



REGISTER OF HERITAGE PLACES - ASSESSMENT DOCUMENTATION

11 ASSESSMENT OF CULTURAL HERITAGE SIGNIFICANCE

The criteria adopted by the Heritage Council in November 1996 have been used to determine the cultural heritage significance of the place.

PRINCIPAL AUSTRALIAN HISTORIC THEME(S)

- 7.2.1 Protesting
- 8.1.3 Developing public parks and gardens
- 8.8 Remembering the fallen
- 9.6 Mourning the dead

HERITAGE COUNCIL OF WESTERN AUSTRALIA THEME(S)

- 401 Government and politics
- 405 Sport, recreation and entertainment
- 407 Cultural activities

11.1 AESTHETIC VALUE

Solidarity Park is an urban parkland containing mature and immature trees and garden beds. It provides an attractive transitional space between the Parliamentary Car Park and Parliament House. (Criterion 1.1)

11.2 HISTORIC VALUE

Solidarity Park was created as part of the 'Third Wave Campaign', a union campaign to protest against the Coalition Government's changes to Industrial Relations legislation in Western Australia in the late twentieth century. The Third Wave Campaign is regarded as one of the most significant labour struggles in Western Australia's history, and was the last of the major campaigns of this nature of the 20th century. (Criterion 2.2)

11.3 SCIENTIFIC VALUE

11.4 SOCIAL VALUE

Solidarity Park is highly valued by the union community and contributes to its sense of place as it reflects both the bonds of solidarity formed during the campaign and the united union defiance against the Richard Court coalition government policy. This is evidenced by the unions' desire to have the park remain intact as a gift to the people of Western Australia, media

coverage during the six month occupation, oral histories, and academic papers and publications. The place is also valued by this community as a site commemorating those killed in the workplace. (Criterion 4.1 & 4.2)

Solidarity Park is an important labour landmark site located within the government and civic precinct of West Perth, and contributes to the union community's sense of place due to its continuing use as a site for protest. It acts as a place from which communities feel they can be heard by those in power. (Criterion 4.1 & 4.2)

12 DEGREE OF SIGNIFICANCE

12.1 RARITY

Solidarity Park is rare as it is one of only two sites of labour monuments in Western Australia, the other being the Tom Edwards Memorial in Fremantle, and contains the largest concentration of labour monuments in Western Australia. (Criterion 5.1)

The strategic annexation and development of a site for long term union protest is unique in Western Australia. (Criterion 5.2)

12.4 REPRESENTATIVENESS

The Mark Allen Memorial and the Wall of Remembrance within the context of *Solidarity Park* are representative of the practice of erecting memorials to the fallen. (Criterion 6.2)

Solidarity Park is representative of the occupation of space as a protest strategy. (Criterion 6.2)

12.3 CONDITION

Solidarity Park is overall in very good condition with the garden beds and plantings in sound condition. The plaque on the Wall of Remembrance is corroded and is in poor condition.

12.4 INTEGRITY

As a site of historic and social value, *Solidarity Park* has a high degree of integrity. *Solidarity Park's* original use as a shelter, meeting place, protest site and place of remembrance is still maintained. The site continues to be a meeting place, with permanent structures, for those gathering to protest and for those remembering past lives. It is used daily by those working in nearby Parliament House as a safe and attractive thoroughfare for walking to and from the adjacent car park. Its long term viability is likely to be ensured due to this continuing use.

12.5 AUTHENTICITY

Solidarity Park retains a high degree of authenticity. The site has remained virtually unchanged since the unions vacated the place in 1997.

13. SUPPORTING EVIDENCE

The documentary evidence has been compiled by Leigh O'Brien and Renae Jarman-Walker at the Research Institute for Cultural Heritage, Curtin University. The physical evidence has been compiled by Amy Della-Sale and Amanda Arnold at the Research Institute for Cultural Heritage, Curtin University, as part of a degree in Cultural Heritage Studies and under the supervision of Dr. Bobbie Oliver.

13.1 DOCUMENTARY EVIDENCE

Solidarity Park, formerly known as The Workers' Embassy, is a landscaped park containing five memorial structures. All structures in the park were constructed in 1997 during the six month trade union occupation of the site as part of the Third Wave Campaign against industrial relations legislation reform proposed by Richard Court's coalition government.

In terms of labour relations Australia has long been identified as a 'workers' paradise', a term often 'used pejoratively by those who are critical of the 'protectionism' afforded to workers and unions'¹ by Australia's industrial arbitration system. The 'workers' paradise' is also, however, an ideal which the labour and union movement in Australia has struggled to achieve and maintain since the establishment of the trade union movement in the 1850s.

Following the 'Great Strikes' of the 1890s, which were compounded by severe depression and extensive unemployment throughout most of Eastern Australia, the State and Commonwealth governments established arbitration courts to negotiate and 'even up the economic imbalance between labour and capital'.² This negotiated position was to be achieved through a process of collective bargaining undertaken by the relevant trade union. As Hagan writes, the arbitration court system

provided means for union registration and would hear representations from registered unions only, not from individuals or unregistered groups. By thus building the trade unions into the States' laws, the courts ensured their continuance, and encouraged employees to form unions so that they could obtain awards which would guarantee minimum wages and conditions.³

This system thus 'established and legitimated a central role for Unions' within the industrial relations (IR) framework of the States. In addition to the right to negotiate awards, unions also played a part in monitoring the implementation of award conditions in the workplace. As Bailey states, 'Australian unions...had remarkably free access to workplaces to carry out tasks such as checking employers' time and wages records. This was a

¹ Bailey, J. 'A Sociocultural Study of the Third Wave Campaign', Unpublished PhD Thesis, Murdoch University, Perth, 2001, p.115

