



BEECROFT - CHELTENHAM

**C I V I C T R U S T**

I N C O R P O R A T E D

P.O. BOX 31, BEECROFT. N.S.W. 2119

**BULLETIN 2**

**April 2007**

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## **Members are hereby notified of the Trust's Annual General Meeting**

**Monday 30 April 2007 7.30pm**

**Cheltenham Recreation Club, The Crescent, Cheltenham**

**Guest Speaker: Richard Whitaker, formerly of the Bureau of Meteorology.**

Richard is a very well respected weather expert and a very entertaining speaker. He will be talking about changing global weather patterns and how these might affect trees and plants growing locally and other interesting topics. So come along with your weather questions and enjoy the evening.

**All are welcome.**

## **Autumn Walk**

**Sunday 20 May 2007 2.00pm – 5.00pm**

We will be breaking with tradition and instead of tackling the western side of Beecroft we will be exploring a different section of Cheltenham and Beecroft east of the rail line. The walk will start and finish at the end of Day Rd with the usual afternoon tea provided on completion. There will be the usual bush tracks to traverse and steps to climb so come prepared with proper walking shoes, hat and water. The track is rough and steep in some short sections. The History Group will again be in attendance and will be providing commentary on the houses we pass on part of the journey. All welcome.

Ross Walker Convenor Bushland Committee. 9875 4446

## **Information Day on local bushland and bushcare program**

**Thursday 26 April 2007 12.00pm**

You are invited to attend an open day on Thursday 26th April from 12pm. Take a stroll with volunteers and learn more about restoration, habitat areas and regeneration techniques. Meet at 12pm at the picnic tables at Ray Park on Plympton Road. Bring your appetite! We will hold a social BBQ from 12pm. Wear a hat and sturdy shoes to go for an hour guided walk around the Plympton Road area. We will stop off at the Plympton Road Scout/Guide Hall and look at some displays on Bird Habitats, Indian Mynas, Weeds and Bushcare. Two free bird friendly plants will be given to each participant. Open Day will end around 4.30pm.

# Beecroft, Cheltenham and Quinn's Post, Gallipoli

by Tony Cunneen

*No. 8 in a series of articles on the history of Beecroft  
and Cheltenham*

After the Australians had gone ashore at Gallipoli on 25<sup>th</sup> April 1915, various battles revolved around a number of well defended places. One was a most dangerous stretch of trenches called Quinn's Post in Monash Valley. Quinn's Post was so close to the Turkish trenches that grenades could be thrown easily from one side into the trenches of the other. Quinn's Post took a terrible toll on young men from the North Shore.

A number of soldiers from Sydney's Upper North Shore served at Quinn's Post. Maurice Fergusson, an ex-student of Beecroft Primary School, had gone ashore with the 13<sup>th</sup> Battalion on 25 April and endured heavy fighting. On 2 May the men of the 13<sup>th</sup> were sent to attack the Turkish trenches near the crucial position of Quinn's Post. In the ensuing confused action Fergusson, the son of a Presbyterian minister at Wahroonga, was lost. It was a savage battle. Tragically, the date of Fergusson's death indicates that he was killed as the unit was withdrawing from the engagement. His loss was noted in the local paper, the *Cumberland Argus and Fruitgrowers Advocate* and no doubt added to the growing depression which was a feature of the wider Australian community at this time.

Another man with connections to Beecroft and Cheltenham to lose his life at Quinn's Post was Edwin Butler, a 28 year-old engine driver. While he was from Picton, his father moved to Malton Road Beecroft soon after the war and thus Edwin's name appears on the monument to the fallen in the centre of the Beecroft village. Edwin Butler was killed barely a week after arriving on Gallipoli from Egypt on 9 May 1915. His unit, the 3<sup>rd</sup> Light Horse was sent into their first contact with the enemy at Quinn's Post. Arrival at the front line was hazardous in the extreme for such novice soldiers. Edwin Butler did not survive his first day at the post. The carnage experienced by Butler's unit in their first front line posting led to a review of how new troops were prepared for such hazardous duty, but the improved training was too late for Butler. The young men were thrown into a situation where enemy bombs landed, and exploded next to them without warning, or a quick curious

look over the parapet to see what was happening invited a fatal bullet.

