



**ATTACHMENTS TO REPORTS OF THE BLAYNEY SHIRE COUNCIL MEETING
HELD ON MONDAY 17 SEPTEMBER 2018**

CORPORATE SERVICES REPORTS

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Code of Meeting Practice

Policy	1C
Officer Responsible	Director Corporate Services
Last Review Date	17/09/2018

Strategic Policy

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1. INTRODUCTION

1.1. Objectives

This Code of Meeting Practice (the Code) has the following objectives:

- (1) to ensure that all meetings of Council and its Committees are conducted in an orderly, consistent and efficient manner;
- (2) to ensure that all meetings of Council and its Committees are conducted according to the principles of procedural fairness and due process;
- (3) to ensure that all Councillors have an equal opportunity to participate in the meeting to the fullest extent possible, with respect being accorded to the expression of differing views;
- (4) to ensure that all Councillors fully understand their rights and obligations as participants in meetings of Council; and
- (5) to ensure that proceedings are transparent and understandable to all persons participating in and observing meetings of Council and its Committees.

1.2. Guide to References in this Code

The Code consolidates provisions in relevant Acts and Regulations which are specific meeting provisions for Blayney Shire Council. References to relevant sections in the Local Government Act and regulations are included in the Code.

Clause	refers to Clauses within this Code
LGA Sec	refers to the Local Government Act 1993 - Section Number
Reg	refers to the Local Government (General) Regulation 2005 – Regulation Number

2. THE CODE OF MEETING PRACTICE

2.1. Application of the Code

Conduct of meetings of council and committees

- (1) The regulations may make provision with respect to the conduct of meetings of councils and committees of councils of which all the members are councillors.
- (2) A council may adopt a code of meeting practice that incorporates the regulations made for the purposes of this section and supplements those regulations with provisions that are not inconsistent with them.
- (3) A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by it.

LGA Sec 360

2.2. Preparation of the Code of Meeting Practice

Preparation, public notice and exhibition of draft code

- (1) Before adopting a code of meeting practice, a council must prepare a draft code.
- (2) The council must give public notice of the draft code after it is prepared.
- (3) The period of public exhibition must not be less than 28 days.
- (4) The public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to the council.
- (5) The council must publicly exhibit the draft code in accordance with its notice.

LGA Sec 361

2.3. Adoption and Amendment of the Code

Adoption of draft code

- (1) After considering all submissions received by it concerning the draft code, the council may decide:
 - (a) to amend those provisions of its draft code that supplement the regulations made for the purposes of section 360, or
 - (b) to adopt the draft code as its code of meeting practice.
- (2) If the council decides to amend its draft code, it may publicly exhibit the amended draft in accordance with this Division or, if the council is of the opinion that the amendments are not substantial, it may adopt the amended draft code without public exhibition as its code of meeting practice.

LGA Sec 362

Amendment of the Code

A council may amend a code adopted under this Part by means only of a code so adopted.

LGA Sec 363

Revision of the Code

The Council authorises the General Manager to reissue the Code without public exhibition to incorporate any amendments to the Act or Regulation.

2.4. Availability of the Code

Public availability of the code

- (1) The code of meeting practice adopted under this Division by a council must be available for public inspection free of charge at the office of the council during ordinary office hours.
- (2) Copies of the code must be available free of charge or, if the council determines, on payment of the approved fee.

LGA Sec 364

3. BEFORE COUNCIL MEETINGS

3.1. Frequency of Meetings

How often does the council meet?

The council is required to meet at least 10 times each year, each time in a different month.

LGA Sec 365

Dates

- (1) Council meets at 6:00pm on the third Monday of each month.
- (2) Where a Council meeting falls on a Monday that is a public holiday, the Council meeting shall be held on the Monday of the following week.
- (3) Council adopts an annual schedule of dates for Council and Council Committee meetings at the September meeting.
- (4) Any change from the date or commencement time of a Council meeting shall be by resolution of the Council or, in emergency circumstances, by the authorisation of the Mayor.
- (5) Extraordinary meetings of Council will be held as and when required.

3.2. Notice of Meetings to Councillors

Notice of meetings

- (1) The general manager of a council must send to each councillor, at least 3 days before each meeting of the council, a notice specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting.

LGA Sec 367(1)

Days of Notice

The day of issue and the day of the meeting are not to be counted as days of notice (*Sec 36 Interpretations Act 1987*).

Form of Notice

- (3) A notice under this section and the agenda for, and the business papers relating to, the meeting may be given to a councillor in electronic form but only if all councillors have facilities to access the notice, agenda and business papers in that form.

LGA Sec 367(3)

3.3. Notice for Extraordinary Meeting

Calling of extraordinary meeting on request by councillors

If the mayor receives a request in writing signed by at least 2 councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable but in any event within 14 days after receipt of the request.

LGA Sec 366

The Mayor can be one of the two Councillors, but the Mayor cannot call extraordinary meetings by himself or herself without having a written request with another Councillor's signature.

Notice of meetings

- (2) Notice of less than 3 days may be given of an extraordinary meeting called in an emergency.

