's inhabitants in perpetuity represent a remarkable achievement in advancing open space and public health reforms.

As a component of Light's inspirational design of the City of Adelaide and in their own right, Adelaide's Park, City Squares and Gardens¹ are expected to meet World Heritage listing criterion (ii) because they represent the culmination of an important interchange of human values on town-planning and public health. They also are expected to meet criterion (vi) because they have direct and tangible associations with South Australia's remarkable and unique foundation as an experiment in Wakefield's systematic colonisation and as an ideal society by the English Utilitarians and Philosophical Radicals.

The need for a trust

Adelaide's Park, City Squares and Gardens are a fine example of a 19th century trust for public walks and public health. This protection exemplifies John Arthur Roebuck's campaign for public trusts of such lands.

Roebuck was concerned at the loss of open and common lands throughout England due to enclosures. Between 1802–1844, 1075 Private Acts of Parliament enclosed 1 610 302 acres of Common Field and Waste land.² By establishing a trust³ it was possible to supersede a previously determined principle of English law that as a mere inhabitant 'no man can have any right in common'.⁴

At the time South Australia was being planned, T.J. Maslen suggested: '... a belt of park ... should entirely surround every town ... This would greatly contribute to the health of the inhabitants ...'⁵

A British House of Commons Select Committee⁶ appointed in February 1833 investigated ideas for securing open space in the vicinity of towns for public walks and places of exercise. This Committee's Report stated: '... provision of Public Walks and Open Places would much conduce to the comfort, health and content of the classes in question'⁷ and 'they hope that Public Walks may be gradually established in the neighbourhood of every populous Town in the Kingdom'.⁸

In 1834, Roebuck, advocate of parks for the people, was one Member of Parliament who voted for the South Australian Colonization Bill. In 1835, he continued his campaign for open spaces, denouncing English legislators for failure to hold sacred the rights of village inhabitants to common land and for having driven the people from commons and fields.⁹

Roebuck's proposal for a public trust of land for inhabitants of towns was not without precedent in Australia. In 1811, a government public notice,¹⁰ announced the grant of 1000 acres in trust for the benefit of inhabitants of Sydney:

*His Excellency the Governor ... has assigned, and caused to be marked out and measured, a large Common in the immediate Vicinity of Sydney, containing One Thousand Acres ... His Excellency ... will make a regular Grant of said Common Lands to the Judge Advocate and Magistrates of Sydney, for the Time-being, in Trust for the Benefit of the present, and of all succeeding Inhabitants of Sydney.*¹¹

No Crown lands here, Governor

In the new British Province of South Australia there were no Crown lands, and no lands which the Governor had power to grant, whether in trust or otherwise.

When the South Australian Colonization Bill was passed in 1834, empowering King William IV to establish South Australia as a British Province,¹² it conferred privileges 'such as never before had been ceded to a British dependency'.¹³

Laws, orders and statutes made elsewhere in Australia had no effect in South Australia because it was enacted

*... that all and every Person who shall at any Time hereafter inhabit or reside within His Majesty's said Province ... shall be free, and shall not be subject to or bound by any Laws, Orders, Statutes, or Constitutions which have been heretofore made, or which hereafter shall be made, ordered, or enacted by, for, or as the Laws, Orders, Statutes, or Constitutions of any other Part of Australia ...*¹⁴

Commissioners for South Australia were to be appointed to execute parts of the Act and certain powers and authorities,¹⁵ and it was enacted that they 'shall and they are hereby empowered to declare all of the Lands of the said Province ... (excepting only Roads and Footpaths) to be Public Lands open to purchase by British subjects¹⁶ ... and to make such Orders and Regulations for the surveying and Sale of such Public Lands' and provided also 'that the whole of the Funds from Time to Time received as the Purchase Money of the said Lands ... shall constitute an "Emigration Fund," and shall, without any Deduction whatever ... be employed in conveying poor Emigrants from Great Britain or Ireland to the said Province'.