In the same month as Butler was killed, a number of other men from the surrounding district lost their lives on Gallipoli including Reginald Epthorpe from Thornleigh, Thomas Nelson from Hornsby, Sydney Parkes from Waitara and Leonard Williams from Eastwood. A steady stream of telegrams was borne by sombre faced clergymen delivering the tragic news.

Quinn's Post also saw the first local hero honoured. Lance Corporal Charles Grimson, a 28-year-old farmer of Lodge Street Hornsby, gained fame as the first man from the district to win the Distinguished Conduct Medal. Grimson was serving at the post with the 1<sup>st</sup> Australian Light Horse Regiment on 28/29 May when the Turks exploded a mine close by, which caused the Australian trench to collapse, completely blocking off one section. The Turks then started moving their men into this section, forming a small post from which they could launch further attacks. Fierce fighting ensued and the Turks were trapped and called on to surrender.

Nothing happened because no one spoke Arabic amongst the Australians. Inevitably someone had to go in and get the enemy out. Grimson and two others fixed bayonets and crawled over the rubble into the enemy position. They moved along the trench forcing 17 Turks to surrender. The interior of the shelter was a horrific sight, splashed with the remains of 23 dead Turks. The terrified Turkish prisoners were taken out, expecting to be killed. Instead they were given a friendly welcome and cigarettes and marched into captivity. So relieved were they, that they kissed the hands of their captors. Grimson returned home in November 1915 and became a well-known local figure, prominent in the recruiting efforts.

Three other young men from the district went to Gallipoli together. They were Arthur Gilbert, an 18 year old clerk of "Torrington" on Beecroft Road, Beecroft, George Murray, 22, of "Brackland" on Cheltenham Road also listed as a Beecroft man, and Douglas Kenway, 20, of "Carneton" in West Pennant Hills. Other local men on Gallipoli were a local farmer, Henry Connell, working with the Service Corps as a horse driver and Adrian Hope in the Light Horse.

There was a wave of enlistments across the coun-

try in response to news of the landings. One local boy, Samuel Greer of "Armagh" in "The Crescent", Pennant Hills, who had been to Beecroft Public School, convinced his parents to let him join up at the age of 18. He left on the transport *Berrima* on 25 June along with Raymond King of Clark Road in Hornsby, Roy Gallard of Abuklea Road in Eastwood and Leopold Gartung of Galston, near Hornsby. They were just in time for the end of Gallipoli. Perhaps young Sammy Greer would not have been so ardent had he known what he was getting himself into. The war killed him by degrees.

While the local men crouched in terror at Quinn's Post, the suburbs of Beecroft and Cheltenham went about their lives. St John's Anglican Church prepared to celebrate its 25<sup>th</sup> anniversary and the Reverend Joseph Young distributed prizes to the successful students of the Sunday School. Local news was concerned with a successful kitchen tea for the soon-to-be-married Miss Mabel Lyon, complaints over the cost of the Hannah Street Bridge, joy at the way the Reverend Archibald Ogilvie had allowed members of his congregation to use his tennis court and relief that Mrs Brown had recovered from appendicitis. However, the war intruded on every aspect of life. After Gallipoli and the waves of terrible telegrams a subdued gloom settled on the suburbs as everyone feared the worst for their sons and brothers at the war.

This is an edited extract from the book *Beecroft Cheltenham and World War One* by Tony Cunneen, available by ringing 94842928. Price - \$20.

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## Echidnas in our Suburb



Over the past few months members of the Trust have been contacted by excited residents with sightings of echidnas roaming our streets. This is good news and Hornsby Council has been informed. The reason for the recent sightings is not known, however some residents suggest it may be the result of the recent fox baiting programme in the nearby Lane Cove National Park.

Please be on the lookout on your travels, especially

when driving on the local roads. You are encouraged to report any interesting wildlife sightings to 9487 6832 or email to [comment@2119.org.au](mailto:comment@2119.org.au). This information will be passed onto council and the NPWS. To date there have been sightings around Observatory Park, Copeland Rd East, Sutherland Road and even Lyndon Way.

