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A Jubilee 150 project by the Department of Lands

A landscape photograph showing a field with trees and a body of water under a blue sky. The trees are in the foreground, and the water is in the middle ground. The sky is a deep blue with some white clouds. The overall scene is a rural landscape.

The Measure of the Land

*Subjects - 1945-1962
-1986*



W. Light



C. Sturt



R. R. Torrens



G. W. Goyder

THE
MEASURE
OF THE
LAND

Adelaide
Department of Lands
1986

Noted on Caplaw
 MS 22/11/49

HUNDRED OF COGLIN.

16

REFERENCE

Date Offered	Field Book No 1126. Pages 71 to 81.		Locality	Description
	No ^s of Sec ^s	Area		
		Section Road Total		
	112	324		
	115	236		
	116	159		
	117	200		
	145	281		
	146	382		
	117	35		
	148			
	149			
	150			
	151	208		
	152	179		
	153	177 1/2		
	154			
	157	383		

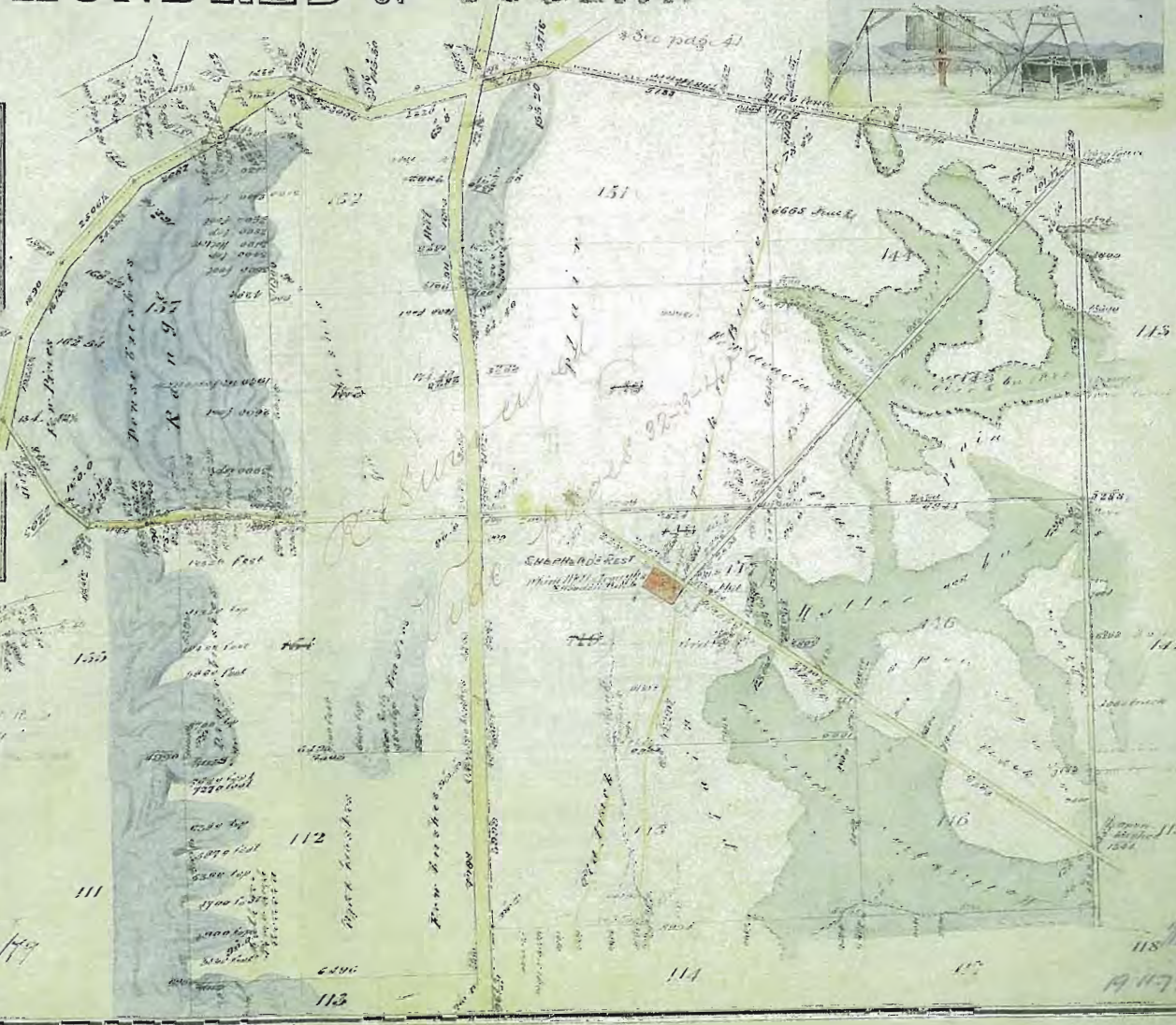
IMPROVEMENTS

Section	Description	Dimensions	£	s	d
117	Well	12.0 x 6.5	50	0	0
	Water Tank	12.0 x 6.5	15	8	6
147	Tree	18.0 x 7.5	7	0	0

I certify that I have personally examined the above sections and have found the same to be properly pegged and trenched and correctly numbered.

Hugh Rowan
 Surveyor 23/11/49

SCALE 1" = 40 CHAINS



A page from a "diagram book" about two thirds actual size. These were drawn by the surveyors from their field observations and sketches. Most of them include notes on the soil and vegetation. This one shows pen of the Hundred of Coglein, near Penrithrough, as surveyed into sections ready for sale or lease. The water-colour sketch in the top right hand corner shows the horse, well, trough and wooden tank at "Shepherd's Rest" in the middle of the map. The estimated value of these is shown in the "Improvements" table on the left of the page. Printed maps of hundreds were compiled, at a smaller scale, from data in these books.

PREFACE

In the rush of current affairs it is surprising to look back and see how many of the issues that interest us were topical for previous generations and how much of our thinking we owe to people who have gone before. Humans are late-comers to a landscape that has been evolving over millions of years but we have changed the landscape, deliberately and accidentally, for better and for worse. Most of the changes made in the last 150 years were controversial issues for our predecessors. The story of how they happened is largely the history of the Department of Lands.

This is an outward looking history, an account of the results of the Department's work. It is a story of surveyors, administrators, law makers and how they have affected people who work on the land and urban land owners. It tells of conflicts and steps taken to resolve them. It reflects changing attitudes to the land.

Some of the knowledge we have inherited was earned by hard and costly experience. We look at the mistakes of our forbears in the hope that our mistakes will be fewer and smaller. We take pride in their achievements and plan to build on them for the future.

The Department of Lands as it is now constituted serves four main functions: survey, sale or continuing conservation and administration of Crown land, registration of land titles and valuation of real estate. This history looks at them all as they developed side by side and then merged.

The Department has made significant innovations in the past. It is still an innovative Department and will continue to take a leading part in the democratic process of determining what we are going to do with this land.

I hope you will enjoy reading this little book and I invite you to think about the issues raised in it.

R. K. Abbott
Minister of Lands



ACKNOWLEDGEMENTS

The photographs of Fisher, Hübbe, Andrews, Sturt, the artesian bore and the scrub roller are reproduced by courtesy of the Libraries Board of South Australia, the portrait of Reiners by courtesy of Dr John Reiners, the portrait of Jessup by courtesy of Mrs Audrey Rowe and the satellite photograph by courtesy of the Australian Landsat Station, Division of National Mapping, Department of Resources and Energy. The photograph of Mr Petherick was lent by him. The other illustrations are in the possession of the Department of Lands.

MEMBERS OF THE HISTORY COMMITTEE

Mr D. J. Alexander (Chairman) Ms D. Flynn (Operations Services) Messrs J. J. Kean (Survey) L. A. Brugioni (Land Operations) G. J. Kingham (Valuation) D. M. Williams (Registration) F. J. Vickery (Pastoral Board) W. R. Marchant (retired) J. H. Love (historian) Mrs E. J. Campbell (Secretary)

INTRODUCTION

This short history is intended to record the important occurrences during the 150 years that the Department of Lands, in its various forms, has served South Australia. In recording this, certain staff are named who played key roles at various times over this period. However, it must never be forgotten that their achievements were made possible by the loyal and able assistance of many more staff, whose memorial is their service to the people of South Australia.

The Department has been required by Government to undertake many diverse activities over the years and to divest itself of others, giving rise to the formation of several new departments. These are recorded in the history. The Department is embarking on its next phase of service with activities again changing and evolving.

Emphasis is being placed on land conservation and management with new staff skills being deployed in the form of land scientists.

The State's land information system is being developed based on the Land Ownership and Tenure System which won an international award in the U.S.A. and the evolving digital cadastral data base being developed in the Survey Division. The land information system will prove to be one of the most powerful data bases developed in Government.

The Department is a leader in the application of complex technology in its surveying activities, land information systems and management information. A major evolving aspect of land information will be land resource management data which will assist all land management departments and provide the Government with important information on the status of land resources in South Australia.

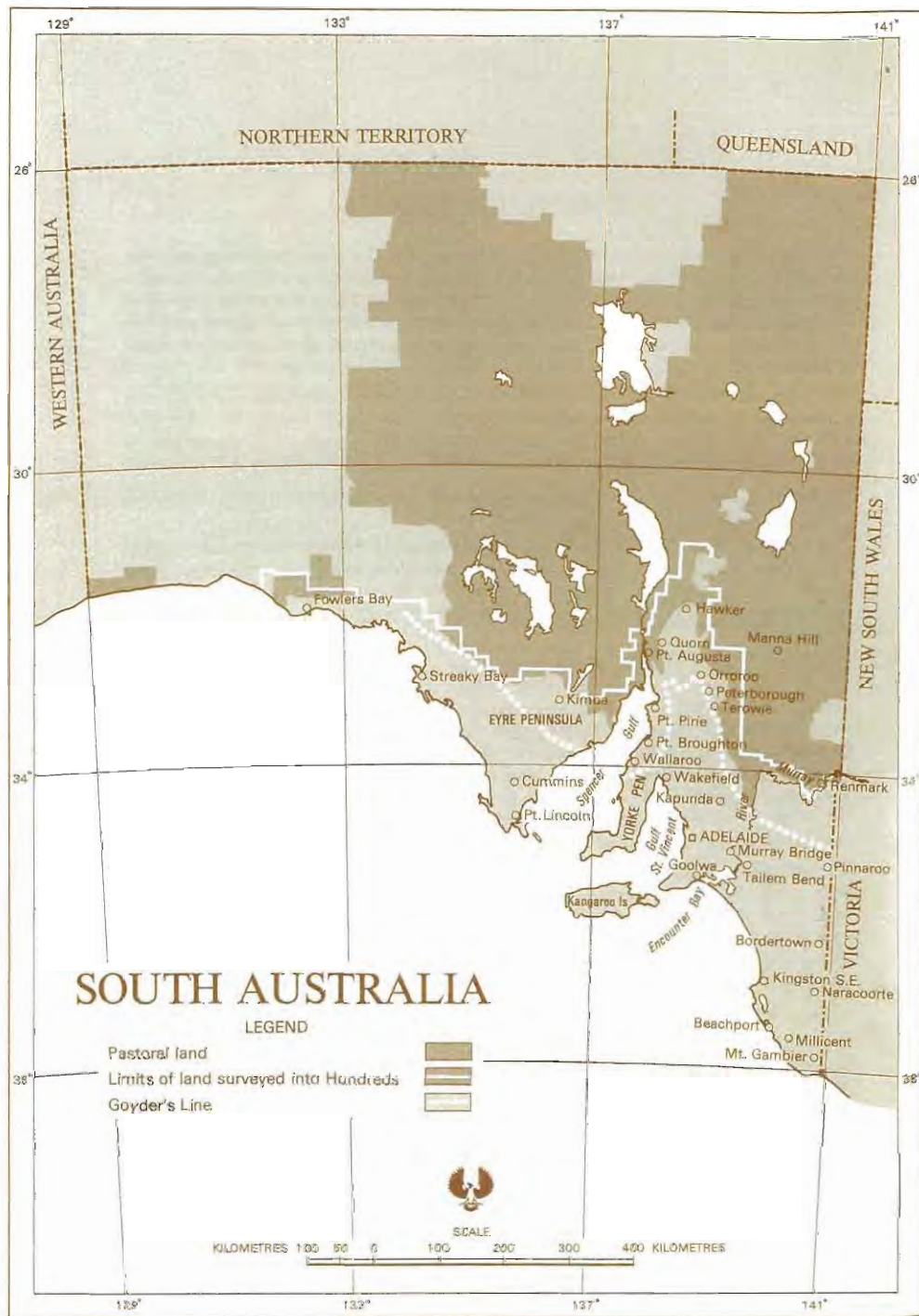
The staff of the Department can face the future with every confidence in the importance of their work in continuing to serve the people of South Australia. An important aspect of facing the future is a realization and understanding of the past.