LGA Sec 367(2)

3.4. Public Notice of Meetings

Public notice of meetings

- (1) A council must give notice to the public of the times and places of its meetings and meetings of those of its committees of which all the members are councillors.

LGA Sec 9(1)

- (2) A notice of a meeting of a council or of a committee must be published in a newspaper circulating in the area before the meeting takes place.
- (3) The notice must specify the time and place of the meeting.
- (4) Notice of more than one meeting may be given in the same notice.
- (5) This clause does not apply to an extraordinary meeting of a council or committee.

Reg 232(2)-(5)

A notice will be published in a locally circulated newspaper prior to each meeting.

Public notices of meetings will also be displayed on the Council's website.

4. QUORUM AND ATTENDANCE

4.1. Quorum for a Meeting

What is the quorum for a meeting?

The quorum for a meeting of the council is a majority of the councillors of the council who hold office for the time being and are not suspended from office.

LGA Sec 368

Councillors, or committee members, who have declared an interest and have left the meeting during the consideration of an item, are still to be counted for the purposes of calculating a quorum for the meeting.

4.2. Councillor Presence at Council Meetings

Presence at council meetings

A councillor cannot participate in a meeting of a council unless personally present at the meeting.

Reg 235

4.3. Quorum not Present

What happens when a quorum is not present

- (1) A meeting of a council must be adjourned if a quorum is not present:
 - (a) within half an hour after the time designated for the holding of the meeting, or
 - (b) at any time during the meeting.
- (2) In either case, the meeting must be adjourned to a time, date and place fixed:
 - (a) by the chairperson, or
 - (b) in his or her absence—by the majority of the councillors present, or
 - (c) failing that, by the general manager.
- (3) The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.

Reg 233

4.4. Councillor Attendance at Meetings

When does a vacancy occur in a civic office?

- (1) A civic office becomes vacant if the holder:
 - (a) dies, or
 - (b) resigns the office by writing addressed to the general manager, or
 - (c) is disqualified from holding civic office, or
 - (d) is absent from 3 consecutive ordinary meetings of the council (unless the holder is absent because he or she has been suspended from office under section 482) without:
 - (i) prior leave of the council, or
 - (ii) leave granted by the council at any of the meetings concerned, or
 - (e) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit, or

- (f) becomes a mentally incapacitated person, or
- (g) is dismissed from civic office, or
- (h) ceases to hold the office for any other reason.

LGA Sec 234(1)

4.5. Application for Leave of Absence

- (1) For the purposes of subsection (1) (d) (LGA Sec 234(1)), a councillor applying for a leave of absence from a meeting of a council does not need to make the application in person and the council may grant such leave in the absence of that councillor.

LGA Sec 234(2)

- (1) A councillor's application for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent.

Reg 235A(1)

4.6. Meeting Attendance while on Leave of Absence

- (3) If the holder of a civic office attends a council meeting (whether or not an ordinary meeting) despite having been granted leave of absence, the leave of absence is taken to have been rescinded as regards any future council meeting.
- (4) Subsection (3) does not prevent the council from granting further leave of absence in respect of any future council meeting.

LGA Sec 234(3)-(4)

- (2) A councillor who intends to attend a council meeting despite having been granted leave of absence should, if practicable, give the general manager at least 2 days' notice of his or her intention to attend.

Reg 235A(2)

4.7. Who is entitled to Attend Council Meetings

- (1) Except as provided by this Part:
 - (a) everyone is entitled to attend a meeting of the council and those of its committees of which all the members are councillors, and
 - (b) a council must ensure that all meetings of the council and of such committees are open to the public.
- (2) However, a person (whether a councillor or another person) is not entitled to be present at a meeting of the council or of such a committee if expelled from the meeting:
 - (a) by a resolution of the meeting, or
 - (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

- (3) A person may be expelled from a meeting only on the grounds specified in, or in the circumstances prescribed by, the regulations.
LGA Sec 10

4.8. Attendance of General Manager

- (1) The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all the members are councillors.
- (2) The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.
- (3) However, the general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of the employment of the general manager.
LGA Sec 376

4.9. Attendance of Council Employees

The General Manager shall arrange for the attendance of such Council employees as are considered necessary by the General Manager for the transaction of the notified Council business.

5. PRESIDING OVER MEETINGS OF COUNCIL

5.1. Chairperson and Deputy Chairperson of Council

Who presides at meetings of the Council?

- (1) The mayor or, at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.
- (2) If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

LGA Sec 369

5.2. Councillor to be elected to preside at certain meetings

- (1) If no chairperson is present at a meeting of a council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- (2) The election must be conducted:
 - (a) by the general manager or, in his or her absence, an employee of the council designated by the general manager to conduct the election, or

- (b) if neither of them is present at the meeting or there is no general manager or designated employee—by the person who called the meeting or a person acting on his or her behalf.
- (3) If, at an election of a chairperson, 2 or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- (4) For the purposes of subclause (3), the person conducting the election must:
 - (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
 - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- (5) The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

Reg 236

5.3. Chairperson to have Precedence

When the chairperson rises during a meeting of a council:

- (a) any councillor then speaking or seeking to speak must, if standing, immediately resume his or her seat, and
- (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

Reg 237

5.4. Chairperson's Duty with Respect to Motions

- (1) It is the duty of the chairperson at a meeting of a council to receive and put to the meeting any lawful motion that is brought before the meeting.
- (2) The chairperson must rule out of order any motion that is unlawful or the implementation of which would be unlawful.
- (3) Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been rejected.