² Bailey, J and McAtee, D. ' "A Hard-Tied Knot": The Significance of Solidarity Park' in "The Workers' Embassy Scrapbook", Bailey, J. and McAtee, D. (eds.) *Papers in Labour History*, No. 20, August 1998, p.79

³ Hagan, J. *The ACTU: a Short History on the occasion of the 50th anniversary 1927-1977*, A.H. & A.W. Reed PTY LTD, Terrey Hills, Sydney, 1977, p.18

crucial aspect of policing employers who might attempt to underpay workers'.⁴

The role of the unions in Western Australia (WA) was defined in this manner, with little change, from the establishment of the arbitration system in 1900 until the election of Richard Court's Coalition Government in 1993. One of the government's primary tasks on gaining office was to reform the industrial relations system in WA, the fervour of the undertaking prompting Bailey to claim, '(i)t is not an overstatement to say that more change has occurred in WA's IR system in the past seven years than had occurred in the previous ninety years'.⁵

The Coalition's industrial relations reforms were to be implemented in three 'waves' which, according to the Government of the day, 'were designed to provide... 'new and greater opportunities for initiative, flexibility, co-operation and positive human relations within the workplace''.⁶ Reform was to be achieved by removing compulsory conciliation and arbitration. For the unions these reforms could be seen as an attempt to undermine the existing system of industrial relations and thereby serve to weaken the bargaining position of their members.

This type of industrial relations reform was in line with a worldwide trend to deregulate, decentralise and decollectivise the employment contract⁷ and replace it with individual contracts. This shift served to challenge a fundamental tenet of the union movement – that '(w)orkers were individual citizens but labour was a collective actor in public life'.⁸ The notion of solidarity remained intrinsic to this belief.

In Western Australia in 1993 the 'First Wave' of industrial reforms began with the introduction of the *Workplace Agreements Act 1993* and associated legislation. This Act provided employers and employees with an alternative to the arbitration and award system by allowing an individual contract of employment to be negotiated that did not need to reflect the award, and was supported by a basic set of conditions contained in the *Minimum Conditions of Employment Act 1993*. These 'Workplace Agreements' (WPAs) removed the parties involved from the existing legislation and thereby effectively excluded both the arbitration court (the Western Australian Industrial

⁴ Bailey, PhD Thesis, p.117

⁵ Bailey, PhD Thesis, p.121 and p.124

⁶ Legislative Assembly, 'Hansard', 1993, p.1451 cited in Ford, B. "Changing the Dynamics of Bargaining: Individualisation and Employment Agreements in Western Australia" in Deery, S and Mitchell, R. (eds.) *Employment Relations: individualisation and union exclusion: an international study*, The Federation Press, Sydney, pp.88-89 and p.95

⁷ Brown, W. 'Individualisation and Union Recognition in Britain in the 1990s', pp.153-72; Nakakubo, H. 'Individualisation of Employment Relations in Japan: A Legal Analysis', pp.172-88; and Oxenbridge, S. 'The Individualisation of Employment Relations in New Zealand: Trends and Outcomes', pp.227-51 all in Deery and Mitchell, *Employment Relations*.

⁸ Irving, T. (ed.) *Challenges to Labour History*, University of New South Wales Press, Sydney, p.11

Relations Commission – WAIRC) and the unions from participating in managing the employment relationship.

In 1995 the 'Second Wave' began, but created little debate. It preceded both a State and Federal election year and ultimately only those changes to the legislation that were not controversial were passed. However in early 1997, in the Coalition's second term of government, a 're-vamped second wave', known as the 'Third Wave' was proposed. Unionists feared that '(t)he Third Wave's provisions were aimed at the 'core business' of unions' and involved among other things:

- Restrictions on the rights of union officials to enter workplaces, creating heated debate about freedom of association due to a proposed need to identify union members before entering;
- Restriction on union officials' access to employers' time and wages records;
- Elimination of automatic payroll deductions for union dues; and,
- Prohibition of industrial action unless authorised by a 'pre-strike ballot', a process taking approximately six weeks,⁹

However, within the proposed legislation, provisions were made to generate a secret ballot system within unions to ensure confidentiality and privacy, and to outlaw workplace action, such as strikes, numerous of which occurred during the 'Third Wave' debate, with severe repercussions for Australia's economy and vast numbers of the population through lack of supplies and services. These measures may be read as an effort to provide a democratic system benefiting both unions and the wider public.¹⁰

It could be interpreted that 'the First Wave was about restricting the *demand* for union services, while the Second and Third Waves were about restricting the *supply* of union services'. So it was that,

(i)n early 1997, W.A. unions faced an unprecedented situation. The arbitration model was crumbling as a result of the Workplace Agreements Act. W.A. Union density, the lowest of any Australian state, had already fallen faster than elsewhere in Australia. Further erosion of the arbitration model was about to occur via the Third Wave legislation. Thus the Third Wave campaign began in earnest.¹¹

Whilst the proposed legislation was supported by some sectors of the community, such as WA Chamber of Commerce and Industry, the majority of response was that of opposition, with even a number of its supporters,

⁹ Bailey, PhD Thesis, p.136 and p.137 and Bailey, J. and McAtee, D. 'Making our own History: Words and Pictures from Third Wave Participants' in Bailey and McAtee, "The Workers' Embassy Scrapbook", pp.7-8

¹⁰ 'Keirath has his say on Labor reforms', *West Australian*, April 24 1997, p.15., Advertisement, authorised by Tony Cooke, Trades and Labour Council, in *West Australian*, April 26 1997, p38, 'Dairy strike woes go on', Pryer, W., *West Australian*, May 15 1997, p.9, NW Workers call snap 24 hour strike', Reed, D., and 'Teachers union threatens more unrest', *West Australian*, April 22 1997, p12

¹¹ Bailey, PhD Thesis, p.125 and p.141

including the WA Chamber of Commerce, expressing their disapproval at the disruptive nature of the proposed 'Third Wave'.¹²

The Third Wave Campaign, which 'many commentators have judged (as) one of the most significant struggles of the labour movement in this State' was 'marked by a determination to exercise a variety of campaigning methods to maximise the opportunity for participation by working people and their families in opposition to draconian labour legislation'.¹³ These methods included strike action, a 'go slow' on the freeway, and a 'sit-in' at Parliament House¹⁴ but the most notable form of protest was the April 29th rally and march, and the establishment of 'The Workers' Embassy', later renamed *Solidarity Park*.