This is one purpose of this history.

Thanks are due to the Departmental History Committee and particularly to Mr. John Love who carried out the necessary research and writing.

D. J. Alexander
Director of Lands





BEGINNINGS 1830 to 1855

Planning

Enthusiastic men in early 19th century England wanted to begin a new British colony free of the mistakes of previous colonies. In the minds of these reformers, revulsion against poverty, political conservatism and religious intolerance at home mingled with the prospect of fortunes to be made in far away lands, where people might preserve and improve on what they thought was best in their British heritage. A National Colonization Society was formed in 1830 but disbanded when its proposal was rejected by the British Government. Other proposals followed and were also rejected because they would have given too much power to the administrators of the colony. A South Australian Association was formed in 1833 and after some negotiation the Secretary of State for Colonies approved a scheme for a Crown colony with a difference.

The South Australian coast had been examined in a general way in 1802 by the French expedition under Nicolas Baudin and the English expedition under Matthew Flinders. Interest in South Australia was stimulated by the reports of explorations in the early 1830s by Charles Sturt, Collier Barker and John Jones, who had all noted the fertility of the country between St. Vincent Gulf and the River Murray. Meanwhile Edward Gibbon Wakefield, while serving a prison sentence in England for eloping with a fifteen year old girl, had begun writing essays on colonization. These were published as *A letter from Sydney*. Wakefield crystallized the ideas of some of his contemporaries and became a principal theorist in the South Australia proposal. He withdrew from it after the more pragmatic advocates of the new colony had modified some of his principles, but his influence was acknowledged by the early colonists and his name has been given to more than one place in South Australia.

The principles on which the new colony was to be founded all turned on the question of land administration. All the land was considered the property of the Crown. It was not to be given away, but surveyed and sold systematically at a minimum price intended to discourage speculation and encourage people with some capital to make South Australia their new home. Unsold Crown land would be leased for pastoral use on payment of the prescribed rental. Proceeds of land sales were to be used to pay the passage of labourers and artisans who could not otherwise migrate. There were to be no transported convicts and therefore no forced or unpaid labour. The population should be concentrated in a self-contained community to avoid the uncivilizing effects and the dissipation of resources that would result from uncontrolled scattering.



J. H. Fisher

These principles were embodied in *An Act to empower His Majesty to erect South Australia into a British province or provinces and to provide for the colonization and government thereof* assented to on 15 August 1834. The Act provided for a board of Colonization Commissioners to control the survey, sale and lease of land and the migration scheme. The Commissioners appointed James Hurtle Fisher as Resident Commissioner in the colony to be responsible for the sale of Crown land and William Light as Surveyor-General. The Government retained legislative control through the Governor, John Hindmarsh. This vague division of authority later led to trouble.

Among the provisions to ensure that the new venture would not become a financial burden on the Government, it was stipulated that land to the value of £35 000 must be sold before settlement could begin. The Commissioners sold "preliminary land orders" each entitling the buyer to one town acre and one section of country land. The holders of these preliminary orders could take first choice of the land when it had been surveyed and present their orders to the Resident Commissioner in the Land Office, to receive their title deeds or "land grants", as they are called.

Sales and survey

Sales did not go very well until the price of country land was reduced. Then George Fife Angas, Henry Kingscote and Thomas Smith who established the South Australian Company bought enough land orders to make up the balance of the £35 000. Acting more quickly than the Colonization Commissioners this company began sending ships to Kangaroo Island before the survey party was ready.

Colonel Light and his survey party, in two small vessels, arrived in August and September 1836. Light had been instructed to examine Nepean Bay, Port Lincoln and the coast from Encounter Bay to the head of Saint Vincent Gulf, choose a site for the capital, lay it out in one acre blocks, with necessary streets and public places, and survey the surrounding land into country sections firstly for selection by the holders of preliminary land orders and then for general sale. He was given sole responsibility for the choice of the city site, although he was to ask the Governor's opinion before making up his mind. By mid-December he had decided that Kangaroo Island and Port Lincoln were inadequately watered and Encounter Bay was too exposed. He was delighted with the harbor discovered by Barker (now Port Adelaide) but for the city he chose a site about 10 kilometres away because the land in between was subject to flooding. The survey of Adelaide began on 11 January 1837 and was completed on 10 March.

Conflict

But already trouble was beginning. Hindmarsh, a navy man, considered that the city site was too far from the sea, and even tried to have it moved to Encounter Bay. Meanwhile migrant labourers were arriving with nothing but clothes, bedding and a few domestic utensils, and some of the survey carts and tents were used to transport and shelter them. Light blamed some of these unemployed migrants for inducing his labourers to go on strike. Although he probably did not know it at

the time, Light was slowly dying of tuberculosis. For all of these reasons the survey of the country sections went too slowly for impatient potential land owners. The Colonization Commissioners and Light himself had grossly underestimated the difficulty of making a detailed cadastral survey in unknown country.

Light sent his deputy, George Strickland Kingston, to London to ask for more money and equipment. He returned with both, but also with instructions to Light to do a "running survey" which would be less accurate but quicker than the trigonometrical survey which Light had been doing. If Light declined to do this, he was to be suspended on full pay and employed in surveying secondary towns, while Kingston was to become Surveyor-General. Light indignantly resigned in June 1838. Nine of the thirteen surveyors and draftsmen sided with Light - or against Kingston - and they too resigned.

Meanwhile, Hindmarsh and Fisher were at loggerheads, issuing contradictory public notices. Both were removed from office in 1838 and the positions of Governor and Resident Commissioner were combined in the person of George Gawler. He arrived in Adelaide to find the Survey Department in disarray, a large number of labourers without work and men with money speculating wildly in land and land orders instead of making the land productive. He persuaded Charles Sturt to act as Surveyor-General and appointed some new surveyors.

In September 1839 Edward Charles Frome, a Captain in the Royal Engineers, arrived from London as the new Surveyor-General and Colonial Engineer. He brought with him a staff of sixteen Royal Sappers and Miners - who could not leave their work without the risk of court martial! Gawler placed his own appointees under Frome, and Sturt became Assistant Commissioner, taking charge of the Land Office. In 1840 the men, including labourers, engaged on survey, roads and bridges comprised about 40% of all government employees in the colony. The delay in the survey was overcome, but it contributed to a worse crisis.



E. C. Frome

While Britain and the other Australian colonies were in a period of financial depression, the Colonization Commission in London went bankrupt. Government land sales dwindled and migration stopped. The Imperial Government paid the debts, abolished the Commission and placed South Australia under the direct control of the Colonial Office. The principle that the new province should be self-supporting from the beginning had failed. Gawler received most of the blame and was succeeded by George Grey in May 1841. Grey reduced the Public Service generally and placed the Land Office under the Surveyor-General to form the Survey and Land Department.

Registration of deeds

But a small new department of the Public Service grew. The Registration of Deeds Act was passed in 1841, giving statutory confirmation to an office that had been created in 1840. Its intention was "to prevent secret and fraudulent conveyances (of land) and to provide means whereby the title to real property may be more certainly known", and it made registration of "deeds, wills, judgements, conveyances and other instruments" compulsory. Sturt was appointed Registrar-General under

the Act and held this position until he became Colonial Secretary in 1851. When he retired on a pension in January 1852 Boyle Travers Finniss, who had followed Sturt as Registrar-General and Treasurer, became Colonial Secretary and Robert Richard Torrens who had been Collector of Customs, became Registrar-General and Treasurer.

Licences and leases



C. Bonney

November 1842 saw the passing of *An Act for protecting the waste Lands of the Crown in South Australia from encroachment, intrusion and trespass*. Up to that time, the Government was too preoccupied with the country survey to enforce the regulations for controlling the use of unsold Crown land. Free squatting by the pastoralists had been tolerated. Under this Act, Charles Bonney was appointed Commissioner of Crown Lands. His duties were to define the boundaries of runs by erecting landmarks, settle disputes between pastoralists, issue pastoral and timber licences for which fees were charged, levy assessments on stock (one penny per head of sheep and six pence per head of cattle) and prevent the unauthorised occupation of Crown land. He was gradually given a small staff of Crown lands rangers and others.

New land regulations in 1850 provided for pastoral leases up to 14 years instead of the annual occupation licences. This gave much better security for pastoralists, some of whom had built up large runs in the 1840s. Lease No. 1 was for about 59 square miles (about 153 square kilometres) in what is now the Hundred of Alma, about 80 kilometres north of Adelaide.

Prosperity

Following the discovery of copper at Kapunda, a "Mine Surveyor" was added to Bonney's staff in 1847. Copper exports and good wheat harvests ensured the emergence of South Australia from its financial mess into prosperity.

The gold rush in Victoria increased the demand for South Australian meat and wheat but at first it caused a monetary crisis in Adelaide, as men swarmed off to the diggings, taking their cash with them. The South Australian Government's answer was to offer a higher price for gold than that prevailing in Melbourne, to provide a gold escort to Adelaide in competition with the Victorian Government's gold escort to Melbourne, and to make a safe route through the unoccupied mallee country to Victoria. John McLaren, Deputy Surveyor-General, was sent to survey a road and sink wells at ten mile (16 km) intervals. McLaren's route, most of which had been pioneered by squatters in the lower South-East, ran from Wellington south-easterly, about 15 to 20 kilometres west of the present highway to the vicinity of Mount Monster, then curved east through what is now Bordertown, and continued some kilometres into Victoria. This was the route followed by the Police Commissioner, Alexander Tolmer, with the gold escort. Tolmer wrote a book about himself and is fairly well known. McLaren was commended by the Governor and everyone forgot about him.

The colonial border dispute

Increasing pastoral settlement in the lower South-East and the Western District of Victoria made it necessary to mark on the ground the colonial border which was defined as 141° east longitude. Working under difficulties, with comparatively crude instruments, the surveyors laid out an inaccurate line with many bends, three to three and a half kilometres west of where it should have been. After the border between South Australia and New South Wales had been more accurately fixed in the 1860s, South Australia began a dispute with Victoria to recover the narrow strip of land between the surveyed line and the 141st meridian. This dragged on until it was settled in favour of Victoria by a decision of the Privy Council in 1914. Other state borders have been determined amicably. An agreement with the Commonwealth Government in 1968 carefully points out that the boundary with the Northern Territory will be the line as surveyed and marked on the ground, regardless of any later developments in fixing more accurately the position of the 26th degree of latitude!



Survey ground mark,
Northern Territory border

Aborigines and the Department

The idealists who planned South Australia intended that Christian civilization would benefit black as well as white people in the colony. Light was instructed to avoid collision with the natives, to regard wild animals as their property, and to buy from them any animals needed for food. Gawler, in his capacity as Resident Commissioner, was authorized to make bargains or treaties with the natives for transfer of land, and required to furnish the Protector of Aborigines with evidence of their fulfilment. "You will take care that the Aborigines are not disturbed in the enjoyment of the land over which they may possess proprietary rights, and of which they are not disposed to make a voluntary transfer."

Thus to claim the whole of South Australia as Crown land implied that the Crown would protect the proprietary rights of aborigines and white settlers alike, but the white settlers found nothing in the culture of these nomads that they could recognise as land ownership. It was many years before whites began to understand the aboriginal system of corporate ownership. Meanwhile the people who had migrated to this country many centuries earlier were dispossessed.

Even if all the colonists had had the best will in the world, their need to clear native vegetation and grow crops was incompatible with the need of the aborigines for hunting grounds. The coming of Europeans to Australia was as inevitable as the successive waves of migration into the British Isles in earlier centuries. The inevitable conflicts and tragedies that followed are not part of the history of the Department of Lands, but land administration was involved to the extent that some areas were set aside as aboriginal reserves, and for a while part of the proceeds of land sales were used to supply the aborigines with food and clothing.

