

the balmain
association
incorporated

NEWS SHEET

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“Democracy is sometimes inconvenient...” Judge

On December 12 the Balmain Association in alliance with the Balmain Development Trust initiated legal action to challenge the appointment of the Planning Administrator. Although we were not able to obtain an injunction to restrain the Minister for Planning from rezoning the five sites he did give an assurance not to do so until the action was considered by the Land and Environment Court on January 14th.

After nearly four days of argument Chief Justice Cripps reserved his decision until January 24th when he disallowed the challenge. The next day our legal council asked for a restraining injunction in the Court of Appeal in order to proceed with an appeal.

In the Supreme Court on January 29 before Justices Kirby, Handley and Priestly, our counsel, Mr Downes, QC, submitted that the Minister for Planning, Mr Hay, acted wrongly at law in appointing a planning administrator in that five weeks was an unreasonable period for the Council to rezone the five sites and it had been denied natural justice.

Justice Kirby asked what “reasons for urgency” had affected the minister when the sites had been around for a long while and any development would affect the environment and ratepayers. Mr Downes said the minister had not addressed this matter adding that a “kind of parade of developers” had visited the office of the Minister last year complaining of delays and yet the nearest a resident group could get was a meeting with his adviser, Mr Staveley.

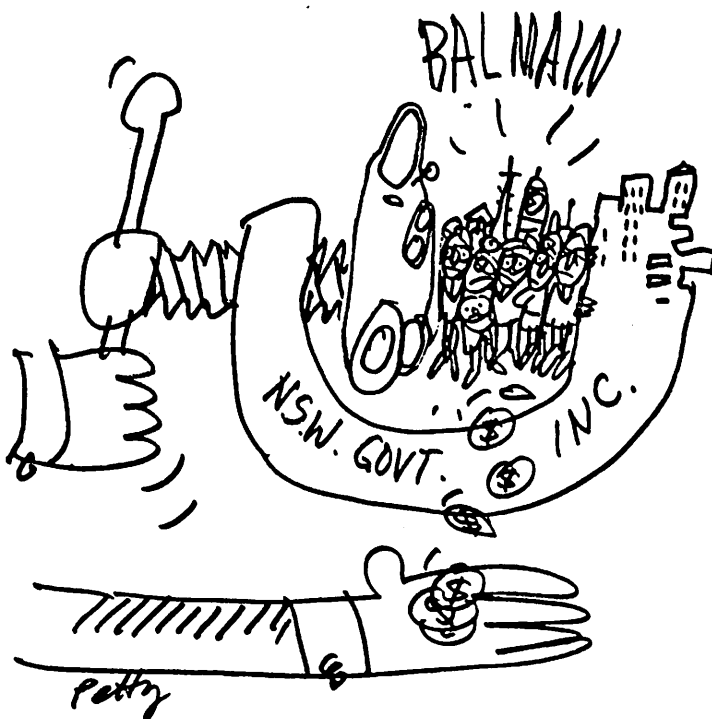
The council was entitled to hold a public

hearing but the Minister had not allowed for this possibility.

Justice Kirby said that, given the “multiple sites” and the obvious agitation among ratepayers, five weeks “seems a short time”. Ms Beazley, QC, counsel for the minister, said that under the terms of the act “a public hearing need not be a large-scale inquiry — it need be no more than a meeting at the Town Hall such as occurred [on August 23]”.

Justice Kirby said “Democracy is sometimes inconvenient...”, but it was preferable to those countries where executive power is wielded without public submissions. All three justices, in a barrage of questions to Ms Beazley, established that a further five weeks was a reasonable time for a public hearing to take place after the draft plans had been presented to the council and that the Minister apparently had not considered this possibility. She agreed with Justice Kirby’s observation that resident groups were considered as “busybodies”.

The court will hand down its decision and reasons within two weeks. The minister gave an undertaking not to rezone until then. It had been necessary on each day to extract this guarantee.



We Need Your Help!

The Balmain Development Trust is holding a \$100-a-plate dinner on St Valentine's evening - February 14 - in the Members' Dining Room, State Parliament House to raise funds for the Supreme Court appeal against the appointment of the planning administrator. Contact Susan Frizoli, 569 8338 or Jim McMahon, 810 2101. If you are unable to attend would you please help by sending your donations to PO Box 57, Balmain 2041.

Some of Australia's top architects have entered the Trust's competition for a visionary plan for Balmain.