'The Workers' Embassy' was first established inside the grounds of Parliament House on 29 April 1997 as part of the campaign against the Third Wave legislation. The Embassy consisted of a caravan manned by union officials. Under the guise of a first-aid post, the caravan operated as a distribution point for information and a collection point for donations during and after the rally of 29 April.¹⁵ This rally attracted between 25 000 and 30 000 participants and was believed to be the largest public demonstration in Western Australia's industrial relations history.¹⁶ 'The Workers' Embassy', in the form of the caravan, was officially opened by the President of the Australian Council of Trade Unions (ACTU), Jennie George, on this date.¹⁷

The caravan was moved on by police in the early hours of 30 April 1997 and four union officials were arrested.¹⁸ A site across the road from Parliament House was chosen by members of the Builders Labourers, Painters and Plasterers Union (BLPPU) and the caravan was towed there, re-establishing 'The Workers' Embassy'. It was a barren piece of land at the edge of a car park on the corner of Parliament Place and Harvest Terrace and directly faced the back of Parliament House.

This area was used as a thoroughfare between the adjacent car park and Parliament House. The previous use of the land has been identified as

¹² 'Industry body backs Keirath', Pryer, W. *West Australian*, April 23 1997, p10, 'Churchman Labels IR legislation 'madness'', *West Australian*, April 25 1997, p8, and 5 letters alone opposing the legislation in Letters to the Editor, *West Australian*, April 22 1997, p12.

¹³ Bailey and McAtee, 'The Workers' Embassy Scrapbook', p.1 and p.3

¹⁴ Bailey, J. 'Third Wave Dispute: Time Line (Jan to November, 1997)' in Bailey and McAtee, "The Workers' Embassy Scrapbook", p.108

¹⁵ Bailey, J. and McAtee, D. 'Sundials, Sandbags and Scarecrows: A Cultural Analysis of the "Third Wave" Campaign', in Batterham, L. and Bertola, D. (eds.) *Papers in Labour History*, No. 21, January/February 1998, p. 7; Bailey, PhD Thesis, p. 167.

¹⁶ Bailey, PhD Thesis, p. 158.

¹⁷ Interview with Jane Oborn, Australian Liquor, Hospitality and Miscellaneous Workers' Union organiser, Third Wave Campaign Oral Histories, OH 2729, Battye Library.

¹⁸ Reardon, D. 'Arrests as police shut "embassy"', *West Australian*, 1 May 1997, p. 1; Editorial: 'Eviction a serious abuse of power', *West Australian*, 2 May 1997, p. 12.

requiring further research.¹⁹ Local ‘myth’ states that a tunnel on the site leads to the Speakers Chair in Parliament House²⁰, but this has not been investigated in this assessment and no attempt has been made to date the tunnel, or to confirm its existence.

On 1 May – ‘May Day’, a significant date for the labour movement – Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union (CEPU) organiser Mike Mitchell pegged out the 510 square metre site under the Mining Act with a prospector’s licence.²¹ The application for the mining licence was never actually granted.²² The site consisted of part road reserve of Perth City Council and part A class Reserve vested in the State Government.²³ The Perth City Council voted to hand over its 46 square metres of the site to the Government on 10 June 1997.²⁴

Initially, ‘The Workers’ Embassy’ was a base for the union’s protest against the passage of the legislation through Parliament. The media adviser for the Trades and Labour Council (TLC, now known as Unions WA) describes the site during this time: ‘The Embassy site itself was extremely colourful and noisy in April and May as the passage of the Bill went through the various houses. And it was a place to go to for a cup of coffee and to warm up...’ for those participating in the protest.²⁵ Unions were rostered to occupy the site 24 hours a day. The caravan was quickly added to with the erection of scaffolding and tarpaulins by the Builders Labourers, Painters and Plasterers Union (BLPPU) to provide protection from the weather. Other additions such as fridges, a table, a barbecue, and a food cupboard were established to provide the necessities and some comforts.

The unions waged a controversial sit-in for more than 24 hours inside Parliament House during the passing of the legislation on 15 May, where for the first time in history the Upper House chamber was abandoned by the assembly, being hijacked by riotous unionists “seeking to sabotage the democratic procession”²⁶ by turning off the power, whistling, chanting, and throwing objects at the assembly. Following the abandoning of the chamber, union members continued to occupy the space, refusing requests to vacate.²⁷ Unionists also picketed the entrances to Parliament House, and

¹⁹ See ‘Further Research’.

²⁰ King, P., pers. comm., 27 August 2001.

²¹ Bailey, PhD Thesis, p. 168.

²² ‘Workers to fight “embassy” eviction’, *West Australian*, 21 June 1997, p. 41.

²³ Pryer, W. ‘Workers ordered to close embassy’, *The West Australian*, 20 June 1997, p. 28.

²⁴ Duffy, J. ‘PCC votes to offload tent embassy site’, *West Australian*, 11 June 1997, p. 8.

²⁵ Interview with Chris Smyth, media adviser for the TLC during the Third Wave Campaign, Third Wave Campaign Oral History, OH 2729, Batty Library.

