

LEX LOCI'S TRAVELS

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An irregular one-pager from The Public Land Consultancy

Lex Greet the Survivors At the Royal Botanic Gardens

Lex is in Melbourne's RBG, standing beside the ornamental lake. He's not going to jump in.

Below him is one brave duck, and a hundred slimy writhing eels. Not cute and cuddly like koalas; not flashy like rosellas, but Australian wildlife nonetheless.

Not much indigenous flora and fauna survives here. This is a quasi-English landscape, laid out by William Guilfoyle in the manner of gentlemen with names like Capability Brown and Decimus Burton.

In the case of the RBG, our Lex approves of such Anglicisation. Native flora and fauna should predominate elsewhere, but perhaps not here. The RBG is what it is.

Nevertheless, Lex sympathizes with the colony of fruit bats which was exiled to Yarra Bend Park in the 1990s. And he abhors the destruction by vandals of the 200 year old 'Separation Tree'.

And he's pleased to see that despite everything, the short-finned eels survive.

Another survivor, of particular interest to Lex, is the *Royal Botanic Gardens Act 1991*. As we head into a major rewrite of Crown Land legislation, one question which must be addressed is - what about all those site-specific Acts? The statute book is littered with them.

The first group are those which reflect the obsessions of the old Lands Department. Variations from the straight and narrow are not to be entertained without our consent - so you must come cap-in-hand to us to get some legislative amendment.

Thus we get the *Coleraine Showgrounds Act 1911*, the *Spotswood Railway Station Act 1920*,



the *Jeparit Fire Station Act 1922* and many, many more. No, says Lex - we surely do not need these. Whatever generic Acts emerge from the re-write should cover all the circumstances addressed here.

The second group of site-specific Acts relate to places of special significance, like the RBG. Top of this list is the *Melbourne Cricket Ground Act 1933*, and the *Melbourne and Olympic Parks Act 1985*, and the *Shrine of Remembrance Act 1978*. Yes, says Lex - we do need these. Decisions about places like the RBG should not be made by Ministers and Departmental officers, but by Parliament itself.

Below him, the short-finned eels couldn't care less. They are contemplating their forthcoming journey down the Yarra and across the ocean to the Coral Sea. They just hope that on their return trip they don't find that legislators (and engineers) have put any more obstacles in their path.



The Royal Botanic Gardens are on lands of the Wurundjeri and Boon Wurrung peoples

See you there! Lex Loci

The Public Land Consultancy
ABN 69 067 045 520
Principal: David Gabriel-Jones
Email: lex.loci@publicland.com.au

27 / 539 St Kilda Road
Melbourne, VIC 3004
phone: (03) 9534 5128

postal: PO Box 2251
St Kilda West, VIC 3182
mobile: 0412 134 243
www.publicland.com.au