Reg 238

The Chairperson may rule that a proposed motion is out of order if the proposed motion:

- (a) is vague and equivocal in its language;
- (b) is the direct negative of a resolution just passed by the meeting;
- (c) proposes an action that is unlawful;
- (d) is ultra vires in that it is outside the scope of the meeting;
- (e) contains defamatory statements;
- (f) is inconsistent with a resolution just adopted;
- (g) is unnecessary in that it proposes a course of action or policy already resolved upon by the meeting;

- (h) is vexatious and proposed only as a way to impede the orderly transaction of business.

5.5. Recognition of Chairperson

- (1) In addressing Council, Councillors and other persons addressing the Council shall at all times speak through the Chairperson.
- (2) Councillors and other persons addressing the Council shall at all times show appropriate respect and observe the ruling of the Chairperson.
- (3) A Councillor, despite the clauses immediately above, may, through a motion of dissent, challenge a ruling from the Chairperson.

5.6. Mode of Address

- (1) To facilitate debate Councillors, with the exception of the Chairperson, are to stand in their place when speaking at a meeting of Council (except when prevented by disability or injury). This procedure does not need to be followed at meetings of committees, or in circumstances where the Chairperson rules that standing is not required.
- (2) In addressing Council, Councillors and other persons addressing the Council will use the appropriate mode of address to the Mayor, Deputy Mayor, fellow Councillors, employees of Council and members of the public in attendance.
- (3) Councillors shall refrain from the use of offensive or inappropriate words in reference to any Councillors, employees of Council and members of the public, consistent with Council's Code of Conduct.
- (4) Councillors shall not make imputations of improper motives or personal reflections on Councillors, employees of Council and members of the public, consistent with Council's Code of Conduct.

6. MEETING AGENDA AND BUSINESS

6.1. Order of Business

- (1) At a meeting of a council (other than an extraordinary meeting), the general order of business is (except as provided by this Regulation) as fixed by the council's code of meeting practice or (if the council does not have a code of meeting practice or its code of meeting practice does not fix the general order of business) as fixed by resolution of the council.
- (2) The order of business fixed under subclause (1) may be altered if a motion to that effect is passed. Such a motion can be moved without notice.

- (3) Despite clause 250, only the mover of a motion referred to in subclause (2) may speak to the motion before it is put.

Reg 239

Order of Business

Currently the order of business followed by Council is:

- (1) Acknowledgment of Country
- (2) Recording of Meeting Statement
- (3) Apologies for non-attendance
- (4) Confirmation of Minutes of previous meeting(s)
- (5) Matters arising from Minutes
- (6) Disclosure(s) of Interests
- (7) Public Forum
- (8) Mayoral Minute
- (9) Notice(s) of Motion and Rescission Motion(s)
- (10) Reports of Staff
 - I. Executive Services
 - II. Corporate Services
 - III. Infrastructure Services
 - IV. Planning and Environmental Services
- (11) Delegate Reports
- (12) Questions from Councillors
- (13) Closed Meeting

At the Ordinary Meeting of Council, which includes the election of the Mayor and Deputy Mayor, the following items shall precede item 3 of the above general order of business:

- (1) Prayer
- (2) Election of Mayor
- (3) Election of Deputy Mayor
- (4) Fixation of Dates and Times of Ordinary Meetings of Council for the following twelve months.

6.2. Business Paper for Council Meetings

Agenda and business papers for council meetings

- (1) The general manager must ensure that the agenda for a meeting of the council states:
 - (a) all matters to be dealt with arising out of the proceedings of former meetings of the council, and
 - (b) if the mayor is the chairperson—any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) subject to subclause (2), any business of which due notice has been given.

- (2) The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is (or the implementation of the business would be) unlawful. The general manager must report (without giving details of the item of business) any such exclusion to the next meeting of the council.
- (3) The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- (4) The general manager must ensure that the details of any item of business to which section 9 (2A) of the Act applies are included in a business paper for the meeting concerned.
- (5) Nothing in this clause limits the powers of the chairperson under clause 243.

Reg 240

Close of Business Paper Agenda

- (1) Receipt of business paper reports and notices of business by a Councillor closes eight (8) working days before the meeting at 4:00pm, or as otherwise determined by the General Manager.
- (2) Councillor's notice(s) of business shall be submitted in writing to the General Manager.

6.3. Availability of Business Papers

Public notice of meetings

- (2) A council and each such committee must have available for the public at its offices and at each meeting copies (for inspection or taking away by any person) of the agenda and the associated business papers (such as correspondence and reports) for the meeting.
- (2A) In the case of a meeting whose agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public:
 - (a) the agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of that item), and
 - (b) the requirements of subsection (2) with respect to the availability of business papers do not apply to the business papers for that item of business.
- (3) The copies are to be available to the public as nearly as possible to the time they are available to councillors.
- (4) The copies are to be available free of charge.
- (5) A notice given under this section or a copy of an agenda or of a business paper made available under this section may in addition be given or made available in electronic form.