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## Trees (Disputes Between Neighbours) Act 2006

The NSW Law Reform Commission Report entitled "Neighbour and Neighbour Relations", Report No 88, published in 1998, led to the development of this Act.

The report concluded that the common law of nuisance and abatement, which currently governs disputes between private parties about trees, did not provide an adequate dispute resolution process for people living in closely settled communities.

The Act presents what is proposed to be an accessible solution for neighbour disputes regarding trees which have caused, are causing, or are likely to cause damage to property in the near future, or trees which are likely to cause injury to a person. It creates a system whereby a person may apply to the Land and Environment Court (LEC) for an order to remedy or prevent damage of this kind.

Concern has been expressed by the Law Society that because applications under this Act are limited to the LEC, the system provided by the Act will not be as accessible as was hoped. As the LEC is a Sydney based court, those in regional areas may not feel the effects of the cost minimisation and time efficiency hoped to be provided by the Act. It is suggested by the Law Society that the Act should give jurisdiction to the Local Court either solely or concurrently with jurisdiction to the LEC.

### Current status of the Act

The Act commences on 2 February 2007.

### Predicted process of dealing with complaints of this kind

- § The Act encourages informal resolution of the matter between the neighbours involved;
- § Consultation with the local Council is the probable next step;

§ This is likely to be followed by referral to the community justice centre or local land board;

§ Finally, a complainant may apply to the LEC for an order under this Act.

### Effects of the Act

**Generally:** The Act is designed to apply only to trees in urban areas however, it will not affect Environmental Planning Instruments or Tree Preservation Orders intended to protect urban trees. It will also not apply in disputes between neighbours regarding light access and views. The Act limits the ability to bring a common law action in nuisance, by providing that any action regarding a tree on adjoining land that poses a danger or is causing damage may only be brought in the LEC under this Act. The scope of the orders that can be made by the LEC is fairly broad. These include trimming or removing of the tree, costs and payment of compensation for damage to property. In particular, the Act overrides the common law rules of trespass and provides that the Court will be able to make orders authorising entry onto land for the purpose of carrying out an order.

**Effects on vendors selling land:** The Act amends the *Conveyancing (Sale of Land) Regulation 2005* (NSW) to require a vendor to give a warranty regarding any application or order made under this Act. The *Environmental Planning and Assessment Act 1979* is also amended to provide for the inclusion of information regarding court orders made under the legislation on section 149 planning certificates.

**Effects on purchasers of land:** Orders made by the court will run with the land. Thus, where a person sells the land but has not carried out the orders, as long as the applicant has given the purchaser a copy of the orders, the purchaser of the property

will be required to carry out the work.

**Effects on Local Councils:** Councils are given the discretion to carry out work ordered by the LEC where the tree owner has not complied with an order. Councils will be able to recoup reasonable costs for completing this work, however there is some concern over the cost and resource implications this will have for Councils.

The Act does not cover trees which are on Council land however, it is expected that when the legislation is reviewed in two years time, Council will no longer be exempt. This is despite concerns that a considerable amount of Local Council resources may be tied up as a result.

Footnote:

The Trust advises that you check with the Court Registrar prior to making an application for a matter to be heard as considerable costs could be involved.

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### Membership

We regret the necessity to increase our fees this year to \$25 per household and to discontinue the single rate. The Trust has been working actively in your interest and our expenses have increased. Our membership subscriptions are our only source of income and the whole community of Beecroft and Cheltenham benefits from our efforts. Please join your Civic Trust so we can continue to fight for the best outcomes for your suburbs and keep Beecroft and Cheltenham pleasant places to live. Subscriptions may now also be paid securely on line by credit card through our website [www.2119.org.au](http://www.2119.org.au)



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**Annual Subscription Rates 1/1/07 to 31/12/07: \$25 per household**

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Cheques are to be made out to Beecroft Cheltenham Civic Trust Inc.

Receipts will not be issued except for cash payments.

Please post to: The Treasurer, BCCT, PO Box 31, Beecroft, 2119