²⁶ ‘Unions pull the plug on Upper House’ Rose, R., *West Australian*, May 15 1997, p9

²⁷ ‘Unions pull the plug’, *ibid*, ‘Bill passes in day of chaos’, Burns, A. & Rose, R., *West Australian*, May 16 1997, p1, ‘Protest party leaves MPs in the dark’, *West Australian*, May 16 1997, p3.

after Hansard workers walked off the job²⁸ and refused to cross back over the picket lines, the last two hours of the controversial debate were left unrecorded.²⁹ 'The Worker's Embassy' site provided the base for those involved in supporting the unionists inside. On 16 May a 'Black Tie and Work Boots Ball' was held at the Embassy site to acknowledge the events of the previous days and to signal the intention of continuing protest both by maintaining the campaign and through occupation of the site itself.

The first barbecue built on the site was named the 'Mark Allen Barbecue' in honour of a young union official who was killed whilst inspecting a workplace in 1996. The barbecue was dedicated by Bill Kelty, the then Vice President of the ACTU.³⁰ The inquest into Allen's death had begun around this time. This barbecue disintegrated from continuous use during the occupation of the site.³¹ Other spontaneous and temporary installations appeared over the weeks as unions added to the site during their roster. Each one reflected the skills or profession of that union. Examples include: a metal 'entrance gate' erected by members of the Australian Manufacturing Workers' Union (AMWU); a vegetable garden by members of the Community and Public Sector Union (CPSU); a sandpit by members of the State School Teacher's Union (SSTUWA); and a water tank which was continually refilled by members of the United Fire-fighters' Union.³²

Other additions included various plantings such as olives trees – symbolic of peace – and an Illawarra Wattle. A sandbag wall was built around the perimeter of the site which had military symbolism as a fortification.³³ A letterbox was installed and used at the entrance to the site, and a bus stop appeared.³⁴

A typical day at 'The Workers' Embassy' depended upon which union was rostered on, but certain government and civic rituals were parodied. There was a 'changeover' ceremony at 6pm each night, which included the lowering of the departing union flag and raising the flag of the next occupant, and also the handing over of barbecue tongs which mimicked the black rod and mace of Parliament. Some unions held theme nights³⁵, birthdays were celebrated, and the site was visited by tourists, school groups, invited international visitors and other dignitaries such as Gough and Margaret

²⁸ 'Picket Aims to disrupt debate', Pryer, W. & Crawford, H., *West Australian*, May 15 1997, p9

²⁹ 'Debate sinks without trace', Rose, R., *West Australian*, May 16 1997, p4

³⁰ 'Embassy Tribute to Mark Allen', *The WA Construction Worker*, Winter 1997, p. 43.

³¹ King, P. pers. comm., 27 August 2001.

³² Bailey, J. ' "A Symbolism to this Place": The Geography of a Union Campaign', in Markey, R. (ed.) *Labour and Community: Historical Essays*, University of Wollongong Press, 2001, p. 396.

³³ Bailey, PhD Thesis, p. 245.

³⁴ Bailey, J. 'Blue Singlets and Broccoli: Culture in the Service of Union Struggle', *Labour History*, No. 79, 2000, p. 44.

³⁵ The AWU had a Greek night and a Board Games night. Described in Pike Interview, Third Wave Campaign Oral Histories, OH 2729, Battye Library.

Whitlam.³⁶ Busy bees were held on weekends to keep the site clean, tidy and within Health Department regulations and Family Days were held on two occasions which attracted many visitors. Overall, participants at the site attest to the unprecedented bonds of solidarity formed both within and between unions.³⁷

On 20 June 1997 the Minister for Lands, the Hon. Doug Shave, gave the unions a 90 day order under the Lands Administration Act to take down the structures and quit the site by 19 September.³⁸ Following international obligations on freedom of expression and peaceful assembly, however, groups have a right to maintain permanent protests, including structures, on Commonwealth land, as long as health and safety obligations are met.³⁹ This included within its scope the site occupied by the protesters outside Parliament House, so under this allowance, the unions instead had a landscape architect draw up a design for the site⁴⁰ and the first of a number of permanent structures were built as part of a strategy to establish the permanency of the site. At the time the order was issued, unionists were in the process of laying the concrete slab for the erection of a pergola, and had plans for the limestone wall to be constructed the following week.⁴¹

The first structure installed was the Mark Allen Memorial which members of the Builders Labourers, Painters and Plasterers Union (BLPPU) and the Construction, Forestry, Mining and Energy Union (CFMEU) first built in early June. However, this structure was deemed offensive due to its phallic appearance and after two weeks it was demolished.⁴² On 21 June the same unions began rebuilding the memorial as it stands in its present form.⁴³ The 'Triple Eight' symbol on top of the Mark Allen Memorial is an historic labour symbol representing eight hours work, eight hours rest and eight hours recreation.⁴⁴

The plan for the site was approved at a campaign committee meeting at the site on 9 July and also at a TLC Executive Meeting 29 July 1997.⁴⁵ Around the same time it was also decided to rename the site *Solidarity Park*. Bailey points out that '(T)his indicated a deliberate decision on the part of the TLC to turn the site into something solid and formal: a public park to be handed

³⁶ See photo No. 16.

³⁷ See OH 2729, Battye Library. Various participants refer to the site as 'a hard-tied knot', a 'symbol of union unity', and that it '...created a real atmosphere of solidarity and comradeship that I (haven't) experienced on any other occasion.'

³⁸ Bailey, 'A Symbolism to this Place...', p. 397; Pryer, W. 'Workers ordered to close embassy', *The West Australian*, 20 June 1997, p. 28.

³⁹ Labor Senator Peter Cook in Pryer, W. *ibid*.