LGA Sec 9(2)-(5)

Business Papers (Councillor Access)

The business paper for Council meetings shall be delivered to Councillors on the Tuesday prior to the meeting via email. Hard copies shall be provided in sealed envelopes by the Thursday prior to the meeting.

Business Papers (Public Access)

Council business papers shall be available to the press and public on Council's website: www.blayney.nsw.gov.au and from the Council Offices on the Thursday prior to the meeting free of charge.

Council business papers shall also be able to be viewed at Blayney Library, Tourism Information Centre and Village Post Offices from the Friday prior to the meeting.

6.4. Availability of Other Materials

Public access to correspondence and reports

- (1) A council and a committee of which all the members are councillors must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.
- (2) This section does not apply if the correspondence or reports:
 - (a) relate to a matter that was received or discussed, or
 - (b) were laid on the table at, or submitted to, the meeting, when the meeting was closed to the public.
- (3) This section does not apply if the council or committee resolves at the meeting, when open to the public, that the correspondence or reports, because they relate to a matter specified in section 10A (2), are to be treated as confidential.

LGA Sec 11

6.5. Giving Notice of Business

- (1) A council must not transact business at a meeting of the council:
 - (a) unless a councillor has given notice of the business in writing within such time before the meeting as is fixed by the council's code of meeting practice or (if the council does not have a code of meeting practice or its code of meeting practice does not fix that time) as is fixed by resolution of the council, and
 - (b) unless notice of the business has been sent to the councillors in accordance with section 367 of the Act.
- (2) Subclause (1) does not apply to the consideration of business at a meeting if the business:
 - (a) is already before, or directly relates to a matter that is already before, the council, or
 - (b) is the election of a chairperson to preside at the meeting as provided by clause 236 (1), or

- (c) is a matter or topic put to the meeting by the chairperson in accordance with clause 243, or
- (d) is a motion for the adoption of recommendations of a committee of the council.

Reg 241(1)-(2)

6.6. Dealing with matters Without Notice

Giving notice of business

- (3) Despite subclause (1), business may be transacted at a meeting of a council even though due notice of the business has not been given to the councillors. However, this can happen only if:
 - (a) a motion is passed to have the business transacted at the meeting, and
 - (b) the business proposed to be brought forward is ruled by the chairperson to be of great urgency.Such a motion can be moved without notice.
- (4) Despite clause 250, only the mover of a motion referred to in subclause (3) can speak to the motion before it is put.

Reg 241(3)-(4)

6.7. Mayoral Minute

Official minutes

- (1) If the mayor is the chairperson at a meeting of a council, the chairperson is, by minute signed by the chairperson, entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of the council or of which the council has official knowledge.
- (2) Such a minute, when put to the meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of the minute without the motion being seconded.
- (3) A recommendation made in a minute of the chairperson (being the mayor) or in a report made by a council employee is, so far as adopted by the council, a resolution of the council.

Reg 243

6.8. Agenda for Extraordinary Meetings

- (1) The general manager must ensure that the agenda for an extraordinary meeting of a council deals only with the matters stated in the notice of the meeting.

Reg 242(1)

6.9. Dealing with matters without notice at an Extraordinary Meeting

Agenda for extraordinary meetings

- (2) Despite subclause (1), business may be transacted at an extraordinary meeting of a council even though due notice of the business has not been given to the councillors. However, this can happen only if:
- (a) a motion is passed to have the business transacted at the meeting, and
 - (b) the business proposed to be brought forward is ruled by the chairperson to be of great urgency.
- Such a motion can be moved without notice but only after the business notified in the agenda for the meeting has been disposed of.
- (3) Despite clause 250, only the mover of a motion referred to in subclause (2) can speak to the motion before it is put.

Reg 242(2)-(3)

6.10. Members of the Public Addressing Council

Public Forum

Members of the public wishing to address Council are permitted to do so provided that the following guidelines are adhered to:

- (1) A person may address Council for a maximum period of five (5) minutes.
- (2) Members of the public may address Council on any issue, however, should there be an agenda item, there must be a direct link between the member of the public wishing to address Council and the substance of the agenda item.
- (3) The Public Forum shall not be used to request reports from the Mayor, Councillors or Staff, nor used to address matters in the Minutes of an earlier meeting or other matters already dealt with at the meeting.
- (4) Persons speaking in Public Forum may, with the permission of the Chairperson, use appropriate materials or documents to support their position, but may not table documents to be actioned.
- (5) Any person making use of the Public Forum shall observe the same standards required of a Councillor. Specifically the person shall:
 - (a) obey the directions of the Chairperson, and
 - (b) not use any behaviour or language inconsistent with good order and decorum, and
 - (c) not make personal reflections or impute improper motives to Councillors and/or Staff.
- (6) The Chairperson may ask staff to comment on an issue, or if an investigation is required, request a report to a subsequent meeting.
- (7) No motions or resolutions may be moved during Public Forum.
- (8) The duration of the Public Forum shall not exceed fifteen (15) minutes in total.