EXPANSION AND EXPERIMENT 1856 to 1879

Responsible government



A. H. Freeling

When South Australia was granted responsible government in 1856, Bonney, under the title of Commissioner of Crown Lands and Immigration, became the first Minister responsible for the Survey and Crown Lands Department. Arthur Henry Freeling, who had succeeded Frome, continued as Surveyor-General. His department consisted of the Survey and Land Branch, including surveyors and the Land Office, and the Waste Lands Branch including Crown lands rangers and the keeper of the Government Farm (now Belair Recreation Park). Bonney's portfolio also included departments connected with immigration, the aborigines and inspectors of sheep.

One of the early acts of the new Parliament was the Waste Lands Act of 1857, which set out conditions for sale of Crown land. It also cut the tie between the land fund and immigration. An amendment in 1862 provided that one third of the proceeds of land sales was to form an Immigration Fund. Use of the land fund for various purposes was already long established practice and the emphasis on immigration varied from time to time throughout the 19th century.

The Torrens system

One of the most momentous acts of any South Australian Parliament was the Real Property Act. Robert Richard Torrens, whose father Colonel Robert Torrens, had been Chairman of the Colonization Commissioners, became Collector of Customs in Adelaide in 1840, then Colonial Treasurer and Registrar-General in 1852. Like Bonney, he became the first Minister for his department in 1856. Although Treasurer when he introduced his bill, he got it through Parliament as a private member. The Act came into force in July 1858 and Torrens resigned from Parliament to implement it as full time Registrar-General. Many amendments passed later in 1858, and whole new Acts in 1860 and 1861, polished, but did not significantly change the thrust of the original.

Torrens had campaigned for election on a promise to reform the laws relating to conveyancing of land. Under the old system, a person's title to land depended on a complete chain of documents recording each owner back to the original land grant from the Crown. Each time property was sold the buyer's lawyer would have to examine the whole chain to see that it was sound and a carefully worded deed of sale would have to be drawn up to add to the chain. A flaw in a document, or a fraudulent document accepted as genuine, could enable someone else to challenge the owner's title and it was not unknown for a person to be ousted from his property after buying it in good faith.

The inspiration for the new system came from the knowledge Torrens had acquired of the simpler laws relating to ownership of ships. He was helped by friends, notably Ulrich Hübbe, a Doctor of Law from Kiel University, who explained the land title system that had been operating in parts of Germany for six hundred years, and had a hand in drafting the bill.



U. Hübbe

Under the Torrens system the Government issues a certificate of title for each parcel of land and guarantees its validity. The original certificate is held by the Registrar-General and a duplicate is given to the owner. Subsequent dealings, such as mortgages or sales, are recorded in standard form on the certificate. If a parcel of land is divided and sold in separate lots, a new certificate is issued for each lot. Previous dealings are not recorded on the new certificate. A single document proves title to land.

All land sold by the Crown after 1 July 1858 was subject to the Act and people with titles under the old system could convert them to the new if they wanted to. Bitter opposition from the legal profession was side-stepped by the introduction in 1860 of a class of business people called land brokers, who, after passing a suitable examination, are licensed to practice under the Real Property Act in competition with lawyers. This idea was probably suggested by Hübbe.

By 1874 the Torrens system had been adopted by all the Australian colonies and New Zealand. The legal fraternity in those places must have accepted it more readily, as the system of licensing land brokers is unique to South Australia. Torrens retired to England, was knighted in 1872 and died in 1884.

Goyder

While Torrens was fighting his battle, George Woodroffe Goyder was rising through the ranks of the Survey and Land Department. Beginning as a draftsman in 1851, he became Chief Clerk in the Land Office in 1853, Second Assistant to the Surveyor-General in 1854, First Assistant in 1855 and Deputy Surveyor-General in 1858. After about 15 months of trigonometrical surveying in the far north, he followed Freeling as Surveyor-General on 19 January 1861. He held that position till 1893, through some of the most formative years in the development of the State's land administration.

Patterns on the land

By 1856 South Australia had entered a period of agricultural expansion that continued for more than 20 years, and was already Australia's principal producer of wheat, most of it grown by small farmers working their own freehold blocks. There had been some experimenting with cadastral units and patterns of survey. The first units of land ownership were town acres and country sections, the standard size of the latter being 80 acres (one eighth of a square mile or 32.4 hectares).

The first counties were proclaimed in 1842. Unlike English counties they had nothing to do with local government but were for general administrative purposes including the registration of births, deaths and marriages. They later became units

within which further cadastral survey was normally confined. Today they include all the closer settled areas and some land on the fringes that has never been sold or farmed.

The first hundreds were proclaimed in 1846. While the original meaning of the word is a matter of historical argument, Bonney intended that a hundred should consist of "one hundred square miles, one-third more or one-third less". Each hundred was given a name and divided into numbered sections. A description such as "section number 10 in the Hundred of Talunga" is still normally used in documents recording ownership or lease of country land. By about 1860 it had become the general practice to sell land only within hundreds and thus they became an instrument for regulating the spread of agriculture. As a farm of 80 acres was found to be too small, the size of sections and, to some extent, hundreds gradually increased. This became more marked as agriculture spread into the poorer mallee country.

The early county and hundred boundaries tended to follow creeks and watersheds but on level country the dominant pattern, begun by Light on the Adelaide Plains, was a grid running north-south and east-west with diagonal roads linking the towns. The grid pattern was extended into hilly country with some absurd results. In the Mount Lofty Ranges it is still possible to see fenced lines of unmade roads plunging into steep gullies and climbing over rocky outcrops. To stop this folly, Goyder threatened to dismiss any surveyor laying out an impracticable road.

The grid pattern recurs in the cattle country of the outback. From E. C. Frome in the 1840s to John Carruthers in the 1890s, Departmental surveyors extended the basic trigonometrical surveys north, east and west into the remote areas. While the Department had little to do with the famous exploring expeditions, these men systematically explored and mapped huge tracts of pastoral land. Their trig points provided land marks by which station boundaries could be defined - although in unfenced country the boundaries were more obvious on the map than on the ground!

Apart from Adelaide, the earliest towns were private speculations, but in 1846 the government began surveying country towns. In the 1860s it became common to lay out at least one town in each hundred, leaving little scope for private towns. Light's plan of Adelaide had some effect on these early towns, private and government. Goyder drew a sketch plan of an imaginary hundred including a town centre, park lands and surrounding suburban land. This became the model for surveyors for the rest of the 19th century and little copies of Adelaide were strewn all over the agricultural areas.

The early surveyors have influenced our movements in ways that we take for granted. This is perhaps most obvious in the design of the city and older suburbs of Adelaide but it is recognizable in many country towns, directions of roads, patterns of land use and even the shapes of individual paddocks.

Northern Territory

South Australians knew little more about the Northern Territory in 1863 than they had known about South Australia in 1836. The coast had been charted in a general way by Flinders and others and parts of the interior had been traversed, most notably by John McDouall Stuart. Three small settlements, established from Sydney, had been abandoned.

In a wave of optimism the South Australian Government secured the annexation of the Territory in 1863 and tried to apply much of the old theory of colonization including sale of preliminary land orders and survey of towns and country sections. A survey expedition led by B. T. Finniss in 1864-1866 collapsed in a cloud of recriminations, to the embarrassment of the Government which was under pressure to make land available for selection or refund the money to the preliminary purchasers. Goyder was sent in charge of another expedition at the end of 1868. He arrived at Port Darwin in the middle of the wet season but still managed to survey Palmerston (now Darwin) three smaller towns and more than half a million acres (about 200 000 ha) of country land, with necessary reserves and roads, in nine months.

But the Northern Territory did not prosper. There were some attempts at tropical agriculture and a few gold rushes. The most consistent industries were cattle on very big pastoral leases and pearl shell. Yet out of the muddle came one of the great engineering achievements of the 19th century. Completion of the Overland Telegraph Line in 1872 under the direction of the Postmaster-General, Charles Todd, reduced communication between Europe and Australia from weeks to hours.

Goyder's Line

In addition to his survey duties, Goyder was "Valuator of Runs". In this capacity he travelled extensively through the pastoral country of South Australia in the early 1860s assessing the carrying capacity of the land and the rent payable by the lessees. He set it much higher than it had been. There were loud protests from the pastoralists but Goyder defended his assessments. Then in 1864-1866 drought hit the north. Parliament decided that the pastoralists must get some relief from their financial burden. Goyder went north again to determine the southern limit of the drought-stricken area. He showed this by a line on a map accompanying his report to Parliament. Although it was only intended as a means of arranging temporary drought relief, Goyder's Line soon came to be regarded as the limit beyond which agriculture should not be attempted. It is still shown on some maps, particularly those depicting land use.

The Department as landlord

By the mid 1860s well watered and easily used land within 150 kilometres of Adelaide was already owned by farmers or graziers, but there were several areas covered by dense mallee scrub. To encourage settlement on them, Parliament passed the Scrub Lands Act 1866. Instead of selling by auction or tender, blocks of up to one square mile in certain defined areas were offered on 21 year lease. The leases were put up to auction, the highest bid becoming the annual rental. The lessee then had the right to buy the land at the statutory minimum price of one pound per acre. The lessee was required to clear one twentieth of the land each year for 20 years or until all the arable land had been cleared. Breach of terms would lead to forfeiture of the lease.

This Act was not very successful because of the difficulty of hand clearing the mallee, but it introduced a major change in the relationship between Government and farmer. While annual licences to cultivate land within hundreds had been issued before, the idea of a long term landlord and tenant arrangement was new. So was long term control of the use made of the land, and purchase by deferred payment.

The so-called "Strangways Act" of 1869, named after Henry Bull Templar Strangways, Commissioner of Crown Lands and Immigration at the time, applied the system of credit purchase (20% deposit and the balance at the end of four years) to defined "agricultural areas" beyond the bounds of existing freehold land. Among additional controls, it was stipulated that no-one could hold more than one square mile on credit at one time, that a man could not hold a credit agreement in the name of his wife or family or on behalf of anyone else and that a credit agreement could only be transferred to someone else in case of death or insolvency.

These two Acts were intended to increase rural population and prevent pastoralists from buying the land and using it for grazing as had already happened to a large extent in the central hill country north of the Barossa Valley and in the South-East. They led to the appointment of Charles Bonney (no longer a member of Parliament) as "Inspector and Valuator of Lands purchased on Credit" in January 1871. He was the first (and probably the best paid) of the large and unsung company of "inspectors" who, over the next century or so, were the field contacts between the Department and its tenants.

South-Eastern drainage

Two of the "agricultural areas" of the Strangways Act were near Millicent and Naracoorte. The land was typical of the Lower South-East - low sandy ranges trending north-northwest separated by flats that were flooded every winter.



Winter, north of Millicent, c. 1946

Resourceful and inventive though the South Australian farmers were, their ingenuity did not extend to farming under water. Some drains had been cut west of Millicent as early as 1864. Goyder, who had valued the pastoral stations, could see the potential for more intensive land use and had put forward a bold proposal to cut at right angles through the ranges and run the water straight out to sea. But not a great deal had been done. By declaring these agricultural areas under the Act, the Government more or less committed itself to further drainage work. This commitment found statutory expression in the South-Eastern Drainage Act 1875. It provided for Drainage Boards to maintain drains and to make new ones with the approval of the responsible Minister. They were to assess property and levy rates to pay for the work. The Minister was empowered to construct drains that were not committed



Drained land near Millicent, c. 1946

to Drainage Boards. Responsibility for drainage was transferred from the Surveyor-General to the Engineer-in-Chief, but it came under the former again from 1881 to 1893.

Other administrative developments

The 1870s saw some administrative developments that were not directly related at the time but are relevant to the history of the Department of Lands. In 1873 the first "Valuator" was appointed in the Waterworks Department. William Tomsey Cooper, who had joined the public service in 1860, was promoted from the position of "Collector" and his salary raised from £180 to £240. This Department was later called the Hydraulic Engineer's Department. For about 30 years Cooper held the position that later developed into the Valuation Unit in the Engineering and Water Supply Department.