⁴⁰ Bailey and McAtee 'A Hard-Tied Knot...', p. 78; see Figure No. 2.

⁴¹ Pryer, W. 'Workers ordered to close embassy', *The West Australian*, 20 June 1997, p. 28.

⁴² Pike Interview, OH 2729, Battye Library.

⁴³ Bailey, 'Timeline', p. 110.

⁴⁴ This symbol has been identified as requiring further research. See 'Further Research' p.19 of this assessment.

⁴⁵ TLC Executive Report compiled by Tony Cooke, July 15 1997, cited in Bailey, PhD Thesis, p. 195.

over to the people of Western Australia'.⁴⁶ This intention was noted in the article 'Unions offer 'park' to public' by S. Anthony in The West Australian on 19 August which also stated that the TLC and its affiliates had spent about \$6000 on the site. This figure did not include voluntary labour and donations of materials and funds. Over July and August a number of other permanent structures and monuments were built by union members, in particular those of the Builders Labourers Painters and Plasterers Union (BLPPU). This created the largest concentration of labour monuments in Western Australia. These include:

Main Entrance: This provided an entry statement to the park.

Pergolas: two brick and zincalume-roofed pergolas, one of which contained picnic tables, seating and two barbecues, the other included a stage at one end. The northern pergola was dedicated to the workers at the Hot Briquetted Iron (HBI) Plant in Port Hedland, whose donations were used to fund the building of this structure.

The People's Wall: a wall of limestone along the Harvest Terrace and Parliament Place boundary of the site which included steps and wheelchair access. This replaced the sandbag wall.

Wall of Remembrance: a 6m long brick wall adjacent to the car park called the 'Wall of Remembrance' in memory of those who were killed and injured in the workplace.

Fountain for Youth: A brick drinking fountain dedicated to the youth of Western Australia.⁴⁷ This was built by the members of the building unions and the plumbing and pipes were installed by members of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union (CEPU).⁴⁸

Commemorative Rock: A large granite rock weighing approximately 5.5 tonnes was installed by the Maritime Unions of Australia (MUA).⁴⁹ A plaque dedicated to freedom of speech and association was attached, which commemorated the official opening of the park by ACTU President Jennie George on 29 August 1997.⁵⁰ Most of the construction on the site was complete by this time.⁵¹ Two plaques were also attached to the rock to commemorate international visitors to the site. These were stolen but have since been returned on the understanding of "no questions asked".⁵² These two plaques are currently in the possession of Bob Bryant, the

⁴⁶ Bailey, PhD Thesis, p. 193.

⁴⁷ Details of structures in Bailey and McAtee, 'A Hard-Tied Knot...', p. 77.

⁴⁸ Bailey, 'A Symbolism to this place...', p. 400.

⁴⁹ Bryant Interview, OH 2729, Battye Library.

⁵⁰ Bailey and McAtee, 'A Hard-Tied Knot...', p. 77.

⁵¹ Bailey, PhD Thesis, p. 195.

⁵² King, P. pers. comm. 27 August 2001.

Unions WA (formerly the TLC) Occupational Health and Safety Officer, the intention being to reinstate them to the rock in the near future.⁵³

Other additions: Brick paving, garden beds which partly incorporated the original 'Solidarity Garden', lighting and a flagpole.

The Community and Public Sector Union (CPSU) buried a time capsule under the northern pergola on 30 July 1997, with plans to exhume after a twenty year period. The time capsule consisted of an esky filled with memorabilia from the Union itself and also the Third Wave Campaign and included such things as T-Shirts, mugs, badges, stubby holders and other ephemera.⁵⁴

Dedication of the Mark Allen Memorial at *Solidarity Park* took place on 6 September 1997, the first anniversary of his death.⁵⁵ One attendant at this service wrote:

As I looked at the faces of the men and women who had come to pay their respects to a fallen comrade, I knew these workers had put more than bricks and mortar into the park. They had also put in more than a bit of themselves.⁵⁶

To commemorate the second anniversary in 1998 a family picnic day was held. An article in the *WA Construction Worker* notes that about 200 people attended and that a family picnic was the choice over '...a more sombre kind of event, because we wished to celebrate Mark's life and work, as much as mourn his loss.'⁵⁷ Each year since, a memorial service has been held on 6 September and attended by union members and officials and Allen's family and friends.⁵⁸

On 13 September 1997, an interdenominational religious service was held to dedicate the Wall of Remembrance to dead and injured workers.⁵⁹ Each year on 28 April, the International Day of Mourning, a service is held at *Solidarity Park* to commemorate those killed at work.⁶⁰

During what Bailey describes as the 'leave-taking' phase, from early September to early November 1997, there was disagreement amongst unions as to exactly when to vacate the site.⁶¹ A social event called the

⁵³ Bob Bryant, Unions WA, conversation with Leigh O'Brien, 17 October 2001.

⁵⁴ Pike Interview, OH 2729, Batty Library.

⁵⁵ Bailey, PhD Thesis, p. 200.

⁵⁶ McDonald, J. 'Solidarity Park Forever', *The WA Construction Worker*, Spring 1997, p. 7.

⁵⁷ Bolas, J. 'We Remember Mark', *The WA Construction Worker*, Spring 1998, p. 56.

⁵⁸ '100 Dozen Red Roses', *The WA Construction Worker*, Spring 1999, p. 33; 'Why We Will Never Forget', *The WA Construction Worker*, Spring 2000, p. 43; and Piesse, E. 'Site death a rallying call', *The West Australian*, 8 September 2001, p. 51; see photo No's 19 & 20.

⁵⁹ Bailey, 'Timeline', p. 20, and Bailey and McAtee, 'Making our own History...', pp. 57-60.