- (9) Should there be more than one person wishing to address Council on an issue, then those persons shall nominate one person to represent the group. (Note: This clause only applies to those occasions where the total group time would exceed fifteen (15) minutes).
- (10) At the discretion of the Chair, more time may be provided for an individual speaker and / or the public forum

Members of the public wishing to address Council shall complete the prescribed request form (Appendix C) and present it to the General Manager's Office by 4.30pm on the day of the Council Meeting.

6.11. Public Recording of Meetings prohibited without Council authority

- (1) A person may use a tape recorder to record the proceedings of a meeting of a council or a committee of a council only with the authority of the council or committee.
- (2) A person may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a council or a committee of a council for using or having used a tape recorder in contravention of this clause.
- (3) If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place.
- (4) In this clause, tape recorder includes a video camera and any electronic device capable of recording speech, whether a magnetic tape is used to record or not.

Reg 273

7. DECLARATIONS OF INTERESTS

7.1. What is a Pecuniary Interest?

What is a "pecuniary interest"?

- (1) For the purposes of this Chapter, a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.
- (2) A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448.

LGA Sec 442

7.2. Interests that do not require disclosure

What interests do not have to be disclosed?

The following interests do not have to be disclosed for the purposes of this Chapter:

- (a) an interest as an elector,
- (b) an interest as a ratepayer or person liable to pay a charge,
- (c) an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this Part,
- (d) an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to a relative of the person by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this Part,
- (e) an interest as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not),
- (f) an interest of a member of a council committee as a person chosen to represent the community or as a member of a non-profit organisation or other community or special interest group if the committee member has been appointed to represent the organisation or group on the committee,
- (g) an interest in a proposal relating to the making, amending, altering or repeal of an environmental planning instrument other than an instrument that effects a change of the permissible uses of:
 - (i) land in which the person or a person, company or body referred to in section 443 (1) (b) or (c) has a proprietary interest (which, for the purposes of this paragraph, includes any entitlement to the land at law or in equity and any other interest or potential interest in the land arising out of any mortgage, lease, trust, option or contract, or otherwise), or
 - (ii) land adjoining, adjacent to or in proximity to land referred to in subparagraph (i),
if the person or the person, company or body referred to in section 443 (1) (b) or (c) would by reason of the proprietary interest have a pecuniary interest in the proposal,
- (h) an interest relating to a contract, proposed contract or other matter if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company,
- (i) an interest of a person arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because a relative of the person is a shareholder (but not a director) of the corporation or is a member (but not a member of the committee) of the association or is a partner of the partnership,

- (j) an interest of a person arising from the making by the council of a contract or agreement with a relative of the person for or in relation to any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
 - (i) the performance by the council at the expense of the relative of any work or service in connection with roads or sanitation,
 - (ii) security for damage to footpaths or roads,
 - (iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council or by or under any contract,
- (k) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor),
- (l) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252,
- (m) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor,
- (n) an interest of a person arising from the passing for payment of a regular account for wages or salary of an employee who is a relative of the person,
- (o) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or member of a council committee,
- (p) an interest arising from appointment of a councillor to a body as representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.

LGA Sec 448

7.3. Who has a Pecuniary Interest?

- (1) For the purposes of this Chapter, a person has a pecuniary interest in a matter if the pecuniary interest is the interest of:
 - (a) the person, or
 - (b) the person's spouse or de facto partner or a relative of the person, or a partner or employer of the person, or
 - (c) a company or other body of which the person, or a nominee, partner or employer of the person, is a member.
- (2) (Repealed)
- (3) However, a person is not taken to have a pecuniary interest in a matter as referred to in subsection (1) (b) or (c):
 - (a) if the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative, partner, employer or company or other body, or
 - (b) just because the person is a member of, or is employed by, a council or a statutory body or is employed by the Crown, or

- (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

LGA Sec 443

7.4. Disclosure of Pecuniary Interests and Presence in Meetings

- (1) A councillor or a member of a council committee who has a pecuniary interest in any matter with which the council is concerned and who is present at a meeting of the council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- (2) The councillor or member must not be present at, or in sight of, the meeting of the council or committee:
 - (a) at any time during which the matter is being considered or discussed by the council or committee, or
 - (b) at any time during which the council or committee is voting on any question in relation to the matter.
- (3) For the removal of doubt, a councillor or a member of a council committee is not prevented by this section from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or member has an interest in the matter of a kind referred to in section 448.

LGA Sec 451

Declarations of Pecuniary Interest

- (1) A Councillor or a member of a Council committee who has a pecuniary interest in a matter being considered at a Council or committee meeting shall disclose the existence of the interest and also the nature of that interest.
- (2) Such a disclosure shall be made in writing on the prescribed "Declaration of Conflict of Interest" form (Appendix B) or in writing with this same detailed information and signed by the Councillor. Each completed form shall be handed to the Mayor, General Manager or Chairperson prior to the commencement of the meeting.
- (3) A Councillor with a pecuniary interest in a matter is not counted for the purposes of quorum on that matter.