Goyder's interest in forestry prompted the formation in 1875 of the Forest Board with himself as Chairman. John Ednie Brown, whose handsomely illustrated *Forest Flora of South Australia* is one of the classic works on the subject, was appointed Conservator of Forests in 1878. He became head of the Woods and Forests Department, which replaced the Forest Board in 1882. Responsibility for forestry was transferred from the Commissioner of Crown Lands to another minister in 1917.

Beyond Goyder's Line

The pace of agricultural expansion quickened through the 1870s. The principles introduced in the Scrub Lands Act and the Strangways Act were applied, by a revision of the law in 1872, to all land south of Goyder's Line. Invention of the stump jump plough and use of the scrub roller made cultivation of mallee country, particularly on Yorke Peninsula, practicable. Stimulated by good seasons the farmers' demand for land became insatiable. Abandoning caution, the Government then extended the agricultural zone well beyond Goyder's Line. In a decade, the total area of land surveyed into hundreds in South Australia was nearly doubled. The Government went so far as to set up an experimental farm under the Commissioner of Crown Lands, at Manna Hill, 120 kilometres north-east of Peterborough, to

test the capabilities of the country. It was a well run, if over hopeful, experiment which demonstrated that, while the soil was good, the rainfall was too irregular for agriculture.

Seeds of ideas

During their first 45 years the colonists, in seeking answers to immediate problems, planted seeds of ideas that are still growing or influencing us today. The original principle of systematic survey and sale of land was maintained and the principle of concentration was generally adhered to. New hundreds were proclaimed on the boundaries of existing ones, working out from Adelaide to the North Flinders Ranges, east to the River Murray and down to the foot of Yorke Peninsula, although the pattern did not work out so neatly in the South-East and Eyre Peninsula.

Assisted immigration, one of the fundamentals of the Wakefield scheme, continued off and on through the 19th century (although not entirely in the way that Wakefield intended) and was taken up by the Commonwealth, reaching a climax after the second world war.

Our present system of dealing with pastoral leases may be said to date from 1850. People with sufficient capital could take pastoral leases wherever they chose beyond the agricultural areas with reasonable security of tenure. The whole system of leasing was centrally administered by the Survey and Crown Lands Department. As more land was wanted for farming, leases were systematically resumed by the Government and the lessees paid compensation. Graziers did not like having their runs cut up into farms, but at least a man knew that either he had a pastoral lease or he did not. He was not plagued by "selectors" claiming farms around his best waterholes and leaving the rest. Some graziers were able to bid higher than farmers and so gain freehold title to land that they had formerly leased. This was countered by sales on credit which carried conditions as to cultivation and residence on the property. Some pastoralists beat the system by "dummying" - arranging for someone else to buy the land on credit and then sell it to the pastoralist after completing the purchase. The attempt to control the use of land by selling it to a limited clientele was an extension of government control beyond the intentions of the original planners of South Australia, although a growing agricultural community was in keeping with the original concept. Long term leases for agricultural purposes, with the Government as landlord, made even closer supervision possible.

The Torrens system of land title registration, now accepted by nearly every South Australian, was a radical departure from traditional law instituted in the face of determined hostility. Incidentally, it and central registration of other kinds of deeds have concentrated a large body of the State's most important documents in a single organisation. The Torrens system has been adopted by about 60 governments overseas, including parts of the United States and Canada and some countries in the Pacific and South-East Asia.

Provision for locally elected drainage boards in the South-East marked the beginning of a long search for balance between central and local responsibility for drainage work. The political question of balance and the more technical problems of water management are still very live issues.

Town planning and surveying were practised to some extent by ancient civilizations and the grid pattern may be seen in the excavated ruins of Pompeii. But few societies can have been so strongly influenced by a single surveyor as we have by William Light. Whether that influence was all for the better is still open to debate.

DROUGHT AND CONSOLIDATION 1880 to 1899

Drought

A run of exceptionally good seasons was followed by drought in 1880-1883. Many of the farmers in the north were unable to meet their commitments. The Government was obliged to allow them to surrender their holdings and select land in other areas, or convert their credit purchase agreements to leases. The latter were for 21 years with right of renewal for a further 21 years but without right of purchase. Some of the farms were abandoned, and the land, stripped of its native vegetation, was left useless for grazing. A century later, some of it has not fully recovered.

The uncertainty of surface water supplies led to the appointment of James William Jones, formerly Deputy Surveyor-General, as Conservator of Water responsible to the Commissioner of Crown Lands. This was after Goyder had visited England and America to learn more about the subject and to buy machinery for sinking bores and excavating dams. Jones began in 1883 with a staff of 14, which was later enlarged. The deep drilling done by his Department began the systematic search for artesian water on which a good deal of the outback pastoral industry now depends. The Water Conservation Department was amalgamated with the Engineer-in-Chief's Department in July 1888.



Artesian bore, Andamooka Station, 1892.

Land tax

While the area of land surveyed from 1876 to 1896 was greater than at any other time, actual sales of land were lower than they had been since 1846. But expansion of the settled areas necessitated increasing capital expenditure on roads, ports and railways. The principal source of revenue throughout the 19th century – customs and excise duty – was no longer adequate. The consequence was the creation in 1884 of the Land and Income Tax Department, responsible to the Treasurer. James George Russell was appointed the first permanent head, with the title of Commissioner of Taxes, in November 1884 and continued to occupy the position for 33 years. The valuation function within the new department was to grow into an important component of the Department of Lands.

Persistence

After the drought, the Government persisted with attempts to get more people settled on the land. The Pastoral Crown Lands Amendment Act 1884 created a temporary "Pastoral Board" which divided pastoral leases which were due to expire in 1888 into smaller blocks and recommended that they be let by "other than the auction system". This Board finished its work and disbanded in 1888.

In the agricultural areas "working men's blocks" (later called "homestead blocks") of up to 20 acres were offered on 21 year lease to men who lived by their own labour, on condition that the lessee or one of his family lived on the block for at least 9 months each year. This scheme began in 1885 and continued into the 20th century, but was eventually judged to be not very successful.

"Grazing and cultivation leases" were introduced in 1886. These gave 21 year tenure of blocks up to 20 000 acres (about 8 000 hectares) in size, without the right to purchase, in certain areas reserved for the purpose. Most of the reserved areas were resumed from pastoral leases on the outer edges of the northern hundreds. The lessees were free to use their blocks for grazing or cultivation or both.



W. B. T. Andrews

Although agricultural expansion and experiments with land policies continued to a limited extent, this decade was more notable for some major legislative consolidation. The Real Property Act of 1861 and several amendments to it, were replaced by the Real Property Act, 1886. The Registrar-General at the time was Walter Boyd Tate Andrews. He joined the Public Service in 1848, serving under Finnis and Torrens. He became Second Deputy Registrar in 1850 and Deputy Registrar-General in 1856 and when the first Real Property Act was passed he took charge of the new Lands Titles Registration Branch, implementing the Act. He followed Torrens as Registrar-General in 1865 and held the position until August 1889. Although it has been amended several times since then, the consolidating Act of 1886 still stands.

The Crown Lands Consolidation Act 1886 and an amendment the next year were superseded by a further consolidation in 1888! These acts gave birth to the Land Board which was created in 1886 to deal with applications for grazing and cultivation leases. It was replaced in 1889 by four district land boards, which dealt with all

applications for agricultural land. These boards, consisting of public servants and local residents, classified the land, fixed the area of blocks, the rent and the purchase price, and determined who the successful applicants would be. The system of purchase by credit agreements and auctioning of leases was stopped in favour of right of purchase leases for 21 years with right of renewal for a further 21 years. The lessee could purchase at any time after the first six years at a minimum price of five shillings per acre – the first reduction since the minimum price was fixed at one pound in 1837. While there are no right of purchase leases today, perpetual leases, also introduced in 1888, are still a common form of tenure for farmers. Unlike other leases which have expiry dates, perpetual leases can go on indefinitely, making the farmer a permanent tenant while relieving him of the need to raise the capital to buy the land, and giving the Government the option of exercising some control over the land in perpetuity.

A Central Land Board was established in 1893, not to displace or co-ordinate the district boards but to make conduct of business in Adelaide easier. It could only act after receiving a report from the appropriate district board, but in other ways it had all their powers.

Pastoral Board

In the same year a permanent Pastoral Board was created by the Pastoral Act. The Act has been amended a number of times but the powers of the Board have remained essentially the same. Subject to the agreement of the Commissioner of Crown Lands, it determined the boundaries, carrying capacity and rent of leases, allotted them to applicants and assessed the amount payable by the incoming lessee for improvements on the land. The 1893 act offered substantial incentives, in reduction of rent, to discover new grazing land or to take up runs that had been abandoned because of vermin or left unoccupied for more than two years, or that



Station homestead, Flinders Ranges

were "destitute of natural water". The latter was to encourage the search for underground water. The basic term for a lease was 21 years, which was doubled in 1898. In 1929 and 1960 lessees were given the opportunity, before their leases expired, to renew them for further 42 year terms, thus extending continuity of tenure over more than a century. However, an attempt to introduce perpetual pastoral leases in 1982 did not pass Parliament. The constitution of the Board has varied from time to time but for most of its life it has been concerned more with economic than ecological aspects of grazing. Legislation in 1904 authorized the Board, through the Minister, to prevent overstocking but deciding whether a station is overstocked or not is still contentious.

Village settlements



Vineyards and orchards at Ramco, formerly a "village settlement"

One of the most unusual, and least successful, experiments in land management began in 1893. It was part of the Australia-wide movement to establish communal villages of which the most famous was the "New Australia" settlement in Paraguay. Inspired by the Chaffey brothers' irrigation venture at Renmark, and undeterred by its bankruptcy, most of the new idealists in South Australia wanted to settle on the Murray. The Government was reluctant to get involved, partly because of financial difficulty and also because there was no inter-state agreement on the use of Murray water. However, it included in the Crown Lands Amendment Act 1893 provision for formation of "Village Associations" of 20 or more adults to be registered with the Commissioner of Crown Lands. Each association would be granted a perpetual lease subject to conditions relating to rent, residence, improvements and

the prohibition of mortgages. The Government would advance a loan of £50 per member for tools and improvements. Each village was to be managed by a board of its members with rules for the common benefit of the villagers on the principles of co-operation and equitable division of work and profits. Eleven villages were established on the Murray, with the intention of combining irrigated fruit growing and dry land farming, and two elsewhere. Samuel McIntosh was appointed "Expert for Village Settlements" in 1896, to give advice to the villagers. They certainly needed it. Most were inexperienced in primary production and co-operation soon began to falter. By 1900 six of the associations had been dissolved and the land leased to individuals. Only the Lyrup Association continues today, in the form of a co-operative undertaking to pump water to the blockers who are members.

Mines

Control of mines and geology had been part of this Department's responsibility through most of the 19th century, beginning with the appointment of a Mine Surveyor in 1847. When Goyder became Surveyor-General he was also described as Inspector of Mines. The inspecting Crown Lands Ranger was given additional duties as Warden of Gold Fields in 1878. A further step was taken in 1889 when the Mines and Goldfields Department was created under an Inspector of Mines, H. Y. L. Brown, whose *Record of the mines of South Australia* is still a useful reference work, was appointed Government Geologist in 1882. He became head of the new Mines Department in 1893 and the Commissioner of Crown Lands and Immigration was given the additional portfolio of Minister of Mines.

Railways

To serve the expanding wheat zone, railways had grown inland from selected ports during the 1870s and early 1880s - from Port Augusta to Quorn, Port Pirie to Peterborough, Port Broughton to Mundooora, Wallaroo to Snowtown, Port Wakefield to Hoyleton, Goolwa to Strathalbyn, Kingston to Naracoorte, Beachport to Mount Gambier. Goyder exerted a strong influence in shaping the policy to link them into a network centred on Adelaide. This was done during the last 20 years of the century, even though all except the line from Adelaide to Terowie were narrow gauge and some were originally horse powered. Goyder also advocated building long lines into the interior to tap the pastoral lands of the north, north-east and western New South Wales.

Exit Goyder

Goyder retired on 30 June 1894 after 33 years as Surveyor-General. By then he was one of the highest paid public servants. He was involved in activities that one might not expect to find in the Survey and Crown Lands Department, including drainage, forestry, railways and mines. In his own field, surveying, he has exerted a greater influence on his Department, and through it on South Australia, than any other person in the Department except Light.