‘Captain Bagot considered the Park Lands stood in a very different position from roads, which, by appropriation, became public property. They were actually purchased.’ (*The South Australian Register*, 5 September 1849)

A Commissioner of Public Lands was to be resident in South Australia ‘to act under the Orders of the said Board of Commissioners’.¹⁷

On 19 February 1836, by Letters Patent, King William IV did ‘erect and establish one Province to be called South Australia’, and an Order in Council on 23 February 1836 required making of laws, institutions or ordinances to ‘not in any wise be contrary or repugnant to any of the provisions of the ... Act’.

Therefore, the Governor had no power over the public lands, and no power to make laws contrary to the Act. The Commissioners held all powers for disposal of the public lands, including power to appoint and remove surveyors and other officers¹⁸ and to delegate.¹⁹

Colonel Light’s ‘Park Grounds’

The Rules and Regulations of the South Australian Commission stated:

*19. The Colonial Commissioner will select the spot which he may consider best suited to form the site of the first town. He will construct and publish a plan of the intended town, having reference to all local circumstances. The streets, market place, wharf, public promenade, and other places of general resort, will be reserved as public property ...*²⁰

By 14 December 1835, the Commissioners had noted Colonel Light was an experienced surveyor,²¹ and responsibility for the first town and its site was assigned to Light.

An expedition was sent out, under Light’s command ‘for the purpose of effecting such a survey of the different harbours and the adjoining land as may be necessary for the correct determination of the best site for the first town’.²²

The Commissioners’ instructions stated:

*... you will proceed to determine which of the several sites shall be selected as that for the first town; a duty which you are hereby fully authorized and required to discharge.*²³

and

When you have determined the site of the first town, you will

*proceed to lay it out in accordance with the “Regulations for the preliminary sales of colonial lands in this country” ... you will make the necessary reserves for squares, public walks and quays.*²⁴

By 15 February 1836, the Commissioners had prepared further details on the terms of disposal of the Province’s public lands:

*31. The sole condition of purchase shall be the payment of money, at the rate of 1l. sterling per acre; and nothing, whether above or below the surface of the land, will be reserved by the Crown ...*²⁵

Light’s letter to George Jones on 22 November 1836 foreshadows Light’s ideas for reserving low lying land²⁶ and by February 1837 Light’s ideas about the Adelaide Park had taken form with his drawing of ‘South Australia: The Port and Town of Adelaide on the Eastern Coast of St Vincent’s Gulf’ on which Light wrote: ‘The dark green round the Town I proposed to the Resident Commissioner to be reserved as Park Grounds’.²⁷

Light’s ‘Park Grounds’ were an immediate litmus test of the Commissioners’ powers, and the Governor’s lack thereof, when Governor Hindmarsh sought to extend the Government House Domain to enclose land adjoining the river. After consulting Light, the Resident Commissioner, Fisher, informed the Governor:

*... it was proposed to reserve all the Land, fronting the Town & lying between the Road intended to be formed & the River, for a Park or Public Place, for the ornament & salubrity of the Town, & the Comfort & enjoyment of the Public generally & that I was fearful the compliance with your wishes might so interfere with that arrangement as to make such compliance objectionable ... I feel I cannot do so consistently with my duty to the Public, & I am persuaded therefore I need offer no apology to you for adopting the Course I have.*²⁸

On 13 April 1836, Hindmarsh’s appeal to Lord Glenelg against the

claim of the Commissioners’ representative ‘to every inch of ground’ confirmed that reservation of the Adelaide Park had occurred:

*A considerable quantity of land near the River, and round the Town, has very properly been reserved as public walks and for other public purposes.*²⁹

Fisher’s notification to London of intentions to reserve land around secondary towns resulted in:

*... a despatch from the Colonization Commissioners, dated 1st September, 1838 ... Colonel Gawler was authorised to purchase the Park Lands around Adelaide ...*³⁰

The fee simple³¹ purchase

Colonel Gawler did not act on his instructions to purchase the Adelaide Park lands until Arthur Hardy notified him on 15 April 1839 of the intention of a group of settlers to claim the lands for private purposes.³² On 16 April 1839, Adelaide’s Park was protected by purchase at the price of £1 per acre, and thereby secured for the purpose for which Light had set the land apart.