⁶⁰ Bailey, 'A Symbolism to this Place...', p. 398; Manly, C. 'Air of Death clouds city', *The West Australian*, 29 April 2000, p. 3; *The WA Construction Worker*, Winter 2000, p. 41.

⁶¹ Bailey, PhD Thesis, p. 203; Bailey, 'Blue Singlets and Broccoli...', p. 51; Bailey, 'A Symbolism to this Place...', p. 404.

'People Power Ball' was held on 19 September, the date of vacation as deemed by the Government's notice back in June, but the occupation continued. An event called the 'Big Bang Stomp' was held on 5 November, Guy Fawkes Day, which indicated the cessation of 24 hour occupation of the site and the official vacation of the site.⁶² The unions wanted to leave the park as a recreational and protest site for the people of Western Australia and an article in *The West Australian* noted that the park could be used by '...any community groups that wanted to be part of the democratic process and protest against the Parliament ...in comfort.'⁶³

Solidarity Park continues to be used by unions for annual events such as the anniversary of Mark Allen's death and the International Day of Mourning (as mentioned above), International Women's Day⁶⁴, Christmas functions and May Day events⁶⁵. *Solidarity Park* has been the site for a wedding, several christenings and many birthday parties.⁶⁶

During both the occupation of *Solidarity Park* in 1997 and since, the Australian Society for the Study of Labour History (ASSLH), Perth Branch, has documented the Third Wave Campaign including the use of *Solidarity Park*. This material and the site itself have provided the basis for a number of academic papers and publications about industrial relations, union culture, urban geography, and public art.⁶⁷ In 1998 the Media and Production Unit at Edith Cowan University produced a video about the formation of *Solidarity Park*.⁶⁸

In 1998 both pro and anti-abortionist groups used *Solidarity Park* as a protest site during the abortion debate in Parliament. In 1998, the TLC requested the Australian Society for the Study of Labour History (ASSLH) to

⁶² Bailey, 'Timeline, pp. 110-111.

⁶³ Anthony, S. 'Park battle set for showdown', *The West Australian*, 21 August, 1997, p. 31.

⁶⁴ Bailey, 'A Symbolism to this Place...', p. 398.

⁶⁵ Young, K. 'Nearly a year and Embassy still stands', *The WA Construction Worker*, Autumn 1998, p. 37. This article mentions a Christmas party held at Solidarity Park for the CFMEU Apprenticeship Group Training Scheme and a 'traditional May Day toast' to be held on May 1st which was 'shaping up as the best attended toast ever'.

⁶⁶ Bailey, 'A Symbolism to this Place...', p. 400.

⁶⁷ These include: Bailey, J. 'A Sociocultural Study of the Third Wave Campaign', Unpublished PhD Thesis, Murdoch University, 2001; Bailey, J. 'Blue Singlets and Broccoli: Culture in the Service of Union Struggle', *Labour History*, No. 79, 2000; Bailey, J. 'A Symbolism to this Place': The Geography of a Union Campaign', in Markey, R. (ed.) *Labour and Community: Historical Essays*, University of Wollongong Press, 2001; Bailey, J. and McAtee, D. 'Sundials, Sandbags and Scarecrows: A Cultural Analysis of the "Third Wave" Campaign', in Batterham, L. and Bertola, D. (eds.), *Papers in Labour History*, No. 21, January/February 1998; Bailey, J. and McAtee, D. (eds.), "The Workers' Embassy Scrapbook", *Papers in Labour History*, No. 20, August 1998, The entire volume consisting of 6 articles is dedicated to the Workers Embassy/Solidarity Park; McAtee, D. and Bailey, J. 'Creating Solidarity Park', *Artwork*, No. 38 March 1998; Brown, J. 'The Worker's Embassy: Founded in Space, Lost in Place', Unpublished Honours Thesis, Murdoch University, 1999; Mann, K. 'Contesting the Transformation of a City', Unpublished paper, Edith Cowan University, 2001.

⁶⁸ *Sandbags, Sundials and Scarecrows: A Case Study of Labour Movement Culture*, Media Production Unit for the School of Management: Edith Cowan University, 1998, 22 mins.

nominate *Solidarity Park* for classification by the National Trust (WA). Bailey notes that the National Trust responded favourably to a discussion paper lodged by the ASSLH, but declined to classify the site ‘...at this point in time.’ In 1999 and early 2000 *Solidarity Park* was used as a protest site for both sides of the old-growth forest debate.⁶⁹

Solidarity Park is a thoroughfare between the Parliamentary Car Park and Parliament House, and is used daily by the local community and workers as a recreation and picnic site.⁷⁰ In April 2002, the structures and memorials of *Solidarity Park* exist virtually unchanged from the time the unions vacated in 1997. The site continues to be used for annual union events including commemorations and as a site for protest by various community groups, the most recent at the time of this assessment being held on Friday 21 September 2001, for a rally following the collapse of Ansett Airlines.⁷¹

13.2 PHYSICAL EVIDENCE

Solidarity Park, formerly known as The Workers’ Embassy, is a landscaped park containing five memorial structures. All structures in the park were built in 1997 during the six month union occupation of the site as part of the Third Wave Campaign against Industrial Relations legislation reform.

Solidarity Park is a 510 square metre site located within the government and civic precinct of West Perth. It occupies a central position between the West Perth business district to the north, the Constitutional Centre of Western Australia to the West, the Old Perth Observatory, Dumas House and the Hale School (fmr) buildings to the south, and is directly opposite Parliament House to the east.

Solidarity Park is an elevated site occupying the southern corner of Parliament Place and Harvest Terrace. The southern boundary sits below the old Perth Observatory, the western boundary abuts the Parliamentary Car Park, the southern boundary is positioned adjacent to Parliament Place, and the eastern boundary is located along Harvest Terrace.