Closer settlement

The last major land policy development in the 19th century was the Closer Settlement Act 1897. Following the setback to agricultural expansion in the north, attention turned to large areas of potentially good farm land owned by pastoralists. Some of this was bought by the Government, divided into farm lots and allotted on perpetual lease. After 1902 the common form of tenure was an agreement with covenant to purchase, giving the farmer the right to buy his farm after six years. This scheme continued through the first half of the 20th century with great bursts of activity when it was used to settle returned servicemen on the land after the two world wars.

RENEWED OPTIMISM 1900 to 1916

Mallee country

Throughout the 19th century the mallee country east and south of the Murray was virtually untouched by farmer or pastoralist. Undulating, sandy, covered by thick scrub and nearly devoid of surface water, it was difficult to penetrate and inhospitable. However, a belt of fertile soil was found to stretch from Tailem Bend to the Victorian border. It had been reported on favourably by Goyder and attracted interest as pressure for farm land built up again about the turn of the century. A Commission of Enquiry recommended the construction of a railway through the "Pinnaroo Lands". Objections were raised because part of the area was beyond Goyder's Line as then shown on the map, but the Pinnaroo railway was completed in 1906 and by 1908 all the surveyed land within ten miles of it had been occupied. In the next ten years the railway stretched its fingers across the land between the Pinnaroo line, the River and the Victorian border, and the whole of this area was surveyed into hundreds. Most of it has been cleared for cultivation.

Similarly on Eyre Peninsula, a railway from Port Lincoln to Cummins was completed in 1907. After the Government Valuer in the Survey Department, Edward Britten Jones, had reported that large patches of good soil lay in the north and north-west



Scrub rolling, Murray mallee, 1910

of the Peninsula, more railways were built. Survey was more irregular, picking the best of the land and later filling in the gaps until by 1930 nearly all of the Peninsula and the coastal belt from Streaky Bay to Fowlers Bay had been laid out in hundreds. Once again the tide of hope had rolled regardless over Goyder's Line.

Land Board

On the administrative side, the district land boards were abolished in 1902 and all authority concentrated in a single Land Board, consisting of four public servants, which met in Adelaide. The main reason for this was to save money. Often the cost of travelling to country meetings exceeded the rental value of the land dealt with. There was also some feeling that the district boards tended to set rentals too low. It was intended that one man with a shorthand writer would go into the country to take evidence which would be presented to the Board. Objections to the move were based on the arguments that it was better for a Board to meet in person those giving evidence and that only the local people could make a true valuation of the land. However, it was generally agreed that while the district boards had done good work in the past they had outlived their usefulness.

Advances to settlers

Establishing new farms in the difficult mallee country was made easier by the Advances to Settlers on Crown Lands Act 1908. This Act created the Advances to Settlers Board, consisting of the Surveyor-General as Chairman, the Deputy Surveyor-General and the Land Board. The Board was served by a Secretary, an Accountant and a few inspectors. It was authorized to lend money to holders of leases or agreements to purchase, for improvements to their properties or for the discharge of existing mortgages. Much of the 19th century legislation relating to agricultural settlement was concerned with easing the financial difficulties of the settlers, replacing sale by tender or auction with various kinds of sale on time payment, then extending the time to pay and making special arrangements in times of extreme hardship. Precedents for direct financial loans had been set by the Blockholders Loans Act 1891 and by loans to village settlements but these were of limited application. Now almost any tenant of the Department who found himself in difficulty could apply for a loan, though it did not necessarily follow that he would get it.

Murray swamps

While the Pinnaroo lands were being opened up, the Surveyor-General and others were becoming interested in the swamps along the lower reaches of the Murray. Crescent shaped, hemmed on one side by the River and on the other by the limestone plateau through which the River has cut its course, these potentially rich pasture lands had attracted the eye of Charles Sturt in 1830. About 1881 a former Governor, Sir William Francis Drummond Jervis had done some private drainage in the area that now bears his name. The Survey and Crown Lands Department began work at Mobilong and Long Flat near Murray Bridge in 1905 and continued until all but the smallest swamps had been reclaimed for dairying. An Irrigation and Reclamation Department including engineers, surveyors, draftsmen and clerks under Samuel McIntosh, was formed in 1910 to take charge of all the waterworks along the Murray. A new portfolio of Minister of Irrigation was created and over the following years given to one or other of the ministers – more often than not it was someone other than the Commissioner of Crown Lands.

South-Eastern drainage

Drainage work in the South-East was handed over to the Engineer-in-Chief in 1893 but the Deputy Surveyor-General and the Chairman of the South-Eastern Land Board were made members of a Drainage Assessment Board formed in 1900 to assess the increase in land values consequent on drainage and apportion the cost of new drains among the land holders who benefited. The Royal Commission which recommended this arrangement found that district councils which had been given power to make drains were unwilling to spend money for the benefit of a limited number of their ratepayers, that councils were unwilling to co-operate with each other, particularly when one might spend money that would be of more benefit to another, and that ratepayers could not agree among themselves. It reported: "Opinion is divided as to whether the administration of the Act can be better carried out by a representative or outside board". The Act of 1900 decreed that decisions by land holders representing three fourths in value of the land to be improved by a drain would be binding on all the land holders affected. The Department's involvement in the Drainage Assessment Board continued until the Board was abolished in 1926.

Drought relief

Drought returned in 1914 – worse than any previous drought in the settled areas. Even the Mount Gambier district was affected. Under the Drought Relief Act the Survey and Crown Lands Department supplied seed wheat, superphosphate, fodder and even groceries. This relief was treated as loans, which were free of interest until February 1916. It enabled the sowing of a million acres of wheat in 1915, which otherwise would not have been sown. It enabled farmers to stay on their blocks – nearly all of them did. It also enabled country storekeepers to give generous credit and stay in business. Loans were made a first charge on the farms but even men who did not have assets to mortgage, and would normally have been considered unacceptable business risks, were assisted. Because of the outbreak of war, it was considered nationally important to grow as much cereal as possible at that time. Two good seasons followed and the Government eventually recouped nearly all its advances.



Dairy farms on Monteith Swamp, near Murray Bridge



Adelaide - the original section boundaries have become main suburban streets



Maitland -
an almost exact copy
of Goyder's model



Port Pirie -
the grid has been wrapped
round the waterfront



Jamestown -
unimaginatively
straddling a creek

REORGANIZATION AND SOLDIER SETTLEMENT 1917 to 1929

Re-organization



E. M. Smith

In April 1917 Edwin Mitchell Smith retired under the Septuagenarians Act after five years and nine months as Surveyor-General and nearly 55 years in the Department. Before he retired it was decided to rearrange the departments under the Commissioner of Crown Lands to make for better distribution of the work, the duties of the Surveyor-General being too heavy for one man. Under the old arrangement, the Surveyor-General was the principal administrative officer, Receiver of Rents under the Closer Settlement Division of the Crown Lands Act and Chairman of the Advances to Settlers Board, among other things. Under the new arrangement the Department was renamed the Lands and Survey Department; the Secretary for Lands became Secretary to the Minister, Chairman of the Advances to Settlers Board, Receiver of Rents and permanent

head of the Department, responsible for all its general administrative work. The new Surveyor-General was left free to concentrate on his professional work, being in charge of the Survey Branch, including the Drawing Room. He continued as Chairman of the Pastoral Board and was a member of the Land Board and of the Advances to Settlers Board. Instead of the Deputy Surveyor-General, who had assisted the Surveyor-General in administering the Department, an Assistant Secretary for Lands was appointed to assist the Secretary and be a member of the Advances to Settlers Board. An enquiry branch was created as an outlet for plans and information, particularly on lands available for allotment.

To improve contact and understanding between the Department and its tenants, it was decided to divide the agricultural areas into seven districts each with a resident inspector. The inspectors' main duty was to value improvements for the purposes of the Advances to Settlers on Crown Lands Act. They were also to visit frequently not only those who had obtained advances or were in arrears, but also "successful farmers" so that useful comparisons could be made. They were also to look after the interests of the Department generally and report on any matter that they considered needed attention. For many years previously, reports on special cases had been obtained from police officers acting as Crown lands rangers. It was intended that the inspector "by being constantly in touch with the settlers and business men in his district, will understand the requirements in every case, and enable the Department by advice or concession to extricate settlers from difficulties before they become too heavily involved to carry on".

A new Local Government Department was created, taking over the administration of the Municipal Corporations and District Councils Acts, and the Roads and Bridges Department was merged with it. The Commissioner of Crown Lands continued to be the Minister responsible for all these activities.

The Woods and Forests and Mines Departments went to other ministers while Immigration became part of the Intelligence and Tourist Bureau Department under the Minister of Education.

Soldier settlement

The biggest undertaking during this period was soldier settlement. The process of providing for men returning from war service began with the passing of the Returned Soldiers Settlement Act 1915, which was replaced by the Discharged Soldiers Settlement Act 1917. The latter enabled the Government to reserve Crown land (including land already repurchased for closer settlement) for discharged servicemen and to lend money to them. Land was to be leased to the settlers and the lessee prevented from transferring it to anyone else without the permission of the Commissioner of Crown Lands on the recommendation of the Land Board. Later, settlers were given the right to purchase. The Commonwealth Government advanced funds to the State while the latter retained control of land settlement. The Act was at first administered by the Returned Soldiers Settlements Committee under the Minister of Agriculture. In 1919 the Ministries of Agriculture, Repatriation and Lands were combined and a new branch, under the Superintendent of Soldier Settlements, was created in the Lands and Survey Department.

This Department already had the administrative machinery for closer settlement and considerable experience in it but was not really prepared for such a large operation. Estimates of funds required were far too low. In the agreement with the Commonwealth the quota of soldiers to be settled on the land in South Australia had been set at 1 700 but about 5 000 applied. In the end about 4 600 were assisted in one way or another. A great many single farms all over the state were offered for acquisition by the Government for the scheme and this caused congestion of administrative work. In many of these cases, the would-be settler made an agreement with the vendor and then applied for assistance under the scheme. This enabled sons of rural families to settle in their own districts with the advantage of knowing local conditions but it tended to run counter to the general scheme of acquiring large estates, cutting them up and allotting them for more intensive use.

For those without experience, training farms were set up at Pompoota and Melrose and the trainees paid a living allowance. About 700 men went through them. After an energetic beginning in which the emphasis was on settling as many ex-servicemen on the land as possible, the scheme was troubled by falling prices, poor seasons and the world depression of the 1930s. Some of the holdings were too small and some of the men were unsuitable. After the mid 1920s emphasis was on easing their financial difficulties.

Complaints and criticism about administration of irrigation schemes on the Murray, including soldier settlement, led to the formation of the Irrigation Commission which took over from the Irrigation and Reclamation Department in July 1923. New irrigation work was stopped and staff reduced. Samuel McIntosh, who had become one of the Commissioners, resigned in 1925 because of ill health. In 1926 all responsibility for South-Eastern drainage, including assessments and collection of rates, was vested in the re-named Irrigation and Drainage Commission.

DEPRESSION AND REASSESSMENT 1930 to 1945

Effects of the depression

The worsening financial situation in Australia made further economies necessary. Following a report to the Public Service Commissioner by a special advisory committee on soldier settlement and irrigation, the Irrigation and Drainage Commission was disbanded in 1930 and most of the staff transferred to the Lands and Survey Department, which was renamed the Department of Lands. The title of the permanent head was changed from Secretary to Director of Lands. Benefits, in addition to administrative savings, expected from this move included co-ordination of the Government's policy on soldier and civilian settlers and concentration of land administration in one department. Two South-Eastern Drainage Acts passed in 1931 created a new South-Eastern Drainage Board consisting of three members appointed by the Governor, including one land holder in the South-East. The Board was empowered to construct and maintain drains, and levy rates which were still assessed on the basis of benefits to the land holders. The secretariat of the Board was in the Department of Lands.

The engineering staff of the Irrigation and Drainage Commission were transferred to the Engineering and Water Supply Department. The administrative history of the latter is fairly complex, involving the Engineer-in-Chief's Department and the Hydraulic Engineer's Department, which at various times were combined and separated and finally merged to form the present Department in 1929. Through all these changes, the office of Valuer, first created in 1873, remained under the Hydraulic Engineer and his successors.