The competition will be judged on March 8 by a panel which consists of Romaldo Giugola, Federal Parliament House designer, Winston Barnett, Prof Architecture, University of Technology, Harry Bechervaise, Prof Architecture, Sydney University, Richard Dinham, Pres, Royal Aust. Inst. of Architects, Wendy McCarthy, Director National Trust of Aust. (NSW) and Dawn Fraser, MP for Balmain.

The winner will be announced on at a fund-raising cocktail party on Saturday March 9 and the entries will be displayed at Balmain Town Hall. Residents will be able to comment on the plans.

Safety Concerns at Unilever

Demolition was stopped on the Unilever site in White Bay after workers had been ordered off the site due to dangerous methods of asbestos removal by S & B Demolition Co.

The Workcover Authority has issued a prohibition notice. BWIU spokesman, Mr Ray Green, said storage vats containing limpid asbestos needed to be enclosed in a plastic bubble while workers in full protective suits removed the powdery fibres. Mr Ramsay Tadros, Leda Holdings, said that the company was intending to erect a hoarding around the site. Paragraph 6 of DA 15/90 states - “Before demolition work is commenced, a hoarding at least 2m in height is to be erected on the street alignment to protect the public...”

Balmain Personality

Thomas Stephenson Rountree

Thomas Rountree was born on 7th July 1818 at Sunderland, County Durham, England. His father, William Rountree, was a marine engineer who encouraged him to work in the shipbuilding trade and the young Thomas was apprenticed at 14 to a shipwright. At 20 he went to sea as a ship's carpenter.

In 1839 he married Elizabeth Potts at St Augustine's Church, North Sunderland. They had raised three daughters before Mrs Rountree died. Rountree



married again in 1847 to 17 year old Annie Ogle who bore him a son, William, who was drowned at sea. A daughter, Annie arrived in 1849 only to die 2 years later. Another daughter was born in 1851 and baptised with the same name.

After gaining his master's ticket, Rountree commanded vessels in the Baltic and Mediterranean trade between 1842 and 1852. With John Webber he built the 206 ton *Lizzie Webber* for the Australian coastal trade. On 1st August 1852 Rountree and his family sailed from Sunderland with other settlers bound for the Colony.

The *Lizzie Webber* arrived in Melbourne on 4th December where his crew, reacting to the gold fever, deserted ship. After engaging new men Rountree for some months carried cargo between Melbourne and Sydney. Dissatisfied with Melbourne port regulations which classified his ship as too big for the Melbourne wharf, he finally settled in Port Jackson. He purchased from William Morgan, James Reynolds' prime site in Waterview Bay which not only gave him sheltered water but also had the benefit of a small stream running down Strathean valley from the road to Curtis' waterholes (Curtis Road).

Rountree's foresight, knowledge of shipbuilding and experience in dockyards convinced him to sell the *Lizzie Webber* in 1853 to lay down a slip. Then he joined with T S Mort, auctioneer, and J S Mitchell, merchant, to found the Waterview Bay Dry Dock. In 1854 he moved into *Spring Hill*, 87 Darling Street, a house built by George Cooper, and renamed it *Northumberland House*. His son Thomas was born that year and four other children later. The rocky hillside was a place of quiet living with some small boat-building but this was about to change.

The bed of the stream was excavated and the dock opened in 1855 when it was leased to Rountree & Co. Apart from the Fitzroy Dock on Cockatoo Island, it was



Rountree's Monument

the only facility of its kind south of Bombay. Several steamships were built at Waterview Bay and Captain Rountree also advised on the construction of new docks at Circular Quay.

He bought Metcalfe's warehouse on Waterview Bay in 1857 and it was in the loft of this building that the first meeting of the Balmain Council took place in April 1860. In conjunction with Dr Elliott, Ewen Cameron, Ralph Mansfield and Robert Stenhouse, Rountree was founder of the Municipality of Balmain of which he was twice Mayor. He was a magistrate and electoral officer. As a founder of the Royal Sydney Yacht Squadron he revived the Anniversary Day Regatta. His ship *Annie Ogle* won Australia's first official ocean sailing race in January 1861 from Sydney Cove to the heads of Botany Bay and return. He was a member of the Marine Board of NSW.

There was competition from Fitzroy Dock on Cockatoo Island and orders did not meet expectations so in 1864 he sold

his interest in the dry dock (to become Mort's Dock) and sailed the *Caroline* to New Zealand to share in the timber trade. He flourished in the trading of kauri to Australia. Leaving members of his family to continue the New Zealand venture, Rountree returned to Balmain in 1869. He bought a floating dock operating in Darling Harbour but in 1880 sold it to open a floating dock from the wharf below his warehouse.