There are five memorials, two pergolas, two barbecues, various mature and immature trees, garden beds, a flagpole and two types of lights. Three of the memorials are located on the perimeter of the site. These include the People’s Wall, The Wall of Remembrance and the Fountain for Youth. The Commemorative Rock and Mark Allen memorials are located facing each other just inside the east and west boundaries. The shelters are located inside the northern and southern boundaries. The barbecues are located on the southern boundary. Two large pine trees stand on the western boundary, and a planting of olive trees is located at the northern edge of the western boundary. An Illawarra Wattle is planted adjacent to the Wall of

⁶⁹ Bailey, ‘A Symbolism to this Place...’, pp. 398, 400-401.

⁷⁰ Bailey and McAtee, ‘A Hard Tied Knot...’, p. 80; Bailey, ‘A Symbolism to this Place...’, p. 401.

⁷¹ Unions WA advertisement authorised by Stephanie Mayman, Acting Secretary, *The West Australian*, 20 September 2001, p. 8; See photo No’s 20 & 21.

Remembrance and a grevillea is planted adjacent to the beginning of the People's Wall. Two garden beds are sited opposite each other near the east and west perimeter. The flagpole is located adjacent to the People's Wall near the main entrance. Two tall streetlights, believed to be constructed prior to the union occupation, are located inside the western perimeter. They are used for lighting the car park. A third tall light is located inside the People's Wall, near the northern pergola. This was constructed during union occupation. These structures and plantings are described in more detail below.

Mark Allen Memorial

Located at the top of the main steps, this three metre high, pale brick, tiered structure is the dominant physical feature in the park. The base is 1.1m x 1.1m and has a large brass plaque on its base naming the park. The middle section measuring 1540mm x 705mm is set 220mm in from the base on all sides and has a brass plaque dedicating 'The Workers' Embassy' to Mark Allen. A small metal union flag emblem sits above this. On top of the brick memorial is a 1m high metal symbol known as a 'Triple Eight'.

The People's Wall

This 700mm high limestone wall commences at the main entrance on Harvest Terrace and runs north 7.25m. There is a 1.45m space where another flight of steps leads from Harvest Terrace into the park. The wall continues north another 1.17 m to the north-east corner of the park. It then runs west approximately 1.5m to the north-west corner of the park. A brass plate naming the wall is situated on the western side of the wall near the main entrance.

The Wall of Remembrance

The Wall of Remembrance is approximately 1.8m in height and 6m in length. It is approximately 250mm thick, with the pillars at the end of the wall extending to a thickness of 450mm. The wall is made of a standard beige sandstone house brick, with the top row consisting of bricks placed side by side, providing an aesthetic difference. There is a brass plate on each side of the wall. Each plate occupies a central position on the walls surfaces but are both attached to a larger limestone block that is set within the wall. Both plates are 350mm in width and 350mm in height and are around 270mm from the top of the wall. On each plate is an inscription. The plate on the east side of the wall states:

This wall is dedicated to the many workers who have lost their lives or have been injured or deceased as a result of work. 13th September 1997.

The words '*Solidarity Park*' are inscribed on the plate facing west.

In front of the wall is a planting bed, approximately 600mm wide, containing a single rose bush. This bed extends to a brick path that runs parallel to the wall.

The Fountain for Youth

The Fountain for Youth is a beige brick structure that faces the east and is positioned in the west corner of the site. It has four sides and is approximately 1.6m in height and 930mm x 930mm at the base. An inscribed brass plate reads:

This Fountain for Youth is presented to the young people of Australia by those who defended the rights of all workers at Solidarity Park during the Third Wave Campaign 1997. Workers united will never be defeated.

The plate also includes general information about the occupation of the site. Set in the brickwork structure is a metal fountain ensemble consisting of two handles and one water outlet. The height of this is around 650mm and it is set approximately 150mm into the face of the brickwork.

Commemorative Rock

This rock is located approximately 4m from the western boundary. It measures 1.85m x 1.16m x 1.6m and has an attached brass plaque naming the site and dating the dedication ceremony. It reads:

Solidarity Park was officially opened by Jennie George, President of the ACTU on 29th August 1997 and is dedicated to Freedom of Association; Freedom of Speech. This rock marks the spot where the Worker's Embassy was established early morning on 1st May 1997 in defence of the above ideals and the rights of working people throughout Australia and around the world.

Other brass plaques commemorating international visitors to the site during permanent occupation were in situ but are no longer extant.

Main Entrance

The main entrance to *Solidarity Park* is 6.2m wide and consists of an ascending staircase of five brick steps that rises from the Harvest Terrace pedestrian path on the eastern boundary. Brick pillars measuring 1370mm x 470mm x 470mm sit either side at the bottom of the main flight of steps. Two brick pillars of the same dimensions are also located either side of the top of the steps. A 120mm light ball sits on top of each of the highest pillars. The entrance path continues around the Mark Allen Memorial to the car park on the western boundary.

Pergolas

The site has two pergolas positioned at the north and south ends of the site. The northern pergola has six pillars/poles and is approximately 4.5m wide, 10m in length and 4m in height. The base of the pillars are sandstone brick and mortar and are approximately 450mm in width and 800mm in height. On top of each pillar is a jarrah beam that supports a pitched zincalume roof which is burgundy in colour with jarrah supports. Each cornice is dressed with a twisted piece of iron. There is a platform at the northern end of the pergola that is approximately 200mm high and is 4.6m x 3.4m in area. Two moveable slatted green park benches sit on the platform. An inscribed plate on the southernmost horizontal beam reads:

This pergola has been donated in solidarity by union members from the HBI Construction Work Force at Port Headland.