As the depression wore on it gnawed at the finances of the Government and its tenants. Working the land is immensely satisfying in good seasons but always precarious until the moment the grower receives his cheque. For many growers in the 1930s the cheques were too small to pay expenses. In 1930 Parliament took the unprecedented step of halving the valuation of land which had already been assessed according to the normal process of the law by the Taxation Department. No doubt this helped many primary producers but could not save them all. The Department lost money in bad debts and the least fortunate growers lost their livelihood and their independence.

Conservation

Late in the 1930s as the economy began to recover, official attention turned more seriously towards conserving our natural resources. Interest in conservation is not new. For some people today it means preserving places and things for non-commercial purposes but this is only one aspect of a much wider issue that also involves primary and even secondary industry. The survival of all our primary industry depends on soil conservation. Sir R. G. MacDonell, while Governor of South Australia in the later 1850s noted with alarm that land was "being literally robbed of all its sustaining and prolific properties without receiving anything in return". In 1875 the Commission that recommended establishing experimental farms heard evidence about organic and inorganic fertilizers, fallowing and crop rotation. Crops

were improved as these ideas permeated the farming community in the late 19th century. The position of Conservator of Forests was an early example of the Government being forced into conservation measures by the scarcity of a natural commodity. At the beginning of the 20th century some members of Parliament were claiming that many farmers were trying to grow wheat on land that should be used for grazing. By a process of natural selection, some farmers had left the outer fringes of the agricultural areas while those who stayed increased the size of their holdings, but some effects of placing too many people on the land in earlier periods of optimism were still evident and the problem was serious enough to cause the appointment of a Marginal Lands Committee in February 1939.

This Committee examined parts of northern Eyre Peninsula and the West Coast (Kimba to Fowlers Bay), the northern hundreds (Peterborough to Hawker), and the Murray Mallee. It recommended that this land, between the safe agricultural and the purely pastoral areas, should be used principally for sheep with limited cropping to prevent regrowth of the mallee. Additional fencing and water supplies and some additional scrub clearing would be necessary. No-one should be forced off his land; those bought out by the Government should be given special consideration when applying for land elsewhere.

An amendment to the Crown Lands Act that year enabled the Department of Lands to buy land and add it, by lease or agreement to purchase, to a farmer's holding if the latter was not "a living area". The main outcome, however, was the Marginal Lands Act 1940, under which money provided for the purpose by the Commonwealth was used to put the Committee's recommendations into effect. The land was re-allotted on perpetual lease. Of course all this meant a lot of additional work for the Land Board and its supporting staff.

By a reduction in population and a change in land use, the Marginal Land Scheme contributed to better control of soil erosion and greater prosperity for the remaining settlers. The abandoned stone cottages, churches and schools dotted about the country north of Ororoo are not a sign of better days gone by: they represent men and women struggling to make a living with large families on small farms with irregular rainfall.

In the Soil Conservation Act 1939 the Government tackled the problem of soil erosion and the protection of trees and other plants. While most of this Act was



Fragile pastoral country, Far North

administered by the Minister of Agriculture, one section of it stated that each future pastoral lease must include terms restricting the number of stock that could be carried on the run, and authorized the Commissioner of Crown Lands, on the advice of the Pastoral Board, to require any pastoral lessee to reduce his stock to a stated number or risk losing his lease. In practice the Board was reluctant to use this compulsion, preferring to rely on persuasion.

Other changes

Some other changes during this period are relevant to our history. The resounding but clumsy title of Land and Income Tax and Stamp Duty Department was changed to Taxation Department in 1928. As customs and excise had become a Commonwealth function in 1901 this Department now collected the State's principal revenue. In 1936 the Stamp and Succession Duties Department was separated from it. In 1942 the States agreed to a uniform taxation arrangement under which the Commonwealth collected all income tax and made annual grants to the States. This began as a temporary wartime measure and has continued ever since. What was left of the Taxation Department was renamed the Land Tax Department.

The Registrar-General of Deeds Department received the addition of the Town Planner and the remains of his Department in 1930. Town planning began to gather momentum again in the late 1950s and in 1967 the newly formed State Planning Office was placed under the Minister of Local Government and Roads.



G. A. Jessup

The Real Property (Registration of Titles) Act 1945 introduced compulsory conversion to the Torrens system of those titles that were still held under the old system. It did not insist on immediate conversion and in fact the process is still going on. This change was introduced under the oversight of George Aubrey Jessup, Registrar-General from 1942 to 1961. Jessup's *Forms and practice of the Lands Titles Office of South Australia*, first published in 1940 and now in its sixth edition, is still the definitive text for staff and land brokers in South Australia.

The title Commissioner of Crown Lands, which had stood since 1856, was formally changed to Minister of Lands in 1945.

POST-WAR DEVELOPMENT 1946 to 1967

War Service Land Settlement Scheme

During the Second World War the Commonwealth and State Governments again began planning to settle some of the returning servicemen on the land. South Australia set up a Crown Lands Development Committee in 1942 to formulate a policy, for servicemen and civilians, that would avoid the mistakes of earlier schemes. The new policy was that land acquired for the purpose would be cleared, fenced and prepared for use and roads, houses and sheds built before leases were granted. The lessees would undertake to repay these costs over a suitable period. This had been foreshadowed to some extent by amending legislation in 1938.

These ideas were taken up by the Commonwealth Rural Reconstruction Commission. The State and Commonwealth Governments passed complementary legislation in 1945 beginning the War Service Land Settlement Agreement under which South Australia became the agent of the Commonwealth in implementing the scheme. The scheme would only be applied to land where production promised to be economic; settlers would be carefully chosen; their holdings would be big enough to provide a reasonable income; lack of capital would not be a bar to selection; adequate practical guidance would be available. This meant that, unlike the first soldier settlement scheme, the extent of this one would depend on economic factors, not on the number of applicants. It was considered better to have a limited number of successful settlers than a high proportion of failures.

By this time the State was already acquiring land and preparation of it was entrusted to the Lands Development Executive which was created for that purpose within the Department of Lands. When the land was considered ready for occupation it was referred to the Land Board for allotment. Subsequent oversight was the responsibility of the Irrigation Branch, for fruit growers on the Murray, and the War Service Settlement Branch, for the farmers. As much of the country was uncleared scrub and building materials were in short supply, progress in settlement was inevitably slow for the first few years. Public impatience demanded that men be given early possession of partly developed blocks, even before boundary fences had been built, while the Lands Development Executive vigorously defended the original plan. The Premier decided in 1949 to allow men to occupy blocks when stock carrying capacity was reasonable, even though no housing had been provided. Potential farmers were employed on the land by the Department until their blocks were allotted and then were paid a living allowance during the remaining 12 months before their farms came into full production. In the irrigation areas, because of the longer delay between planting and production, settlers were put on their blocks as soon as housing and irrigation work had been done, and were paid a living allowance while they planted their trees and vines.

When the wool boom of the 1950s subsided, the Department found it necessary to institute a budgeting scheme to help its tenants to manage their financial affairs. The fruit industry has also had its difficulties. But these problems were not inherent in the original plan. On the whole the scheme was more systematic than its

predecessor. While the Commonwealth and State Governments sustained some loss, a higher proportion of servicemen stayed on their blocks. About 1 100 men were allotted land under this scheme in South Australia. As their war service loans are paid off and their properties passed on to their sons, converted to freehold or transferred to others, the distinction between this and other forms of land tenure is gradually disappearing.

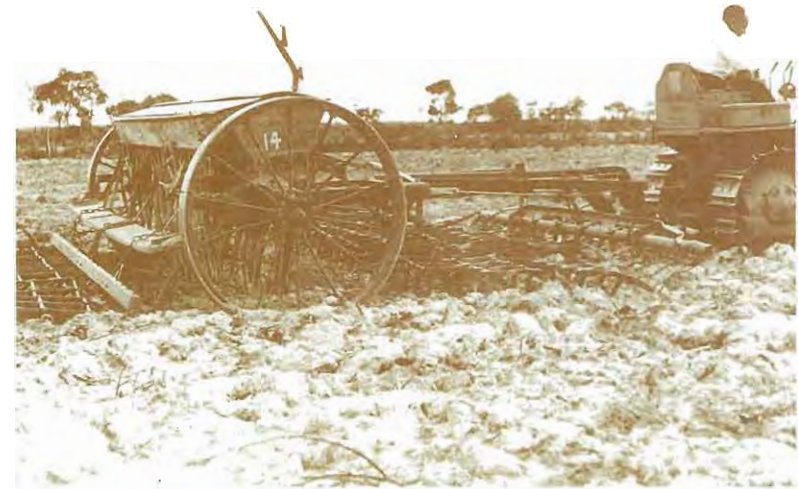
Trace elements

The war service land in the Upper South-East had remained uncleared because it was naturally infertile although reasonably well watered. When the Council for Scientific and Industrial Research and the Waite Agricultural Research Institute had found the principal cause to be deficiency in certain trace elements, the Lands Development Executive cleared an experimental plot of 500 acres and sowed it to pasture. Eventually, after a good deal of negotiation with the Commonwealth, some of this country was included in the War Service Land Settlement Scheme. A smaller area was developed in the State's closer settlement programme. Legislation in 1949 enabled private developers to obtain 21 year leases of large areas to be developed, subdivided and sold to approved settlers who would then be entitled to hold it on perpetual lease from the Crown. Most of the development in the Upper South-East was done in this way, so successfully that the country between Tailem Bend and Bordertown, formerly known as the ninety-mile desert, is now flourishing. This was the last major development of virgin country in South Australia. The only extensive tracts of undeveloped land left within the more closely settled areas are reserved for public use under the control of the Department of Environment and Planning, and most of these have only survived because they were unfit for farming or grazing.

Urban development

While the War Service Land Settlement Scheme was going on the Government was planning for urban expansion. The most spectacular example of this was Elizabeth, then the biggest town plan since Adelaide, begun in the early 1950s and intended to be a satellite town with its own industries. Practically all the development was undertaken by the South Australian Housing Trust but the Land Tax Department was called on to give second opinions on valuations of land to be purchased. Elizabeth has now been absorbed into suburban Adelaide and land transactions there are a normal part of the work of the Lands Titles Office.

An innovation not original to South Australia but of great significance to the Lands Titles Office was legislation relating to strata titles in 1967. This is a product of the trend towards high density living in urban areas. It enables residents of home units, whether in a multi-storey building or side by side in a group, to own title to their own units, while the property common to all the units is owned and managed by a corporation consisting of the unit owners.



Lands Development Executive experimental plot in the Upper South-East



The land in its natural condition

ADMINISTRATIVE AND TECHNOLOGICAL CHANGE 1968 to 1986

Valuation Department



J. P. Petherick

After the long stable period of Sir Thomas Playford's record term as Premier, successive governments threw themselves into administrative change with all the zeal their great grandfathers had shown for legislative experiment. One of the first of these changes produced the Valuation Department. For about a century valuers had been assessing land, mainly in the metropolitan area, to levy rates for water reticulation and sewerage, while for almost as long others had been appointed for the purpose of land tax. The valuation branches from the Engineering and Water Supply and Land Tax Departments were merged in 1968 to form the new Department which was intended to provide a central valuing authority for the Government and for those local government councils that chose to adopt its valuations for levying their own rates (virtually all

of them do now). The first permanent head of the Department, and the first person to be titled Valuer-General, was Mr J. P. Petherick, formerly Chief Valuer in the Engineering and Water Supply Department.

In 1971, while the agricultural industry was in recession, Parliament annulled the 1970 quinquennial valuation of land used for primary production, and an assessment more in keeping with the decline in rural property values was prepared. (Only twice in the State's history has this happened.) The Valuation of Land Act 1971 allowed the Valuer-General more flexibility, which is now being exercised in annual valuations reflecting the latest market fluctuations. Tax on land used for primary production was abolished in 1976 and domestic land tax on the owner's principal place of residence was abolished four years later.

Geographical Names Board

A change that went almost unnoticed at the time was the creation of the Geographical Names Board in 1970. The naming of places is one of the most fundamental human activities. In their slow migrations across this country, the aboriginal tribes named features that were important to them. As tribes moved on, some of their names remained and were adopted into the languages of incoming tribes, while others disappeared. The same process has happened, but much faster, since the coming of Europeans. Explorers, pioneer settlers, surveyors, other Government officers, land speculators and people with special interests have applied names from their own languages (mainly English, French and German) and aboriginal names have been adopted, often in anglicized forms.

