

the balmain
association
incorporated
news sheet

The Peninsula OBSERVER

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November 1992

Balmain in Court

The Battle for Balmain has moved into another stage as we await the decision of the Supreme Court on Leichhardt Council's appeal. The Local Government Conference in Albury unanimously supported the appeal. The Mayor, Ald Larry Hand, has said that the Building Trades Group of Union had indicated they would assist. To raise funds for the appeal a "Battle for Balmain Ball" will be held at the Apia Club on Thursday, November 19. To illustrate the affects of high density housing the Council proposes to temporarily change the kerb alignment in Loyalty Square as proposed by the Chamber of Commerce. A marquee would be installed to advertise the campaign.

When Justice Pearlman handed down her decision in the Land & Environment court she stated, in her opinion, the Department of Planning did properly consult the councils when the Regional Environmental Plan was brought down. However, when Gabrielle Kibble head of the Department of Planning was being cross examined about a series of letters, whether she wrote them, why she didn't answer the responses, whether this was consultation of or informing councils, why she didn't advertise the SEPP, on and on it went and finally Council's QC Gary Downes asked her whether in her opinion the council had been adequately consulted she said no!

It was also interesting to note that the main justification used by the State for

implementing SEPP 32 is that there is existing public infrastructure in the locality. Council, for instance, demonstrated that the sewerage system regularly overflows and is clearly inadequate. As we all know the waste water from showers, dishwashers, washing machines etc is many times the quantities produced by our grandmothers when the inner city population peaked. Justice Pearlman, in her judgement, says such a construction requires the clause in the act to incorrectly read the word "existing" as "adequate". She said that renovating existing infrastructure to cope with multi-unit housing is less a burden on public resources than providing new infrastructure. Anybody with experience in engineering and building could tell the judge that this is not always true.

Clearly the need for urban consolidation comes from the desire to reduce the urban sprawl but the sprawl is driven by people looking for housing they can afford. The way to curtail this sprawl is to ensure there is an adequate supply of affordable housing in the inner city. As Ted Mack has been saying for some time, the most affordable housing is small houses on small lots. Building high rise or expensive houses on the waterfront does nothing to reduce the urban sprawl, it is a sham perpetrated by greedy developers and the Department of Planning.

Ald Nick Masterman

Local Govt Conference

The Governor opened the Conference in Albury with a plea for councils to focus their efforts on ensuring our kids inherit a better world and not to pretend management is leadership. Then followed 3 days of 25 guest speakers, 122 notices of motion, debate, resolutions and long evenings meeting other councillors from all over NSW.

Jeff Shaw, QC, MLC, Opposition Spokesman on Local Government and Balmain resident, conceded that planning was the province of local government promised full consultation on all matters when elected. Some silver tails presented a motion claiming the world recession was caused by penalty rates, leave loadings and rostered days off. Fortunately their motion was lost. Leichhardt Council received unanimous support for the appeal to the Supreme Court.

Ald Nick Masterman

Balmain 12ft Sailing Club

You are invited to help revive the Sailing Club at a meeting on 13 December at 10.30am at the Club Rooms, cnr Water & River Streets, Birchgrove. A sausage sizzle will be provided.

Programs to discuss are Learn to Sail, juniors and Twilight racing.

LEICHHARDT MUNICIPAL COUNCIL Presents

Assembly - Thursday, 19th November, 1992
Barracks - The Apia Club, Leichhardt, (Open Space Parking. Enter on Waterside)
Reveille - 7pm
Lights Out - 12 Midnight
The Band - The Echoes. (50's & 60's Rock & Roll)
Canteen - Liquid Refreshments on Sale

Rations - 3 Course Dinner
Penalty - \$40 a head
Uniform - Formal Black - with a dash of gold
The Cause - Proceeds to Council's Balmain Peninsula Supreme Court Appeal
Gratuity - Thank you for your support in this campaign
To Enlist - 816 4264 810 8785 (AH)

Tickets are available at:

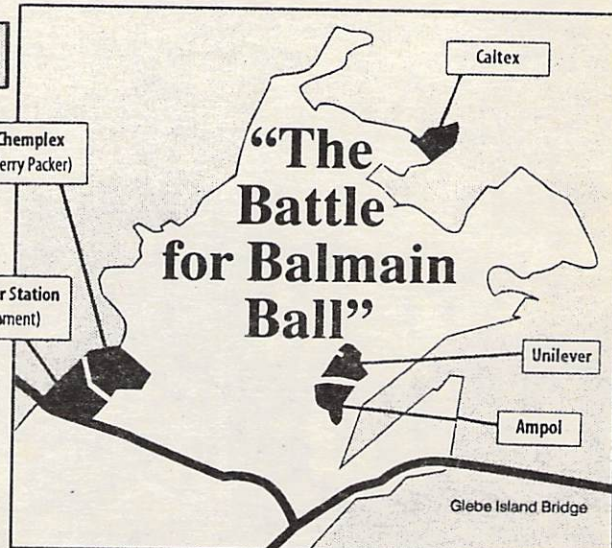
Balmain Library
370 Darling Street

Council's
Administrative Centre

A. W. Woodward
Town Clerk



Administrative Centre
7-15 Wetherill Street
Leichhardt NSW 2040



Sentencing of Criminals

For the past few months, we have been looking at the development of a professional police force in New South Wales as well as examining the attitudes to punishment which lay behind the system of prisons to which convicted criminals were sent. As noted in our first article on prisons, the majority of individuals arrested for crimes and misdemeanours would have been dealt with summarily by a magistrate, so this is our topic this month.

In the beginning of white settlement in New South Wales, the English system of using Justices of the Peace as magistrates was introduced. As viewers of English TV programs will be aware, JP's there still sit on benches and deal with court cases in English courthouses. As Hilary Golder points out, however, the demography, geography and economy of the new colony forced its governors to develop and rely on a system of paid police magistrates from 1825. These magistrates directed the local constabulary and heard the majority of the area's cases; although they lost executive control of their local police forces as early as 1862, they were still called police magistrates as late as 1947, the courts themselves were known as Police Courts as can be seen on the accompanying photograph of the Balmain Court.

The appointment of Justices of the Peace continued, however, and the relationship between the two types of magistrate was often far from cordial. Nor were unpaid magistrates, having been appointed by and large from the wealthier members of the colony, necessarily popular with the population as a whole. It was alleged that the justices were biased against working class defendants and their

poor attendance records were noted. This criticism intensified after the establishment of self-government in 1856, and the government responded by increasing the number of paid magistrates. It was with dismay that the members of the general public found that by and large the magistrates remained what Hilary Golder calls "unusually autonomous" government employees whose removal was very difficult indeed. Frequently they were the product of "lateral recruitment" by ministers who were free to appoint relatives, friends and political supporters in a manner which is not entirely unknown among political appointments today.

Some of these laterally recruited magistrates were, of course, perfectly competent and performed their duties well, but the system was a casualty of the Public Service Act of 1895 which created the Public Service Board aimed at ending politicians' control of government employment. Magistrates were specifically included in the new bureaucratic career service and both internal and external applicants were supposed to pass a qualifying examination. However, under the new legislation, no outsider could be appointed unless there were no suitable internal candidate, with obvious results.

Even before this Act, changes had taken place in the Sydney metropolitan area. In 1881 an unseemly brawl which developed between temperance and pro-publican justices gave Henry Parkes the opportunity to outlaw justices in the metropolitan police district. Instead he gave exclusive jurisdiction to a special bench of "skilled and trained" men with the new title Stipendiary Magistrate, and it was these magistrates who sat in the Balmain Police Court after it was completed in 1887.

As Peter Bridges notes in his "Court Houses of New South Wales", the first Police Court in Sydney stood on the site of the present Queen Victoria Building. Greenway had designed a small domed market house which, much to his chagrin, was altered during construction and became a Police Office containing a small court room.

In the 1880's, when the markets had become inadequate for the growing city, the Police Court was given a new building in Liverpool Street which came into use in 1892. The building in Albert Street, completed in 1856 near Circular Quay, was originally a Water Police Court.