7.5. Sufficient General Disclosure

A general notice given to the general manager in writing by a councillor or a member of a council committee to the effect that the councillor or member, or the councillor's or member's spouse, de facto partner or relative, is:

- (a) a member, or in the employment, of a specified company or other body, or
- (b) a partner, or in the employment, of a specified person, is, unless and until the notice is withdrawn, sufficient disclosure of the councillor's or member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.

LGA Sec 454

7.6. Disclosure of Non-Pecuniary Interests

- (1) A Councillor or member of a Council committee who has a non-pecuniary interest in a matter being considered at a Council or committee meeting shall disclose the existence of the interest and also the nature of that interest.
- (2) Such a disclosure shall be made in writing on the prescribed "Declaration of Conflict of Interest" form (Appendix B). Each completed form shall be handed to the Mayor, General Manager or Chairperson prior to the commencement of the meeting.
- (3) A Councillor or member of a Council committee having disclosed a non-pecuniary interest in a matter shall manage their non-pecuniary interest in accordance with Council's adopted Code of Conduct.
- (4) A Councillor with a non-pecuniary interest in a matter who leaves the meeting during the consideration and/or voting of that matter is not counted for the purposes of a quorum on that matter.

7.7. Disclosure by Adviser

- (1) A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given.
- (2) The person is not required to disclose the person's interest as an adviser.

LGA Sec 456

7.8. Circumstances Where Disclosure Rules are not Breached

A person does not breach section 451 or 456 if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

LGA Sec 457

7.9. Disclosure to be Recorded in Minutes

A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.

LGA Sec 453

The minutes shall record the disclosure, the nature of the interest and the actions taken by the Councillor or the member of the Council committee.

7.10. Powers of Minister in relation to meetings

The Minister may, conditionally or unconditionally, allow a councillor or a member of a council committee who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- (a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- (b) that it is in the interests of the electors for the area to do so.

LGA Sec 458

7.11. Disclosure of pecuniary interests when dealing with council matters

- (1) A designated person must disclose in writing to the general manager (or if the person is the general manager, to the council) the nature of any pecuniary interest the person has in any council matter with which the person is dealing.
- (1A) However, subsection (1) does not require a designated person who is a member of staff of the council to disclose such a pecuniary interest if the interest relates only to the person's salary as such a member of staff or to his or her other conditions of employment or the like.
- (2) The general manager must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.
- (3) A disclosure by the general manager must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and the council must deal with the matter to which the disclosure relates or refer it to another person to deal with.

LGA Sec 459

8. QUESTIONS AND TABLING OF MATTERS

8.1. Questions to Councillors and Employees

Questions may be put to councillors and council employees

- (1) A councillor:

- (a) may, through the chairperson, put a question to another councillor, and
 - (b) may, through the general manager, put a question to a council employee.
- (2) However, a councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents.
- (3) The councillor must put every such question directly, succinctly and without argument.
- (4) The chairperson must not permit discussion on any reply or refusal to reply to a question put to a councillor or council employee under this clause.

Reg 249

8.2. Questions to General Manager

- (1) The General Manager may exercise the option to take on notice a question raised under Clause 8.1.
- (2) A question raised under Clause 8.1 and taken on notice may be answered in writing directly to all Councillors or by way of inclusion in a General Manager's report at subsequent meetings.

8.3. Questions on Notice

- (1) Questions on Notice shall be lodged in writing with the General Manager or specified delegate prior to the closure of the business paper agenda for the meeting of Council at which the Questions on Notice are to be considered.
- (2) Questions on Notice shall directly relate to the business of Council and shall comply with the Local Government (General) Regulation 2005 which provides at Clause 249 that a "councillor must put every such question directly, succinctly and without argument".
- (3) Questions shall not contain:
 - (a) statements of facts or names of persons unless they are strictly necessary to render the question intelligible and can be authenticated;
 - (b) argument;
 - (c) inference;
 - (d) imputation.
- (4) Questions shall not ask for legal opinion to be provided at the Council meeting.

- (5) Questions shall not refer to confidential matters that have been previously, or are yet to be, discussed by Council in closed meeting, nor refer to confidential matters as listed in Section 10A(2) of the Local Government Act 1993.
- (6) Where an answer has been provided to a Question on Notice and a Councillor seeks to have a matter arising from that question, notice shall be given to the General Manager in accordance with Clause 8.3(1).
- (7) The General Manager or specified delegate may exclude from the agenda any Question on Notice which may have the effect of exposing a Councillor, the Council, or an employee of Council, to an action for defamation.
- (8) The General Manager or specified delegate may return to a Councillor any Question on Notice that does not comply with the Code of Meeting Practice and provide a written reason. The question may be rewritten and resubmitted in accordance with Clause 8.3(1).
- (9) A Councillor may appeal to the Mayor against a decision of the General Manager or specified delegate made under Clause 8.3(7). The Mayor will decide in those circumstances if the Question on Notice complies with the Code of Meeting Practice.
- (10) The Mayor may rule that a Question on Notice does not comply with the Code of Meeting Practice, notwithstanding a decision made under Clause 8.3(7) - and in such cases the Mayor is to provide a written reason for such a decision.
- (11) Should a Question on Notice have any resource implications, financial or otherwise, the General Manager will advise Council. This advice will be included in the business paper.