Anti-German feeling during the first world war prompted Parliament to appoint a committee of three, chaired by the Surveyor-General, to eliminate all German place names. In its report, the committee expressed regret at removing the names of distinguished Australians of German origin, but felt itself bound by Parliament's instructions. (A good many of the German names have since been restored.) The committee, however, never quite completed its task: it overlooked Adelaide. Princess Adelaide, daughter of the Duke of Saxe-Coburg Meiningen, was a thoroughly German lady who migrated to England to become the wife of the Duke of Clarence who later became King William IV.

This committee was also directed to look at the problem of duplication of place names in South Australia and it proposed some changes in its second report to Parliament. After that the Nomenclature Committee, as it was called, continued until 1969 to act as an advisory body to the Minister, who, under the Crown Lands Act, had power to name counties, hundreds and towns. Its major achievement was to sort out the tangle of hundreds of little suburbs around Adelaide, reducing them to a more manageable number. The Geographical Names Board, which is more widely based than the former committee, continues the work, regulating the naming of suburbs, towns and natural features, sometimes choosing between competing names from the past, sometimes approving new names and avoiding duplication as far as possible.

Monarto

The Government's most ambitious urban scheme was launched in 1973 with the establishment of the Monarto Development Commission, independent of the Department of Lands, to plan and build a new town of 250 000 people which would reduce the spread of Adelaide by drawing off some of the industry, commerce and public administration. Topographical and property boundary survey work was done by the Surveyor-General's Division, valuation of land to be acquired by the Government was done by the Land Board and the Geographical Names Board was involved in the controversy over the selection of a name. Changing economic circumstances later in the decade brought the flow of development almost to a standstill and then a change of government reversed it. The Land Board was directed to sell most of the land again. A relic of this grand scheme is growing into a handsome belt of trees along the freeway between Callington and Murray Bridge.

Merger of Registration and Valuation with Department of Lands

Administrative changes affecting all departments followed the report in 1975, of a Committee of Enquiry into the Public Service in South Australia. In line with that Committee's view that large departments would be more efficient than smaller ones, the Valuation and Registrar-General's Departments were merged with the Department of Lands in April 1976, bringing together four main aspects of land administration - survey, sale and lease, registration of titles and valuation. The new Department was organized in six divisions: Registrar-General's Office, Valuer-General's Office and the Survey, Land Resource Management, Management Services and Administration and Finance Divisions. The last two divisions grew mainly from the Administrative Division of the Department of Lands, which in turn had its origins in the Chief Clerk's Office. The Valuer-General's Office took over the valuation function of the Land Board but the Pastoral Board continued to be responsible for valuing pastoral leases. These arrangements took two or three years to complete. Responsibility for irrigation water supply and drainage along the Murray, which had been in the Department of Lands since 1930, was transferred to the Engineering and Water Supply Department in 1978 as part of a policy of

bringing management of water resources under one department. The Department of Lands retained responsibility for land tenure and administration matters and its role was broadened to take in such things as investigation of current and future patterns of land use and development of land use planning proposals in the Riverland and elsewhere.

During these years, the district inspectors' headquarters were expanded into regional offices of the Department with the intention of providing more direct service and better contact between the Department and country people. These offices drew off some staff from the Land Board, the former Chief Clerk's Branch and the Valuation Division.

Mr K. C. Taeuber became permanent head of the newly enlarged Department in 1976. He was succeeded in 1983 by Mr W. M. Scriven, who in the following year was succeeded by the present Director of Lands, Mr D. J. Alexander.

Technology



C. M. Hambidge

More spectacular than administrative reform has been technological change in the past 40 years. Soon after the second world war, the Surveyor-General, Clive Melville Hambidge, introduced aerial surveying and photogrammetry. This involved the charter of a specially modified aeroplane, purchase of plotting instruments and establishment of a new section under the control of Mr G. H. C. Kennedy, who later became Surveyor-General.

The tellurometer, using radio microwaves, enabled surveyors to make direct measurements of long distances which formerly could only be done by triangulation. This is now being replaced by electronic distance measuring instruments using laser beams. The theodolite and surveyor's field book are partly superseded by electronic devices that enable simultaneous observation and recording of survey data.

Global satellites are used for fixing positions in surveying and for obtaining information to be used in land use planning.



C. A. Reiners

Electronic computers are becoming more and more important in land information systems. The former Valuation Branch of the Engineering and Water Supply Department began this trend. However, before computer applications were contemplated, Clemens Alexander Reiners, Commissioner of Land Tax from 1948 to 1961, established a systematic approach to valuation of land, drawing up guidelines for his staff and changing from the system of recording assessments in large bound volumes to using a separate page for each assessment. This improved records system, with the computer data bank from the Engineering and Water Supply Department, formed the basis of the Valuation Department's Common Property File, which in turn became the nucleus of the present Land Ownership and Tenure System. LOTS, as it is commonly called, is the

principal medium for public access to information about who owns what land, who occupies it and its assessed value, as well as providing some information on the nature of buildings on the land. Frequent users of LOTS have their own telephone links to its data bank and can call up information on their own computer terminals without leaving their offices. Certificates of title under the Torrens system and the land value assessment records have always been open for public inspection, on payment of search fees. The information contained in current records is now more readily available than it has ever been. Conversion of other Departmental records to electronic systems is progressing.

Since 1981 the Registrar-General has required that documents lodged in the Lands Titles Office must be set out in a standard way. There is a form for each kind of document and a particular place on the form for each item of information. Unlike many government forms, these allow flexibility to cope with complicated cases that do not fit readily into the standard panels. These "panel form documents" will make conversion to a digital data base much easier.

The Land Information Unit, established in 1982, provides the secretariat for the Government's Land Information Steering Committee which is chaired by the Director of Lands and includes representatives from the Department of Environment and Planning, the Engineering and Water Supply Department, the Treasury, the Electricity Trust, the Data Processing Board and the Department of Agriculture. This Committee is aiming at co-ordinating all computer applications that are relevant to land administration in South Australia.



Aerial survey camera in the Department's aircraft

SOME SIDELINES OVER THE YEARS

In its hundred and fifty years, the Department has encompassed a variety of activities in addition to its main responsibilities.

The third Surveyor-General, E. C. Frome, an officer in the Royal Engineers, was also Colonial Engineer responsible for roads and bridges. Even after the creation of a Roads Department late in the 19th century the Commissioner of Crown Lands continued to be the responsible minister until well into the 20th century.

Nineteenth century lists of officers under the Commissioner of Crown Lands include the position of Inspector of Sheep, later Inspector of Stock and Brands. This responsibility passed to the Minister of Agriculture in 1918.

The Warden of Standards was responsible for checking the accuracy of weighing and measuring instruments used in commercial premises. For many years he was attached to the Department of Lands - lumped into a small branch with Vermin and Stores! The Department was responsible for paying the bounty on dingo scalps which were received, certified and burnt on its behalf by the outback policemen. In 1928 one of the pastoral inspectors found himself acting as detective when a constable defrauded the Government of a few thousand pounds by sending in false returns of the number of scalps received. The Department of Public and Consumer Affairs is now responsible for weights and measures, while the Department of Agriculture supervises vermin control. The Department of Lands still has the Dog Fence Board which maintains a fence about 2 200 kilometres long from the coast west of Fowlers Bay to the New South Wales border, keeping dingos out of the sheep country. (The fence also extends along part of the New South Wales border and across a large part of Queensland.)

Some extractive industries on Crown land were controlled by the Department, providing a small income from licences and royalties. Sandalwood is a small tree with aromatic timber, useless for building but good for making joss sticks. It was exported to China until war with Japan ended the trade. After the war a small amount was exported until it was decided that removing the trees promoted soil erosion.

Marine fibre (*Posidonia australis*) grows in some coastal areas of Spencer and St. Vincent Gulfs. Many years' accumulation of old fibre, which had been buried and preserved by sand, was dug up, washed out and used as an alternative to jute.

Licences were also issued for harvesting sea sponges and yacca gum, the latter mainly on Kangaroo Island before the scrub was cleared under the War Service Land Settlement Scheme.

At various times the Department has handled bush fire, drought and flood relief, including money raised by public subscription, dispersing it to all those in need, not only the Department's tenants.

The Registrar-General was also registrar of patents, trademarks and copyright until the Commonwealth took these over. He was also registrar of births, deaths and marriages for a brief period in the mid 19th century, and again from 1970 (when the title Registrar-General of Deeds was changed to Registrar-General) to 1976.

The Office of Aboriginal Affairs was transferred to the Department of Lands in March 1982 but in September, following a change of government, the Minister of Community Welfare was made responsible for it.

A very recent addition to the Department is the Animal Welfare Advisory Committee (with a staff of one) which administers the Prevention of Cruelty to Animals Act 1985.



Sandalwood tree

SOME THOUGHTS FOR THE FUTURE

Assistance and independence

The founding fathers were moved by a mixture of idealism and opportunism, philanthropy and business. These motives were perfectly compatible to them. The principles on which they planned the new colony have had a remarkable influence on our history. South Australia was intended to be a self-supporting community composed principally of farmers working their own plots. Until the depression of the 1930s every government aimed at getting as many people as possible settled on the land and doing it in a systematic way. The expansion of agricultural settlement has been regulated from the beginning, the actual process being the result of interaction between popular demand and Government restraint. Pastoralists were encouraged, but required to make way for farmers as the population and the wheat market grew. This was made possible by the system of pastoral leases subject to resumption by the Crown. Inevitably there was a conflict of interest between farmers and pastoralists and the latter were able to use their greater financial resources to defend their runs, outbidding the farmers at land auctions. Access to more agricultural land was a political victory for the farmers, for which they paid in ever increasing levels of Government regulation. The latter trend was firmly set within 30 years of the first white settlement, most notably by the Scrub Lands Act and then the Strangways Act, and has continued ever since. Conditional sales, purchases on credit and long term leases for agricultural purposes, all designed to ensure that land was occupied by farmers, were followed by direct loans of money and various drought relief measures to help them stay on their blocks.

Once the outer limits of the agricultural area had been more or less fixed by trial and error, the pastoralists achieved fairly stable tenure of their stations, even though the leases were theoretically for limited terms. But from time to time the Government has deemed it necessary to make special provisions for them too.

In each period of difficulty the Government has had to decide whether it is better for South Australia as a whole to assist the farmer and the pastoralist or let a portion of the State's primary industry and the business dependent on it stagger and regain its own balance as best it might. The outcome is usually a political compromise between competing claims that pleases some but not all. These controversies continue at the federal level but the State, as custodian of the land, is still very much involved.

Leasehold or freehold

Perpetual leases were introduced after all the best agricultural land had been sold. They made it easier for would-be farmers to get started but they also made it easier for the Government to control the use of the land. The Government has exercised this power in various ways in an attempt to ensure that its intentions were carried out, particularly in relation to working men's blocks, closer settlement leases, irrigation leases and war service leases. In some instances the relevant legislation was later modified to give lessees the right to purchase. This right has not been given in "marginal areas" (which are defined on a map in the Department's Annual

Report for 1984-85). These areas include the farms that were affected by the Marginal Lands Act and other farms like them. For some who have the option to purchase, the rent was fixed in perpetuity many years ago and is now so low that freehold title offers little advantage other than pride of possession. The question of whether leasehold or freehold is better is complicated not only by short term economics but also by considerations of whether, or for how long, the Government should continue to protect the country from the over-population and excessive cultivation that nearly ruined it in the past.

Coming to terms with the land

Repeatedly the productivity of the land has been over-estimated. To begin with, 80 acres (32.4 hectares) was the standard size for a country section. This was soon found to be too small for a farm and the size of individual holdings has increased so that now, even in the fertile mid north, 1 000 acres (about 405 hectares) is regarded as a reasonable size. But the knowledge was hard gained and included the unhappy experience of some of the returned servicemen from World War I whose allotments were too small. At the height of the land rush in the 1870s some foolhardy prophets predicted that the whole of South Australia would be brought under the plough, and demanded that Goyder's Line should be banished. As an administrative concept, Goyder's Line has little significance now but it might serve as a reminder of those days of reckless optimism.