In the early days of the colony, the courts of the central district served the inner city municipalities well enough, but after the gold rush the increasing population and the rise of a large suburban working class concentrated in a few well-defined areas led to the building of new court houses. The Balmain Police Court was established in 1883 and sittings took place in the town hall until the new post office/court house complex was completed. The court house continues in use; the most widely publicised of recent cases there was, of course, the case involving Jeff Fenech.

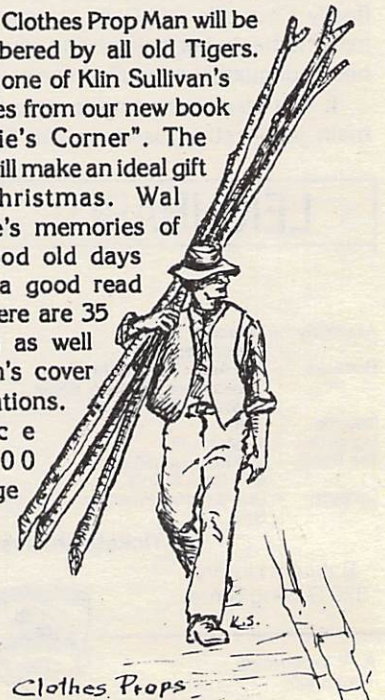
The increasing professionalism of the magistrates who have served in Balmain - and other - courts will be discussed in a subsequent article.

Debby Nicholls

Sources: Hilary Golder, "The Making of the Modern Magistracy", Journal of the RAHS December 1991 and "Historic Court Houses of New South Wales" by Peter Bridges.

Christmas Gift Suggestion

The Clothes Prop Man will be remembered by all old Tigers. This is one of Klin Sullivan's sketches from our new book "Gourlie's Corner". The book will make an ideal gift for Christmas. Wal Gourlie's memories of the good old days make a good read and there are 35 photos as well as Klin's cover illustrations.
Price \$10.00
postage \$1.50.



Benevolent Societies

The Independent Order of Odd Fellows is one of the oldest benevolent organisations in Australia. It was launched in Sydney in 1836 in the White Horse Inn by William Moffitt. In an era when social security did not exist and most people died during their working career — before the age of 60 — the aim of the Friendly Societies was to encourage the saving of a set sum — then 6d (5 cents) — so that the member when ill could receive free medical help and income while away from work. An Odd Fellow's widow could be assured that her husband would receive a dignified funeral without further charge.

William Moffitt was a bookbinder in Liverpool when he was sentenced to transportation to NSW for seven years for stealing a quantity of tea. In Sydney, his sentence over, he became a leading bookbinder, printer and stationer. He was one of the richest businessmen in Sydney when he decided to establish the IOOF. In the 1860s Victoria became the stronghold of the friendly society mostly in the gold towns where they were attractive to people who risked their health in the mines.

The Balmain United Friendly Societies Dispensary opened in 1885 with 9 lodges with approximately 1,000 members. By 1889 the number of lodges had expanded to 13 with membership of some 1,600 and a new dispensary building was required. The site chosen was 103 Beattie Street. Henry Parkes was invited to lay the foundation stone and the event was marked by a procession which included local dignitaries. The Dispensary not only provided medical attention but also cheap drugs. After the Lodge doctor attended the patient the prescription was presented. A clean bottle and a cork was required from the member. This was duly inspected by the chemist and the prescription was refused if the container was unclean. The Dispensary functioned until 1947. It is now a boarding house.

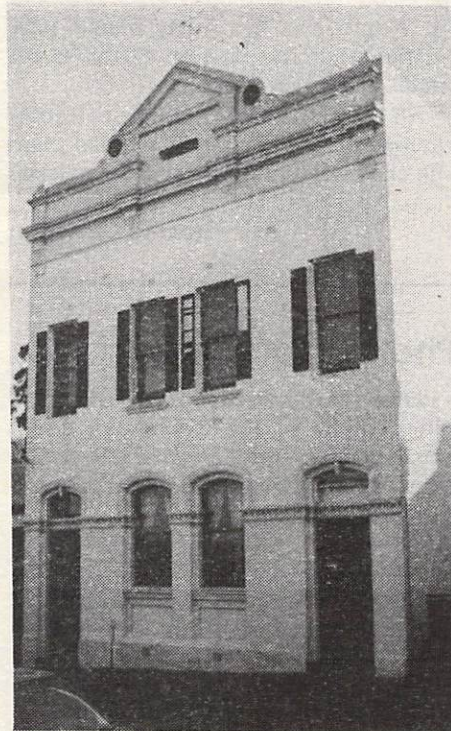
The prestige of the Friendly Societies in Balmain at that time can be judged by the nature of the social events. A band led a procession of 5,000 people to the United Dispensary annual picnic at Birkenhead in 1887. The financial strength of one lodge, the Protestant Alliance, was shown in 1889