On 13 September 1839, five Bills of Exchange were drawn upon the Commissioners ‘amounting in the aggregate to £2,300, for the purchase of the Park Lands, which bills were duly accepted, and paid at maturity’.³³ The whole sum of £2,300 was directed to be paid to the credit of the Emigration Fund, as Gawler notified the Commissioners on 26 September 1839:

On the 13th instant I drew the following bills ... No.s 86, 87, 88, 89 for £500 and No. 91 [sic] for £300 and have directed the whole sum of £2,300 to be paid into the bank of South Australia, to the credit of the Emigration Fund, for the purchase of so many acres of Park Lands around the city of Adelaide, at £1 per acre, as authorised by your despatch ... dated September 1st, 1838.

On 12 December 1839, the Colonial Secretary ‘tendered the Colonial Treasurer’s receipt for £2,300, in addition to £32 transferred from the Reserve Fund to the Land Fund on the 16th April, 1839’.³⁴

With the 'Claim admitted',³⁵ 'and directed to be published in the Government Gazette',³⁶ all that remained to complete the purchase of the Adelaide Park was the Commissioners' acceptance of the Bills on their arrival in London. The five Bills were duly accepted in 1840, being paid at 60 days sight.³⁷ The purchase of the Park Lands and cemetery was recorded in the 'Monthly Statement of Sales of Public Lands in South Australia', and the Commissioners acknowledged their payment of the Bills for the purchase of the Park Lands:

*With regard to ... lands in the vicinity of Adelaide, reserved for purposes of public health and recreation, as Park Lands; the Resident Commissioner was authorised, on the 1st September, 1838, to purchase these lands out of the public revenue. The sum to be laid out was not stated; but we have lately paid bills on this account to the amount of £2,300.*³⁸

As Captain Bagot stated in the Legislative Council in 1849, 'a bona fide purchase' of the Adelaide Park Lands had occurred: '... the Park Lands stood in a very different position ... they were actually purchased'.³⁹

Special status of the land was asserted by GS Kingston on 12 November 1877:

*I deny the right of the Government to interfere with or make use of any portion of the Park Lands not specially reserved or set apart for Government purposes by Colonel Light, and so described on his original plan of the city.*⁴⁰

As Thomas Worsnop, Town Clerk for the City of Adelaide, later obtained proof, 'the Park Lands and other reserves in and around the city were purchased for and in the name, and upon trust for the citizens of Adelaide'.⁴¹

Debt and reservation red herrings

Despite the evidence of completion of the purchase of Adelaide's Park Lands, simple provisions for meeting the expenses of establishing South Australia were to cause confusion about the purchase.

In July 1838, amendment of the South Australian Colonization Act conferred new powers on the Commissioners permitting funds to be borrowed from the Emigration Fund, provided always that 'the Monies so advanced shall be a

Colonial Debt, owing by the said Province to such Commissioners on account of the said Emigration Fund ...'⁴²

In late 1839, when it became apparent that the Government would have difficulty paying several claims of the public creditors, attempts were made to keep the Government solvent for fear that the inability of the Government to pay might cause severe distress to the settlers.

As Gawler explained in 1840:
... during my absence from Adelaide in December last ... The Colonial Secretary and Acting Assistant Commissioner ... considered it to be of so much importance to protect the credit of the Colonial Government by securing adequate monies for the disbursement of all claims on the Public funds that might become due on the 1st January 1840 ... and it was finally agreed that the Bank should give the Colonial Treasurer credit ... for £15,000. That £3,000 should be transferred from the Emigration Fund to pay off a portion of this loan ...

Repayment of such debts was required and Governor Grey later identified the £2,300 purchase price for the park lands as 'a debt still due from the local government to the land fund, and one which we have no means of discharging'.⁴³

Another confusion arose (which nevertheless confirmed that the Park Lands and Squares were intended for the inhabitants of Adelaide) when the Colonial Government enacted Ordinance No 11 of 1849 *To Constitute a Municipal Corporation for the City of Adelaide*. The Park Lands, Squares and open spaces within the municipal boundaries were declared to be vested in Her Majesty, her Heirs and Successors and
*... to be reserves for the public purposes to which the same have been respectively dedicated and set apart as specified in the third section of an Act of the Imperial Parliament,*⁴⁴ viz
III. ... such Lands as may be required for ... Places for the Recreation and Amusement of the Inhabitants of any Town or Village ...