8.4. Tabling a Report of Departmental Representative

Report of a Departmental representative to be tabled at council meeting

When a report of a Departmental representative has been presented to a meeting of a council in accordance with section 433 of the Act, the council must ensure that the report:

- (a) is laid on the table at that meeting, and
- (b) is subsequently available for the information of councillors and members of the public at all reasonable times.

Reg 244

8.5. Tabling of Correspondence

Letters submitted to Council requesting that they be tabled at a Council or committee meeting shall be tabled and a copy included in the business paper for that meeting.

8.6. Petitions

- (1) A Councillor may table a petition to the Council.
- (2) The subject matter of a petition tabled to the Council shall not be discussed at the meeting at which the petition has been tabled unless the provisions of Clause 6.5 are followed.
- (3) The publication of petitions in Council's business papers shall occur only after due consideration has been given to:
 - (a) Section 10 of the Privacy and Personal Information Protection Act 1998 (PPIPA) – Requirements when collecting personal information;
 - (b) Section 18 of the PPIPA – Limits on disclosure of personal information; and
 - (c) the subject matter and the wording of the petition.

9. MOTIONS

9.1. Notice of Motion

Notices of Motion

- (1) Notices of Motions shall be lodged in writing with the General Manager or their delegate prior to the closure of the business paper agenda for the meeting of Council at which the Notices of Motion are to be considered.
- (2) The rules applying to the content of Questions on Notice (Clause 8.3) also apply to the content of Notices of Motion.
- (3) Councillors shall ensure, where it is intended that employees of the Council be asked to carry out some specific defined action, that a Notice of Motion is written in such a way that, if carried, the motion carries clear and unambiguous direction.

Other motions

- (1) The rules applying to the content of Questions on Notice (Clause 8.3) and Notices of Motion (Clause 9.1) apply to the content of any other motion or amendment moved at a Council or committee meeting.

9.2. Notice of Motion - Absence of Mover

In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of a council:

- (a) any other councillor may move the motion at the meeting, or

- (b) the chairperson may defer the motion until the next meeting of the council at which the motion can be considered.

Reg 245

9.3. Motions to be Seconded

A motion or an amendment cannot be debated unless or until it has been seconded. This clause is subject to clauses 243 (2) and 250 (5).

Reg 246

9.4. Dealing with (Debating) Motions

Mover

- (1) A Councillor or a member of a Council committee proposing a motion is to be provided with a right to speak to introduce the proposition.
- (2) In the absence of the proposition being seconded, the mover may exercise their right to speak to obtain the support of a seconder for the proposition.
- (3) The mover of a motion shall be permitted no more than five (5) minutes to introduce their motion.
- (4) If the motion is accepted and debated, the mover is to be provided with a right of reply.

Debate

- (1) Upon the mover exercising, waiving, or deferring, their right of address, and their motion being seconded, the Chairperson shall invite Councillors or committee members to debate the motion, in the order of one speaker against the motion and one speaker for the motion.
- (2) Speakers "For" or "Against" a motion shall be permitted no more than three (3) minutes to address the meeting.
- (3) The sequence of against and for is followed until debate is closed. The close of debate is reached should one of the following conditions emerge:
 - (a) only speakers for one particular side of the debate are now emerging so that the previous consecutive speakers were on the same side of the debate;
 - (b) the time allotted has expired;
 - (c) the limit of number of speakers allowed to speak on the motion has been reached;
 - (d) a procedural motion that "the motion now be put" has been successful.

9.5. Speaking to Motions

- (1) A councillor who, during a debate at a meeting of a council, moves an original motion has the right of general reply to all observations that are made by another councillor during the debate in relation to the motion and to any amendment to it, as well as the right to speak on any such amendment.
- (2) A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.

Reg 250 (1)-(2)

9.6. Right of Reply – Mover

- (1) The mover of a motion shall be permitted no more than three (3) minutes to provide their “right of reply”.
- (2) Once the mover has exercised their Right of Reply all further debate on the substantive motion ceases.
- (3) In exercising their Right of Reply the following conventions shall be observed by the mover:
 - (a) the mover can waive their Right of Reply and the meeting can go straight to the vote;
 - (b) the purpose of the Right of Reply is to respond to any points raised in the debate and to present a final brief summary of the case for the motion;
 - (c) not to introduce any new material or arguments.

9.7. Speaking to a Misrepresentation or Misunderstanding

- (3) A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than 5 minutes at any one time. However, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than 5 minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.

Reg 250 (3)

Note: *Nothing in clauses 9.5 or 9.7 affects questions being asked, with the leave of the Chairperson, relevant to any matter under discussion at a meeting.*

9.8. Variations to Motions

- (1) A Councillor may seek to vary a motion by:
 - (a) obtaining the unanimous consent of Council; or
 - (b) proposing an amendment to the motion.

- (2) If the meeting is considering a motion which is difficult to comprehend and of a complex structure, the Chairperson has the discretion to separate the constituent parts of the substantive motion. The meeting may agree to deal with them in their separate parts as if they were separate motions.