by its acquisition of "the largest and handsomest banner" in Sydney at a cost of £100. Surprisingly, the IOOF was a pioneer of women's rights as from the 1890s women only could join the Rebekah Lodge. In the Bible it was Rebekah who kindly drew water from a well for a servant travelling with his camels.

One of the true identities of Balmain was Walter F Pineria who managed the Dispensary of the United Friendly Society for many years during the Great Depression and World War II. Mr Pineria then established his own chemist shop at 384 Darling Street. His association with the Balmain Hospital extended well before his appointment to the Board of Directors in 1960. His dedication to the principal of service above self was acknowledged in 1962 when he was appointed President of the Hospital Board, a position he held until his death in 1970. When the Hospital dispensary was opened in 1976, the Board named it the Walter Pineria Memorial Pharmacy.

Kath Hamey

Source: IOOF Update No 5. Balmain Class History, Lesley Lynch. Balmain Hospital Small Beginnings.



103 Beattie Street



Walter Pineria

Glebe Island Bridge —Sink or Swing

The National Trust has requested that the Heritage Council investigate the proposed demolition of the existing Glebe Island Bridge in the wake of continued statements from the RTA that it intends to demolish the historic structure, which is of great engineering significance.

The Glebe Island Bridge is listed on both the Register of the National Trust and the Register of the National Estate. It is also listed on the RTAs Section 170 Register as an item of heritage significance. The bridge is one of two surviving swing bridges in NSW, the other being the Pyrmont Bridge at Darling Harbour, both designed by Percy Allen, one of Australia's greatest bridge designers. It is believed that there are few surviving swing bridges in the world.

The Trust does not recognise that the existing bridge will not be necessary for vehicular traffic once the new Bridge is completed and calls for open discussion regarding alternative options for the conservation and use of the bridge. The bridge provides potential of connection of Pyrmont to Glebe Island and Balmain and may allow for the proposed light rail network to be extended. (From National Trust Quarterly October 1992)

POLICE GAZETTE

Police Blotter

Thursday 29 December 1859

Stolen or strayed sometime during the night of the 24th instant, from an enclosed paddock, adjoining the Balmain dry dock, two sheep the property of the P&O Company's ship "Columbian"; one of the sheep is an English bred [sic], and of a white colour, the other is an Eden ewe with

black head, tail and legs, coarse wool, white body, and two large lumps under side of neck; any persons bringing the same to the steamship Columbian will be rewarded.

Thursday 16 August 1860

Stolen, between 8 and 9pm of the 13th inst., from the house of Hector Lolen, Adolphus Street, Balmain, the following, the property of Charlotte Warren, the servant: a clothes box containing one white petticoat, one small money box, containing one sovereign, one work box (very

common) containing some fancy soap; the clothing box was found in a lane off Adolphus Street, by Mr Henry Bait, the lock was broke open and the above stolen therefrom. An old monkey jacket and waistcoat was found near the place where the box was discovered. Value £2

Monday 18 March 1861

Stolen, between the hours of 3.30 and 10pm, of the 14th inst., from Bleak House, Balmain, the property of Phillip Magrane, a silver plated candlestick value 12s.

In Your Garden

Australian Shrubs

Add life and colour to the garden. In an average sized garden you can enjoy quite a collection of small to medium native plants.

Natives are generally regarded as low maintenance plants and although many can survive long dry periods this doesn't mean that you can plant and forget them. Good drainage is essential for natives such as grevillea banksia.