Essential elements of the trust: trustee, property, beneficiaries and obligation

Official records demonstrate how the purchase of the Adelaide Park lands was authorised in 1838, commenced in 1839, and completed in 1840. When Adelaide's Park, a public walk *par excellence*, was secured from enclosure by purchase in fee simple, an historic and history-making trust was thereby confirmed.

If no trustee is appointed, the person in whom the trust property is for the time being vested will be regarded as **the trustee**.⁴⁵

The trust property comprises the land set apart by Colonel William Light in 1837 pursuant to his instructions from the Colonization Commissioners.

There may be a valid trust in favour of a class of persons, and **the beneficiaries** are the inhabitants of the City of Adelaide.

The obligation annexed to the property is that it be used for the purpose for which it was set apart and dedicated, as public walks for the use and recreation of the inhabitants of the City of Adelaide.

The fact that the land is not 'Crown land' and Governors have no power over land set apart by Colonel William Light for the use and recreation of the citizens was confirmed in 1855 by South Australia's Supreme Court when the Corporation of the City of Adelaide defended the citizens' rights to preserve Victoria Square from a Governor's grant to the Bishop of Adelaide, viz

*The jury returned a special verdict to the effect that the land had been originally set apart for the use and recreation of the citizens, thus rejecting the Bishop's claim.*⁴⁶

In accordance with this judgment, in 1858, Francis Dutton, who had been the City Commissioners' Chairman, declared:

*The City Squares are Trust property belonging to the whole of the inhabitants of the city collectively and are not to be cut up to suit the convenience of any individual body of inhabitants.*⁴⁷

Parks for the people in perpetuity?

To measure the comparative success of our Adelaide Park trust, we might look to those reserves of land established as 'Places for the Recreation and Amusement of the Inhabitants of any Town or Village' under the 1842 Waste Lands Act,⁴⁸ or ask ourselves: 'Where are the Sydney

Common trust's one thousand acres now ?'.

In comparison to other mechanisms for securing parks for the health and recreation of the inhabitants of towns, the South Australian Commissioners' Adelaide Park trust has proven to be remarkably resilient and to have far-reaching and long-lived powers of protection.

Kelly Henderson

Postscript

It is for forensic accountants to determine whether or not Government still has an unpaid debt. In any event, in addition to breaching an Act of the Imperial Parliament, retrospectively revoking the separate and prior purchase of the Adelaide Park Lands would seem tantamount to perpetrating a fraud upon the Commissioners, the founders and pioneers of South Australia, and the inhabitants of the City of Adelaide.

Regarding roads and footpaths, during a Legislative Council debate on the Road Bill in 1849 the position of such land was clarified when Captain Bagot expressed the view that if there was any doubt as to whether the roads belonged to the Queen or to the colonists, a general grant should at once be made to settle the question so that they might not be claimed as Crown land, whereupon South Australia's Advocate-General insisted such a grant was not necessary as the Crown held only highways as the trustee of the people.

Endnotes

- ¹ This article uses mostly Light's words to describe what we now call the Adelaide Parklands (or Park Lands) and squares.
- ² JL & B Hammond, *The Village Labourer*, Guild Books 1948, p 35
- ³ 'the greatest and most distinctive achievement performed by Englishmen in the field of jurisprudence' Maitland,

Selected Essays (1936) from *Jacobs' Law of Trusts in Australia*, 1977

⁴ JL & Barbara Hammond, *The Village Labourer*, Guild Books 1948, p 88

⁵ TJ Maslen, *Friend of Australia*, Hurst, Chance and Co, London, 1830, p 263

⁶ Report from the Select Committee on Public Walks ordered by the House of Commons to be Printed 27 June 1833

⁷ *Ibid*, 3rd Recommendation

⁸ *Ibid*

⁹ 'On the Amusements of the Aristocracy and of the People', *Pamphlets for the People*, edited by JA Roebuck, 1835

¹⁰ Government Notice issued by the Governor for New South Wales, dated 5 October 1811, published in *Sydney Gazette; and New South Wales Advertiser*