Thomas Stephenson Rountree died at *Northumberland House* on December 17th 1902 and was buried in the Balmain cemetery. In 1941 the cemetery was dedicated as Pioneer Park, Leichhardt. One of 16 headstones recovered was that of Rountree which now stands as part of his memorial in Macquarie Terrace. His widow remained in the main house until her death and Thomas junior and his family lived at *Wood-Lee* (still standing) in Stack Street which Rountree had commissioned of Edmund Blacket.

Source: Leichhardt Historical Journal No13. Sketch by Cedric Emanuel.

The original spelling of Rountree has been used in this article.

More About The Plans

On December 12, 1990 the Planning Administrator, Mr Sean O'Toole, announced his alterations to the Leichhardt Council Town Planner's Local Environment Plans (LEPs) for the rezoning of five sites on the Balmain Peninsula. Residents have not forgotten his first public appearance as administrator at a public meeting when he promised to "go right down the middle" and that the residents would be pleased with the result.

His changes allowed denser development to "... more appropriately reflect the urban locality." This ambiguous statement can only be interpreted as giving the developers what they required. We want to know if the decision had already been prepared for Mr O'Toole by the Dept of Planning and his workshops were part of a token exercise to placate residents and no substitute for the public hearing demanded at public meetings.

From the Supreme Court proceedings it is clear that the Dept of Planning only needed a sketchy plan - a "memo would be sufficient" - for them to impose their solutions. This is a ruthless abuse of power by unelected, faceless bureaucrats. A real "Yes Minister" scenario but nobody's laughing.

For those members who have yet to send their 1991 subscription your payment will be greatly appreciated. Your support is highly valued.

GOURLIE'S CORNER

Dreamy Daniel

Mr Daniel had a confectionery shop in which he sold drinks, lollies, cigarettes and many more items.

Mr Daniel was a tall, thin, aged gentleman with glasses and earned the name *Dreamy Daniel* because of his very slow motion in walking and serving his customers. He was assisted by his sister who was short and not as thin as her brother. The business closed in the late 1950s when they passed away. The shop is situated at 360 Darling Street next to the Town Hall Hotel (see picture).

Toffee Man

In the 1930s a man and his wife operated a little wooden and glass stand outside the Balmain Demonstration School. Home-made toffees were sold before school, at playtime and during lunch.

The school children could buy toffees in paper patty trays for a ha'penny or a penny. The operators lived at the corner of Mullens and Mansfield Streets (the residence still exists) and either the wife or the husband would be at the school each day. They had an unusual way of transporting their toffees and show case. They had converted an old pram into a four wheel barrow. The toffees were in colours of red, green and yellow and were of excellent quality.



Competition

To celebrate his 4 years in business in Balmain, member Michael Oxenburgh and the Association are sponsoring a Childrens' Colouring Competition.

There are two sections — under 7 years and 7-12 years. The prize for each section is a \$25 gift voucher on Michael's Place. The Association has added prizes of Balmain History books to value of \$25.

All entries will be displayed in the Watch House during April. Get your entry form from Michael's Place 405 Darling Street.

Don't Eat Harbour Fish

An academic has warned against eating fish caught in Sydney Harbour because of the presumed presence of the anti-fouling agent tributyl tin.

State Transit workers at Balmain have reacted to pollution warnings by banning the painting of tugs with paint containing TBT. University of Technology senior lecturer, Dr Ken Brown, said that the paint is the most toxic chemical in the marine environment.

Busplan Update

The South & West Division of State Transit are congratulating themselves on the success of their changes to bus routes and timetables.

Almost 1000 people responded to the survey in April. This clearly showed that people of the community are vitally concerned with transport matters and want to be involved in the decision making process. The Hotline received 200 complaints and 2 compliments. There were 21 complaints about Routes 442/445 but only two for Routes 431/433 and none for Route 441.

Where are those letters that people said that they would write? Is everybody satisfied with the removal of 441 Buses each evening and weekend? What about the absence of transfers and the waiting time between connecting services such as 442 and 445 at Gladstone Park and between 432 and 442 at the Town Hall? The former particularly affects East Balmain school children travelling to Leichhardt.

Mr Greiner said recently "In the western and southern suburbs, 30% of people lived within 400m of a bus stop. By the end of this year, this will have doubled to 60%." There doesn't appear to be any

plans for this to happen on the Balmain Peninsula as the service has been reduced by Busplan.

Bus routes still follow the original tram tracks of mid-century. We are still waiting for mini buses to serve our narrow streets and to extend services to other destinations.