At this time of the year the bottlebrush is out in all its glory. They are among the hardiest of plants because they can tolerate such a wide range of climate conditions and soil types. Sometimes confused with banksias, melaleucas and calothamnus because of similar staminate flowers, the flowers of the bottlebrush genus callistemon are, however, so called because of the resemblance to the well known kitchen bottle washer. It doesn't really matter what type of soil you have—boggy and badly drained, coarse sandy or heavy clay—the bottlebrush will thrive.

When planting, allow enough room for the size of the plant at maturity so that they are attractive from all sides. Soak the plant thoroughly before taking it from its container and add plant starter to the water. If the roots are tight loosen them to allow them to spread. Dig the hole at least twice



as wide and deep as the size of the plants container.

The one thing they do need is sunshine. They just will not grow in shade. The birds love them. The flowers vary in colour from reds and pinks to mauve and cream and vary in the length of the flower spike.

Some shrubs are tall and upright in their growth habits. Others are soft and weeping. Hannah Ray will grow to 4m with a pretty weeping growth and crimson brushes. Harkness is an exceptional bottlebrush with masses of large bright red flower spikes on a rounded bush which grows to 5m. Mauve Mist has pretty mauve pink brushes in summer on a large shrub about 3m tall and 3m in diameter.

All bottlebrush should be lightly trimmed after flowering. Don't feed them with chemical fertilisers just some chicken manure pellets will be enough.

Bonnie Davidson

Get The Point

In September the Ballast Point Park Committee inveiled an innovative concept in joint campaigning to achieve the Ballast Point Park for our suburb. Instead of suggesting a boycott of Caltex the recommendations were completely the opposite. The Committee suggests that a television and newspaper advertising campaign be created supporting Caltex and encouraging Sydney to buy their retail products. The theme of the advertising would be to inform Sydney that "Everytime you buy Caltex you're making a point - Ballast Point Bushland Reserve".

At present Caltex are looking at going beyond their core business of refining and retail sales and investing time, money and energy in property development. As we are all aware the property market is nowhere near as lucrative as it has been in the early to mid eighties. Together the community and Caltex could achieve a far more beneficial long term result for Sydney if the park were to be established and Caltex could make far more money by increased sales through a business that well and truly know and understand.

Photograph Request

Don Rocavert would like old photographs of the Birchgrove tennis courts and players for a permanent display in the meeting room. Can you help?

Contact him on 810 0110.

What's On

- **Exhibition at the Watch House**
Janet Scott – Nov 7-18
Nado Malat – Nov 21-22
Ann Carney — The Burlong Group – Nov 28 - Dec 6
Hyunmi Lee – Dec 12-20
- **Clontarf Cottage Craft Show**
Nov 28 10am - 4pm
Nov 29 10am - 3pm
- **Battle for Balmain Ball**
Nov 19 Apia Club

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Christmas Gifts

The Balmain Association has a number of books ideal for Christmas gifts.

Around Balmain \$7
Called to the Bar \$13
Gourlie's Corner \$10

Add \$2 postage

The Balmain Association Inc

PO Box 57 Balmain 2041.

Guessing Competition

Helen Bryde won the Klin Sullivan painting in the competition drawn at Back to Balmain Day at Elkington Park.

Craft Show at Clontarf

Awonderful variety of handcrafted goods individually made by 10 top craftspeople will be exhibited at Clontarf Cottage, Wallace Street, on Sat Nov 28 10am - 4pm, Sun Nov 29 10am - 3pm.

The show includes decoupage jewellery & boxes, heirloom sewing, antique jewellery & buttons, applique & patchwork, baby clothes, dried flowers, porcelain dolls, teddy bears, leadlight & stained glass, stationery, pots & preserves.

Come and enjoy a devonshire tea with a feast of Christmas shopping in one of Balmain's historic cottages. Contact Sheila Carter 555 1791.

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
- seek the cooperation of everyone concerned in the realisation of the above

The Watch House is open every
Saturday from 12 to 3pm

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

Mail c/o PO Box 57, BALMAIN. 2041.

Our editorial phone/fax 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.

Annual Subscriptions:

Household \$16, Pensioners & Students \$7, Organisation \$21.