¹¹ *Sydney Gazette; and New South Wales Advertiser*, 12 October, 1811, p 2

¹² 4 & 5 Wm IV Cap. 95

¹³ Prospectus of the South Australian Company, 1835 as reproduced in *South Australia's Foundation Select Documents* Edited and Introduced by Brian Dickey and Peter Howell, p 53

¹⁴ 4 & 5 Wm IV Cap. 95

¹⁵ *Ibid*, Clause III

¹⁶ *Ibid*, Clause VI

¹⁷ *Ibid*, Clause VIII

¹⁸ *Ibid*, Clause IX

¹⁹ *Ibid*, Clause X

²⁰ South Australia Colonization Commission, Rules and Regulations, 1835 as reproduced in *South Australia's Foundation Select Documents* Edited and Introduced by Brian Dickey and Peter Howell, p 57

²¹ Letter of R Torrens Esq to Lord Glenelg, dated 14 December 1835

²² Letter of Instructions, 9 March 1836, by the Colonization Commissioners for *South Australia* to Colonel *William Light*, Surveyor-general for the Colony of South Australia, as printed in Appendix No 9 Appendix to the First Report of Commissioners on Colonization of South Australia, p 33

²³ *Ibid*, p 34

²⁴ *Ibid*, Instruction No 17

²⁵ New Colony in South Australia. Colonization Commissioners for South Australia, 16 February 1836 as reproduced in *South Australia's Foundation Select Documents* Edited and Introduced by Brian Dickey and Peter Howell, p 68

²⁶ Letter from W Light, Gulf St Vincent to G Jones Esq, dated 22 November 1836, State Library of South Australia

²⁷ *South Australia: The Port and Town of Adelaide on the Eastern Coast of St Vincent's Gulf* from a drawing by Colonel William Light Surveyor-General, published in the annual report of the Colonization Commissioners

²⁸ Fisher to Hindmarsh, 11 March 1837

²⁹ Hindmarsh to Glenelg, 13 April 1837

³⁰ *Report on the Purchase of the Adelaide Park Lands*, p 15

³¹ 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, *Land Law*, Peter Butt, The Law Book Company Limited 1988, p 90

³² As stated by Hon William Smillie in the Legislative Council reported in the *South Australian Register*, 5 September 1849 and referred to by Thomas Worsnop, *Are the City Park Lands Waste Lands of the Crown?* Adelaide, 1879, p 8

³³ *Report on the Purchase of the Adelaide Park Lands*, p 15

³⁴ *Ibid*, p 16

³⁵ *South Australian Register* Wednesday 29 August 1849, 3c

³⁶ Thomas Worsnop, *Are the City Park Lands Waste Lands of the Crown?* Adelaide, 1879, p 8

³⁷ *Report on the Purchase of the Adelaide Park Lands*, p 17, Elliott and Villiers to James Stephen Esq, dated 31 May 1842

³⁸ *Ibid*, p 16, Colonization Commissioners for South Australia to Lord John Russell, 7 July 1840

³⁹ *South Australian Register*, 5 September 1849

⁴⁰ *Advertiser*, 12 November 1877

⁴¹ Worsnop to City Solicitors, Messrs Wilkins, Blyth & Dutton, 19 April 1884

⁴² 1 & 2 Vic Cap. 60, Clause III

⁴³ *Report on the Purchase of the Adelaide Park Lands*, p 16, Grey, 11 September 1841

⁴⁴ 5 & 6 Victoria Cap. XXXVI

⁴⁵ *Jacobs' Law of Trusts in Australia*, p 5

⁴⁶ Thomas Worsnop, *History of the City of Adelaide from the foundation of the Province of South Australia in 1836, to the end of the Municipal Year 1877*, Adelaide, 1878, pp 125–126

⁴⁷ Letters received, 27 August 1858 from Francis S Dutton to Town Clerk

⁴⁸ 5 & 6 Victoria Cap. XXXVI

Kelly Henderson to present paper at London conference

Kelly Henderson has devoted a significant part of her life to research about Adelaide and its Parklands. Recently, she has been accepted as a presenter at an international conference in London.

The Ninth Conference of the International Society for Utilitarian Studies: 'The John Stuart Mill

Bicentennial Conference, 1806–2006' is scheduled for 5–7 April 2006 to mark the occasion of the bicentenary of the birth of John Stuart Mill (1806–1873), philosopher and author.