Until these problems are properly addressed Balmain will continue to be clogged by private motor traffic.

The cost will need to be investigated as well. Recently a couple and their 2 children travelled to Balmoral from Balmain by bus and ferry for a cost of \$30. A Metroten ticket could have saved a little but there were no nearby newsagents in which to buy one.

It is useful to know of the special tickets that offer savings. Metroten gives up to 45% discount on a single fare. A blue ticket costs \$6.40 and gives ten rides over two sections. A red one covers up to nine sections for \$12.60. Ferryten is available on the Ferries. A full day unlimited travel on buses can be bought for \$6.50 and Cityhopper is the same type for trains for \$2.10. Of course daily commuters are well aware of the Travelpass.

Send your comments to PO Box 1154 Burwood 2134. Tel 715 9333.



IN YOUR GARDEN

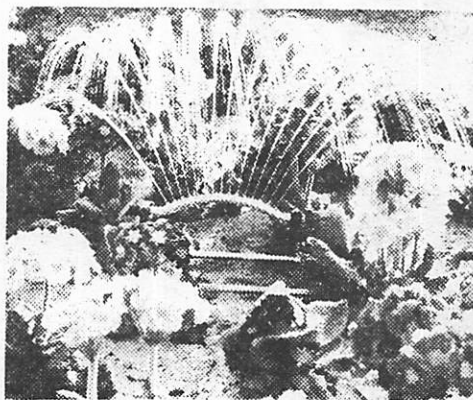
Time To Cool It

During the long hot days of summer, garden jobs are best done in the early morning or late evening. Watering is most effective in the early hours, and vigorous garden projects are best put off to the mellow days of autumn.

Mulching is the answer to summer survival for your garden. Just gather the leaves and twigs and pile them on the soil along with manure and compost. The vigorous growth will be your just reward.

But there are a few minor jobs to be done.

Pruning. Cut off larger "summer burst" of azaleas to keep them neat and shapely and to encourage better flowering. Watch for the tiny lace bug on the reverse of azalea leaves.



The best control is by spraying with Folimat, making sure you spray the under surface of the leaves.

Roses. Cutting blooms with long stems encourages growth and more flowers. Give them a light sprinkle of rose food — a matchbox-full is enough and should be applied to moist soil and then watered in. Watch for black spot on rose leaves. Treat with a spray containing Triforine fungus in the early evening after bee activity has ceased.

Hibiscus. Looking lovely in full flower, but watch out for tiny black beetles which damage the buds before they open. If damage is significant spray your hibiscus with Carbaryl.

Lawns. Should only be watered once or twice a week, but thoroughly.

Bonnie Davidson

Bagwell Family Reunion

Descendants of John Bagwell and Mary Jane Gould, married in Bourke, NSW in 1885, are invited to a get-together to be held at Elkington Park, Balmain from 10 am on 17th March, 1991.

Children: Ravinia Reece, Elizabeth Poole, Mary Mason, Thomas Bagwell, Phyllis Gough and Coral Brownlee.

B.Y.O. Picnic. Contact Lynne Bagwell 045 721758, Lot 5 Scotts Farm Road, Grose Wold 2753.

Final Third Runway Rally

The Anti Third Runway Total Coalition will hold a public meeting in the Opera House Main Hall on Sunday February 10th at 11am.

Band entertainment prior to prominent speakers.

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Just a reminder...

Membership renewals are due now. You may have been diverted by the festive season.

For a truly modest sum you get

- membership of the prestigious Balmain Association
- regular delivery of the News Sheet
- the warm inner glow that comes from knowing that your subscription contributes to the well-being of the community

Thank you for your support

OUR HOUSE WATCH

The Watch House is open every Saturday from 12 to 3pm • Call in for coffee

The Balmain Association meets on the first Wednesday of each month at 7.30pm in the Watch House, 179 Darling Street, Balmain.

Send mail c/o PO Box 57, BALMAIN. 2041

Our editorial phone is 818 4954

Interested artists, potters, sculptors etc. who would like to organise an exhibition in the Watch House are urged to contact Steve South on 810 1411. The Watch House can also be made available as a meeting place for local organisations.



the balmain association inc
representing
Balmain-Birchgrove & Rozelle

Our Aims Are To:

- improve the living, working and recreational amenities of our area
- maintain all features having natural architectural and/or historical value
- compile and record history of the area & keep a permanent collection of items of historical interest

MEMBERSHIP FORM

Return to: Treasurer, PO Box 57, BALMAIN 2041

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