The pastoral industry too was caught up in the whirlwind and the Department granted pastoral leases over huge areas of unknown country, including the Simpson Desert! Fortunately for the lessees – and for the Desert – many of these leases were mere paper speculations. Rents payable for pastoral leases were based on the estimated stock carrying capacity of the country. In some cases high rental encouraged over-stocking – although the graziers did not always need that encouragement! While there is still a minimum stocking requirement to prevent speculation in leases, the Pastoral Board and its executive, the Outback Region staff, are now as concerned with preserving the country as with running sheep and cattle on it.

The philosophy of exploitation is exemplified in the Scrub Lands Act 1866 which required the lessee to get rid of as much of the natural scrub as he could. The opposite attitude appears in the Soil Conservation Act 1939 with its emphasis on preservation of trees and other plants. While the Department of Lands is still a means towards raising revenue, it now sees itself more as a curator of some of our natural resources. But the curatorial role is complex and shared by the Departments of Environment and Planning, Agriculture and Mines, the South Australian Urban Land Trust and the South Australian Housing Trust and is strongly influenced by Federal Government policies.

We are still coming to terms with this land. Our forbears had to adapt it to their needs in order to survive and so do we. With the wisdom of hindsight we can point to their mistakes. In the interests of better planning, the Department has added land scientists and land resource officers to its professional staff. However, we do not yet know all the capabilities and limitations of our country.

Exporting ideas

The legacy of Torrens, Hübbe and the others who contributed to the Real Property Act is one of our treasures and is now becoming an export commodity. The Department of Lands has recently won a contract, against international competition,

to institute a cadastral and property registration system in Tunisia. Interest in the Torrens system shown by other countries presents a challenge to develop this capacity to sell ideas overseas.

Central and local control

The effects of Wakefield's principle of concentration of population have been more far-reaching than he or any of his contemporaries could have imagined. More than two thirds of the population of the whole State live in Adelaide. The economic dominance of Adelaide has carried with it social and political dominance in a community that has become more and more centralised. Idealism called for careful planning for a society in which free settlers would be free to enjoy the fruits of their labours, while opportunism demanded scope to take advantage of whatever opportunities might come to hand. Increasingly, the scope of opportunity has been regulated by central planning.

There has been some spontaneous decentralisation, as in the development of country railways. There have been deliberate attempts to disperse responsibility on a limited scale, as in the case of the district land boards and the local drainage boards in the South-East. The Government made genuine attempts to involve the people of the South-East in initiating and paying for drains (to make the best use of their local knowledge as well as their money) but they and their representative boards and councils failed to agree among themselves. In fact, the high capital expenditure was beyond the resources of the local authorities. If the central Government had not taken the initiative the swamps would not have been drained. Now, having spent a century getting rid of surface water, central control is being exerted to limit the use of underground water in some parts of the South-East for fear that it might run out.

The justification for central control is always that it is "for the common good". The extent to which it has been taken in our time would have appalled the pioneers of 1836. But it has been done by elected governments without violence. Its logical extreme is totalitarianism. While land owners have always been vitally interested in the valuation of their property and the security of their title to it, there is mounting public interest in other activities of the Department of Lands - nomenclature, land use planning, conservation of natural resources. This public debate is essential to the process of deciding what, for this generation, is an acceptable balance between individual freedom and Government control, and essential in planning how to use the land today and preserve it for tomorrow.



Surveyor, 1980s

1986 AND THE NEXT 150 YEARS

A firm base is being established to prepare the Department for the future by revising its objectives and responding to the Government's current initiatives to modernize administration.

Departmental Heads, now Chief Executive Officers, will have direct responsibility for a wide range of activities previously the precinct of the Public Service Board. They will be required to enter into contracts of performance with their Ministers and be held accountable for fulfilling them. Departmental Annual Reports will include data on performance.

The appointment of Mr D. J. Alexander, a civil engineer by profession, as Director of Lands in early 1985 was a step towards addressing these Government administrative issues. He came from a long career in the Engineering and Water Supply Department culminating in the position of Deputy Director-General. His experience in conducting a major reorganization of that Department is being reflected in the current changes in the Department of Lands.

Emphasis is being placed on policy development and planning, conservation and management of Crown land, land information systems, investing in sophisticated computer technology for public use as well as for the Department's internal needs, and developing the corporate image of the Department as a major land resource management agency. The regional organisation of the Department is being strengthened in accordance with Government policy to bring the service of Government closer to the people, particularly in country areas.

Appendix A contains the Role and Objectives of the Department and the June 1986 Organisation Chart which illustrate the modern approach to management in the Department.

Legislation is the other major factor in looking to the future and Mr Alexander in a report, *Government Land Resource Management - A Perspective*, advocated a new approach towards Government land administration in South Australia through a new Crown Lands Conservation and Management Act. This would provide for a South Australian Land Resource Management Council and Regional Advisory Committees involving prescribed organisations and community representatives interested in land resource management.

The Government has approved the preparation of this Act, and complementary legislation, the Pastoral Lands Conservation and Management Act, is being developed for the control of the pastoral areas of the State.

The thrust is towards the preparation of land management plans considering economic, social and environmental goals in determining the future of Crown land.

This is the direction the Department is taking as it moves with confidence towards the next 150 years.

APPENDIX A

ROLE OF THE DEPARTMENT

To ensure that Government land resource management policies are implemented, statutes administered and authorized services provided effectively and efficiently in a professional and sensitive manner within a co-ordinated structure supporting the Director of Lands.

The Director, as the Chief Executive Officer, is responsible to the Minister of Lands for the implementation of this role which involves statutes of the South Australian Parliament, decisions of the Executive Committee, and Government regulations and proclamations.

The principle land resource management services provided are:

- Surveying services including maintenance of the State's survey infrastructure, mapping and spatial reference systems.
- Registration services for property and land ensuring indefeasibility of title and facilitating land related transactions.
- Valuation services for revenue raising purposes and the acquisition and disposal of Government property.
- Crown land conservation, property management and tenure administration services and Government real estate services.

Additional land related and other services are:

- Major land information systems including the Land Ownership and Tenure System, Digitised Cadastral Data Base, Automated Registration, Indexing and Enquiry System, Computer Aided Valuations and provision of services to the State's Land Information Steering Committee chaired by the Director of Lands.
- Executive support to the Dog Fence Board, Pastoral Board, Surveyors Board, Geographical Names Board and Land Board.
- Animal Welfare support services.
- Mapland, the commercial outlet for mapping products.
- Repatriation and War concessions.

OBJECTIVES

To provide land resource management services to the extent and standards acceptable to the Government in consultation, where applicable, with the community and the interested groups and individuals.

This involves the continuing provision of survey, registration, valuation, Crown land conservation and management, real estate and other assigned services to the standards and extent determined by the Government. Certain valuation services are required by Statute but resourced by the Department of Lands.

To ensure that the Government's land resources are managed for the greatest benefit to the community.

This requires the use of scientific principles in preparing land management plans as well as skills in resolving conflicts in land use.

To provide services efficiently.

This requires the minimizing of the cost of providing services by efficiency, effectiveness and economic measures which include the introduction and use of up-to-date computer technology and implementing and operating these systems at minimum cost, taking account of modern financial and human resource management techniques.

To recover expenses from recipients of services, except where explicit Government subsidies apply and to maximize the financial return to the Government by marketing the products of the Department.

This means that the recipients of services are required to pay the expenses incurred in providing the services except where Government policy dictates otherwise.

To provide services in a socially responsible manner.

This requires the implementation of the Government's industrial and employment policies such as the Code of Practice for Safety, Health and Welfare and Equal Opportunities legislation, as well as minimizing the impact of the provision of services on the environment, on the day-to-day activities of the public and other organisations and on public safety.

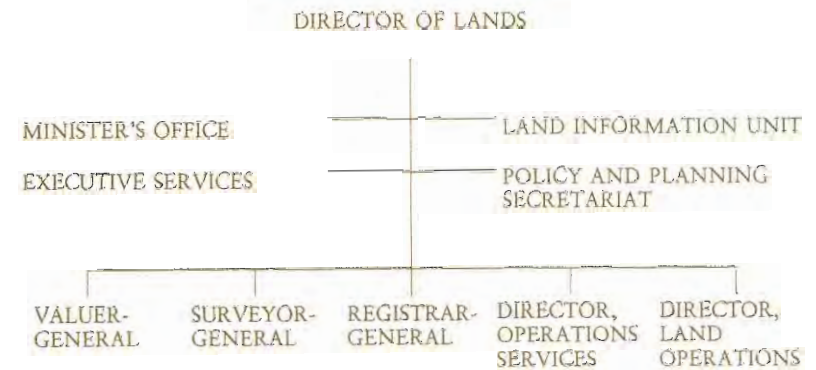
Overall, compromises between these objectives are necessary to achieve a balanced implementation of the Government's priorities in fulfilling the role the Department.

BUSINESS PLAN

Arising from the role and objectives of the Department, the following business plan has been determined:

"To fully recover the cost of the business operations of the Department, except where Government policy dictates otherwise, over the next five years and to endeavour to recover as much as possible of the cost of the non-business activities of the Department by increasing the marketing of land information such as maps and land related statistics and data and land information systems in conjunction with the private sector wherever possible."

ORGANISATION CHART



APPENDIX B

CHRONOLOGY

- 1830 National Colonization Society
1833 South Australian Association
1834 South Australia Act
1836 Fisher, Light, Hindmarsh began duties
1837 Adelaide surveyed and sold
1838 Light resigned. Hindmarsh and Fisher replaced by Gawler. Sturt Surveyor-General
1839 Frome Surveyor-General. Sturt Assistant Commissioner
1841 Gawler replaced by Grey. Registration of Deeds Act
1842 Bonney Commissioner of Crown Lands. First counties proclaimed
1846 First hundreds proclaimed
1849 Freeling Surveyor-General
1850 Beginning of pastoral leases
1851 Sturt Colonial Secretary. Finnis Registrar-General
1852 Finnis Colonial Secretary. Torrens Registrar-General
1856 Bonney and Torrens became Ministers in first Parliament
1857 Waste Lands Act
1858 Real Property Act
1860 Land brokers under Real Property Act
1861 Goyder Surveyor-General
1864 Finnis expedition to Northern Territory
1865 Goyder's Line. Andrews Registrar-General
1866 Scrub Lands Act
1868 Goyder expedition to Northern Territory
1869 Strangways Act
1871 Bonney Inspector of credit lands
1873 Cooper Valuator in Waterworks
1875 South-Eastern Drainage Act, Forest Board
1878 J. E. Brown Conservator of Forests
1880 Severe drought
1882 Woods and Forests Department
1883 J. W. Jones Conservator of Water
1884 Russell Commissioner of Taxes. Temporary Pastoral Board
1885 Working men's blocks
1886 Land Board. Grazing and cultivation leases. Real Property Act (consolidation)
1888 Right of purchase leases. Perpetual leases
1889 District Land Boards
1891 Blockholders Loans Act
1893 Pastoral Board. Central Land Board. Village settlements. Dept of Mines
1894 Goyder retired
1897 Closer Settlement Act
1900 Drainage Assessment Board
1902 District Land Boards replaced by a single Board
1905 Reclamation of Murray swamps begun
1908 Advances to Settlers on Crown Lands Act
1910 Irrigation and Reclamation Dept - McIntosh in charge
1914 Drought Relief Act
1915 Returned Soldiers Settlement Act
1917 Re-organization: Lands and Survey Dept. Nomenclature Committee
1919 Superintendent of Soldier Settlements
1923 Irrigation Commission
1926 Irrigation and Drainage Commission
1928 Taxation Department (name change)
1930 Irrigation and drainage to Dept of Lands
1931 South-Eastern Drainage Board
1939 Marginal Lands Committee. Soil Conservation Act
1940 Marginal Lands Act
1942 Crown Lands Development Committee. Jessup Registrar-General
1945 War Service Land Settlement Agreement. Compulsory conversion to Torrens System
1948 Reiners Commissioner of Land Tax
1967 Strata titles
1968 Valuation Department
1970 Geographical Names Board
1976 Registration and Valuation merged with Dept of Lands
1986 Department of Lands 150 years old.



A satellite photograph of part of South Australia clearly showing the grid pattern imposed on the landscape by early surveyors.