Kelly's paper is entitled 'Adelaide: The ideal city of the Philosophic Radicals, and the great experiment in the art of colonization'. It examines

the remarkable synthesis of 19th century advances in economics, philosophy, science and religion in the founding of South Australia and how this provided an exemplar for 'Garden City' town planning, Benthamite democracy and the formation of a modern Commonwealth.

Gunta Groves

Poor Victoria Park!



This last year has seen the Adelaide City Council put one of its more repugnant intentions for Victoria Park into operation.

The ACC had decided that Victoria Park was to be a 'major events arena'. Previously, the ACC had allowed several major events to disrupt the amenity of this area but there had always been weeks and sometimes months between the 'shanty towns' with accompanying restrictions to community use.

This year, however, was different. This year Victoria Park became a full-time major and minor events arena, with no let-up in sight. Just in the last 6 months, 16 events occupied the northern end and spilled often into the southern part of Victoria Park.

The backlash from city residents is already occurring. During September the residents of south-east Adelaide decided enough was enough. They could see that the quality of their life in the city was falling along with their property values, especially along East Terrace. A group of worried

residents set up a new South-East City Residents Association and are organising themselves for a fight.

The main issue was and still is that commercial events should not occur in the Parklands, but, if they do, they should pay a commercial rate for the equivalent prime CBD land and compensation for loss of normal amenity for the community. This would put the hiring and leasing of the Parklands into a more realistic perspective for those with ambitions to exploit a community asset. It would also highlight the greater attractiveness of places such as the Wayville Show Grounds and the Entertainment Centre which have facilities and accommodation designed specifically for catering for large crowds without the need to erect 'shanty towns'.

However, this issue is now joined with another: if events in Victoria Park are scheduled to follow (or even overlap) one another, what rehabilitation can take place? Current attempts at rehabilitation are cursory, to say the least. After the last V8 Supercar event, there was not even a token effort to regenerate

bare areas that used to be grass—de facto roads for cars and trucks and depots for site works. Even the more benign activities such as the three-day horse trials take their toll. This year's event has required a very large tent to be erected in the northern end of the racecourse loop to provide additional stabling facilities, and the extra motor traffic within the racecourse loop is not only noticeable, but it is churning some areas into mud flats. Who is going to rehabilitate that area?

Perhaps it will all end when the costs of rehabilitation exceed the income derived. Or will everyone put up with muddy ground in winter and bare earth in summer? But then, of course, we all know what the likely proposal will be: 'Let's pave the area so that it can be used "sustainably"'. Another 'Bah! Humbug!' to this.

Gunta Groves

Top: Victoria Park used as a carpark, again, during the 4WD show in October 2005. Photos taken by Gunta Groves.

Below: 'Shanty town syndrome' in the Adelaide Parklands, October 2005.



A BENEFITS APPROACH TO VALUING THE ADELAIDE PARKLANDS

Dr Ken Marriott of HM Leisure Planning Pty Ltd gave the 2005 Memorial Address 'A benefits approach to valuing the Adelaide Parklands' on 30 October in the Goodman Building. A brief summary of his background paper to the Address is provided below.

A benefit is an improved condition, prevention of a worse condition or the realisation of a specific satisfying psychological experience (Driver & Bruns 1999). 'Benefits' research in connection with recreation and leisure management is a shift of focus from 'inputs' (such as investment and maintenance capital, personnel and skills and physical resources) to outcomes (such as personal health benefits and community benefits). The Benefits Approach to Leisure (BAL) (Driver & Bruns 1999) is a new mainstream approach to recreation planning and management and provides a stronger and more philosophical and academic framework for it. Management and planning using BAL raises the fundamental question of why a particular leisure service should be provided, the answer being formulated in terms of clearly defined positive and negative consequences of delivering that service (Driver & Bruns 1999, p 350). This approach views the delivery of leisure services as a production system (Driver & Bruns 1999, p 356).

The benefits catalogue (Canadian Parks/Recreation Association 1997)

gives eight areas of benefit:

- Personal health
- Human development
- Quality of life
- Anti-social behaviour
- Families and communities
- Pay now or pay more later
- Economic generators
- Ecological survival.