The southern pergola is 3.85m wide and 7.30m long. It is built in the same style and fabric as the aforementioned pergola. Two barbecues with a brick firebox and iron plate are located either end of a 1.07m high single pale brick wall running 5.38m adjacent to the shelter. The barbecues measure 1200mm x 720mm and are incorporated into the brick wall.

Paths and Lights

The site has a network of redbrick paths. The paths extend from the two stairway access points and stretch the width of the site to the western boundary. The paving also extends underneath the area of the shelters. The paving to the south extends to the barbecues and west to the Fountain for Youth. The paving at the northern end of the site extends to the People's Wall.

There are two metal lights, similar to streetlights, approximately 7m high that are positioned on the western boundary. A smaller black coated metal light, approximately 4.5m high, is located on the eastern boundary of the site near the northern pergola.

Plantings

In the far northern corner of the site there are four young olive trees. They are unmarked but are understood to be memorial plantings symbolising the Third Wave movement's commitment to peace. The height of the trees ranges from 1.5m - 3m. Within this small cluster of trees is a Geraldton wax and a small native shrub believed to have self-sown from trees outside the park boundary.

On the eastern edge of the site two large lavender bushes, approximately 1.2m in height, sit to the right hand side of the northern most footpath within the boundary of the People's Wall. A small basil and a small rosemary plant sit underneath the lavender. The plant bed is approximately 3.9m x 1.5m and is curbed with limestone bricks. These plants are also unmarked but are the remains of a vegetable and herb garden grown at the time of the campaign.⁷²

There are also other general plantings on the site. Next to the lavender bed is a large grevillea approximately 4m in height. On the left of the path, between the People's Wall and the paving underneath the northern pergola, there are three young bottle brush plants in a rectangular bed, which is approximately 2m wide. There is also an Illawarra Wattle approximately 4m tall near the Wall of Remembrance and two large established Scotch pines, one near the olive tree and the other close to the Fountain for Youth. Numerous plants such as bottlebrush, Geraldton wax, succulents, daisy,

⁷² Bailey, 'Blue singlets...', p.35-56

diosma, geranium and banksia sit on the north and east embankments of the site, between the footpath and the People's Wall.

Condition of the site

Mark Allen Memorial: In good condition

The People's Wall: Apart from natural weathering and staining of the limestone, the wall is in very good condition.

The Wall of Remembrance: In good condition. The brickwork on the top of the wall is damp and mossy which could possibly lead to deterioration. The brass plate facing the east is corroded and therefore in poor condition.

Fountain for Youth: In good condition. The fountain itself does not function as it has never been connected and there is moss/dampness on the top brickwork.

Commemorative Rock: In good condition, however two of the original brass plaques are no longer extant, but have been relocated following theft.

Pergolas: These are in good condition. The twisted iron is slightly rusted and the Jarrah beams need re-treating as they are subject to weathering.

Barbecues: In good condition. One metal cooking plate is missing and the brickwork is marked with soot. The east barbecue has an ascending 33cm crack in the brickwork.

The Paths: In good condition

Plantings: In fair condition. Weeds need to be attended to as their presence makes the gardens look untidy. There are a few dead plants that also need removing.

Flagpole: In good condition.

Lights: The lights that form part of the Main Entrance are in good condition. The tall light on the eastern boundary is slightly rusted and needs repainting. It also has adhesive labels on the pole that are weathered.

13.3 COMPARATIVE INFORMATION

There are at least 588 memorials and monuments, including War Memorials, in Western Australia⁷³. However, there are only two labour monument sites in this State, being *Solidarity Park* and the Tom Edwards Memorial in Fremantle. *Solidarity Park* has the largest concentration of labour monuments in Western Australia.

⁷³ Figure from the Heritage Council of Western Australia Place Register, accessed 24 September 2001.
Register of Heritage Places - Assessment Doc'n **Solidarity Park** **17**
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The occupation of space is a common strategy in protest; exemplified by the Barcardine Shearers' Camp in Queensland, 1891⁷⁴ and more recently the Aboriginal Tent Embassy in Canberra, 1972⁷⁵. *Solidarity Park* is, however, the only protest site in Western Australia that has tangible evidence of occupation.

13.4 KEY REFERENCES

Bailey, J. 'A Sociocultural Study of the Third Wave Campaign', Unpublished PhD Thesis, Murdoch University, 2001.

Bailey, J. and McAtee, D. (eds.), 'The Workers' Embassy Scrapbook', *Papers in Labour History*, No. 20, August 1998.

13.5 FURTHER RESEARCH

The previous use of the site requires further research. A search of the Contract and Management Services database reveals that the site was not incorporated into any plans for the development of Parliament House. The site is identified in Government Precinct development plans (Plan No. 000151EF.TIF, date unknown) but no development was proposed specifically for the site. The plan dated 17 March 1970 (Plan No. 0001A242.TIF) shows the now completed Parliamentary Car Park but no development was identified or shown for the *Solidarity Park* site.

A tunnel entrance, surrounded by a green iron fence, is located within *Solidarity Park*. The tunnel pre-dates the union occupation of the site although unions built the fence to prevent accidents. Local 'myth' states that the tunnel leads to the Speakers Chair in Parliament House⁷⁶ but this has not been investigated in this assessment and no attempt has been made to date the tunnel.

The 'Triple Eight' symbol on the Mark Allen Memorial reflects an important core labour value being eight hours work, eight hours rest and eight hours recreation. Further research could be undertaken to establish how many public monuments contain the 'Triple Eight' symbol, and how often it occurs in public space generally to fully ascertain its value.

⁷⁴ Bailey, 'A Symbolism to this Place...', p.389

⁷⁵ Lippman, L. *Generations of Resistance: Mabo and justice*, Third Edition, Longman Australia Pty Ltd, Melbourne, p.38

⁷⁶ King, P. pers. comm., 27 August 2001.