The measurement of benefits such as those above need to go through qualitative, quantitative and valuation phases. Up to now, much of the benefits research has emanated from North America and therefore survey instruments need to be modified to suit Australian culture and lifestyles.

Despite this, the use of the benefits approach to planning, management and use of the Adelaide Parklands would have immediate relevance in that more sustainable outcomes would result. The first question in the process is 'What are the beneficial outcomes we wish to achieve?'. Subsequent questions need to explore the specific personal, social, economic and environmental benefits; resource units and their capacities to deliver the desired benefits; positive and negative consequences and the net beneficial outcomes; management strategies to deliver the benefits; and the magnitude and value of the improved conditions.

The benefits approach allows us to determine a wide range of benefits from the personal to the social, economic and environmental, and

allows links to be made with other areas of human endeavour on a like basis. In addition, by measuring the extent of the outcomes and the value of the changes, we gain the tools and data to fight off unwanted, negative uses and impacts.

To achieve this requires a management agency with a Parklands-only focus, a comprehensive asset data base, detailed decision making, long-term use and development planning, and a strong capacity for the agency to monitor outcomes and change uses.

References

Canadian Parks/Recreation Association (1997) *The benefits catalogue*. Canadian Parks/Recreation Association, Gloucester, ON

Driver BL & Bruns DH (1999) 'Concepts and uses of the Benefits Approach to Leisure' in Edgar L Jackson & Thomas L Burton (eds) *Leisure studies, Prospects for the 21st century*, pp 349-369. Venture Publishing Inc, State College, PA

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Parklands or Park Lands?

Discerning readers of this newsletter may have noticed that the parks surrounding the Adelaide CBD are described as the 'Adelaide Parklands' in this publication. Sometimes, when quotes are used from other publications or when historical material is used, the description becomes 'Adelaide Park Lands'. Why the difference?

This newsletter has its own 'house style', as do most other publications. The style is mostly set by the editor and by previous editions. The Adelaide Parklands Preservation Association Inc has used the one word 'Parklands' in its title and, for consistency, in its newsletter. If the word parklands is used in a general way to describe an area of parks, it takes a lower case 'p'.

However, the historical nomenclature applied to Light's 'Park Grounds' or 'Adelaide Park' is Adelaide Park Lands. The Adelaide City Council and the Bill for the protection of the Parklands retain the historical word use of 'Park Lands'. Should APPA change? What do you think?

Gunta Groves

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:

Adelaide Parklands Preservation
Association Inc
PO Box 3040 Rundle Mall
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E-mailing newsletters to members
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You can also download PDFs of the current and immediate past nine 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:

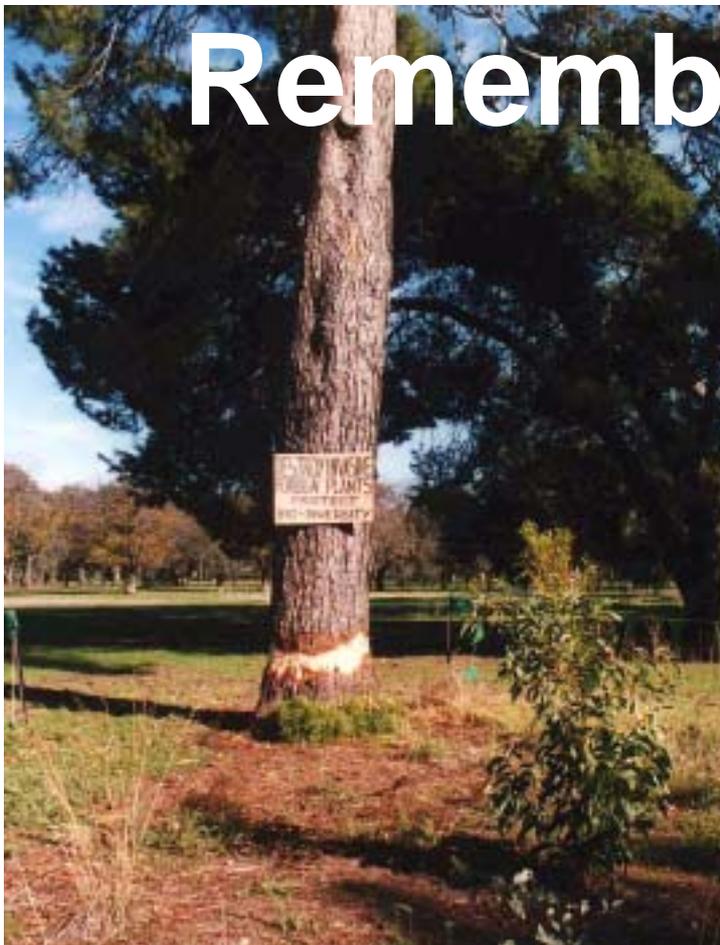
***Parklands News* OR**

***Parklands News* and other APPA notices including notice of AGM**

My e-mail address is: _____

Name _____ **Signature** _____

Address _____



Remember this?

Well, that's all it will be shortly—a memory. This Aleppo Pine was ringbarked on 5 June 2004, World Environment Day (see *Parklands News*, September 2004, page 5). The perpetrators may have been misguided supporters of the Bush for Life group cultivating native grasses in the area or protesters against the cutting down of old growth forests in Tasmania or, on the other hand, just mindless idiots. The SA Police made enquiries but never arrested anyone.

It now appears that this pine, one of three damaged at the time, is not going to survive despite the efforts of the botanist Dean Nicolle. He is reported recently as saying that the Aleppo Pine will soon be a danger and needs to be cut down and that one of the other pines, a Canary Island Pine, is showing stress (*City Messenger*, 10 November 2005, page 9).

The cutting down of these three pines was the cause of some dispute between the Bush for Life group and the Adelaide City Council. The ACC wisely decided that significant trees should not be cut down willy-nilly and the Bush for Life people withdrew their application, but then the ringbarkers struck. I hope they are all happy now with the result. I don't think I am.

Gunta Groves

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 12/05

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Wishing you
 ☆ ***all the*** ☆
merriest of
Christmases
and a New
Year packed
with good
 ☆ ***fortune*** ☆

**APPA Committee thanks
 all supporters of the
 Adelaide Parklands for
 another year of
 contributing to the
 good fight**

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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.

X These 5 Bills amounting to **PAYABLE**
 £2300 appear to be the Bills referred to

No. of Exchange	Date	After Sight	To whom payable	When Accepted	When due	Revenue	Emigration
	1839			1840	1840		
1 st	15 November	60 days	Mess ^{rs} Charles Beck & Co ^{rs}	13 April	15 June	7263 13 9	
1 st	9 October	60 do	M ^r George Deane	20 do	22 do	388 17 9	Premium 1 percent
1 st	13 September	60 do	His Order	24 do	26 do	500	X
1 st	13 do	60 do	do do	24 do	26 do	300	X
1 st	October	60 do	John Morphett Esq ^r	2 May	4 July	8890 8 6	
1 st	9 October	60 do	do do	2 do	4 do	167 7 6	
1 st	9 do	60 do	do do	5 do	7 do	59 18 6	
1 st	9 do	60 do	do do	5 do	7 do	332 3 6	
2 nd	9 January	60 do	Samuel Smith Esq ^r	11 May	13 do	131 19	1/2 Premium - 1/2 Paid 10/100
1 st	10 do	60 do	Rich ^d Morins Esq	11 do	13 do	226 7	1/2 do 1/2 do
1 st	13 do	60 do	Capt. J. J. Whiteside	11 do	13 do	1065 18 5	1/2 do 1/2 do
1 st	22 November	60 do	Self	14 do	16 do	500	
2 nd	22 do	60 do	Self	14 do	16 do	250	
3 rd	9 October	60 do	Mess ^{rs} John Newman & Co	15 do	17 do	100	
1 st	13 September	60 do	His Order	20 do	22 do	500	X
1 st	13 do	60 do	do	30 May	1 August	500	X
1 st	13 do	60 do	do	30 May	1 do	500	X
1 st	14 November	60 do	John Kinder Archer	2 June	4 do	4333 15 11	1 per cent premium
2 nd	27 January	60 do	J. Somers & Co	5 June	7 do	114 6 6	1/2 per cent premium
						516 6 6	