9.9. Variations by Consent

- (1) If a Councillor, including the seconder to the original motion, proposes a variation to a motion, the Chairperson shall ask whether any Councillor objects to the variation.
- (2) If there is no objection, the proposed variation is adopted into the motion by consent of the Council.
- (3) If there is an objection, the proposed variation must be dealt with as an amendment and seconded and voted on accordingly.
- (4) If the variation is proposed by the seconder to the original motion, but not accepted by Councillors, then a new seconder should be sought for the original motion.

***Note:** The intention of a variation by consent is to enable a change to a motion that is non-contentious, improves clarity or effects a correction. This is also consistent with the common law rule that a seconder to a motion cannot move an amendment but enables a seconder to move a variation.*

9.10. Amendments to Motions

- (1) An amendment is a proposition to alter a motion that is under consideration by the meeting and is not subject to the Notice of Motion requirements set out at clause 9.1.
- (2) An amendment must be moved and seconded.
- (3) To be accepted as an amendment, it must relate and be relevant to the motion.
- (4) The amendment must also be moved before the debate on the motion has been concluded and the right of reply of the mover of the motion has been exercised.
- (5) An amendment cannot be accepted if it is a direct rebuttal of the motion it seeks to amend.
- (6) An amendment should not be moved that is substantially the same as an earlier rejected amendment on the motion.

- (7) An amendment that is in opposition to an amendment already accepted should not be moved or accepted for debate.
- (8) In the situation where a number of amendments have been foreshadowed, it is important that they should be considered in due succession ensuring the practicality of the motion.
- (9) Each amendment is separately considered and voted on.
- (10) Only one amendment may be considered by the meeting at any one time. Debate is confined to the amendment under consideration although during debate a Councillor may foreshadow a motion or amendment.
- (11) Once an amendment has been moved and seconded, it cannot be withdrawn without the consent of the mover and seconder.

9.11. How Subsequent Amendments may be Moved

If an amendment has been rejected, a further amendment can be moved to the motion to which the rejected amendment was moved, and so on, but no more than one motion and one proposed amendment can be before the council at any one time.

Reg 247

9.12. Foreshadowed Motions or Amendments

- (1) Foreshadowed motions and amendments will be considered in the order they were notified to the meeting.
- (2) The Chairperson may exercise discretion and recommend to the meeting a change of order for foreshadowed motions or amendments.
- (3) Foreshadowed motions or amendments are subject to clause 9.3.

9.13. Motions without Notice

Giving notice of business

- (3) Despite subclause (1), business may be transacted at a meeting of a council even though due notice of the business has not been given to the councillors. However, this can happen only if:
 - (a) a motion is passed to have the business transacted at the meeting, and
 - (b) the business proposed to be brought forward is ruled by the chairperson to be of great urgency.Such a motion can be moved without notice.
- (4) Despite clause 250, only the mover of a motion referred to in subclause (3) can speak to the motion before it is put.

Reg 241(3)-(4)

9.14. Defeated Motions

If a motion at a Council meeting has been lost, a motion having the same effect may not be brought forward within 3 months, unless by a Mayoral Minute or by a report from a committee of Council.

10. PROCEDURAL MOTIONS

10.1. General Procedural Motions

- (1) A procedural motion is a motion that refers to the conduct of a meeting.
- (2) Procedural motions are not subject to the Notice of Motion requirements in clause 9.1.
- (3) In general, a procedural motion requires a seconder, unless stated to the contrary in the Code of Meeting Practice.
- (4) Unless stated to the contrary in this Code of Meeting Practice, there is no debate on a procedural motion.
- (5) A procedural motion has precedence over substantive motions and must be put to the meeting for a decision.

10.2. Point of Order

- (1) A Councillor may draw the attention of the Chairperson to an alleged breach of the Code of Meeting Practice.
- (2) The Councillor shall draw the attention of the Chairperson by raising a "point of order". A point of order does not require a seconder.
- (3) A point of order must be taken immediately it is raised.
- (4) The Chairperson must suspend business before the meeting and permit the Councillor raising the point of order to state the meeting procedure(s) he/she believes has been infringed.
- (5) Immediately this has been done, the Chairperson should rule either upholding the point of order or overruling it.

10.3. Motions of Dissent

- (1) A councillor can, without notice, move to dissent from the ruling of the chairperson on a point of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- (2) If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- (3) Despite clause 250, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Reg 248

A motion of dissent does not require a seconder.

10.4. Putting the Motion or Amendment

Limitation as to number of speeches

- (4) Despite subclauses (1) and (2), a councillor may move that a motion or an amendment be now put:
 - (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least 2 councillors have spoken in favour of the motion or amendment and at least 2 councillors have spoken against it.
- (5) The chairperson must immediately put to the vote, without debate, a motion moved under subclause (4). A seconder is not required for such a motion.
- (6) If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised his or her right of reply under subclause (1).
- (7) If a motion that the original motion or an amendment be now put is rejected, the chairperson must allow the debate on the original motion or the amendment to be resumed.

Reg 250(4)-(7)

11. ORDER AT MEETINGS

11.1. Observe the Code of Conduct and Code of Meeting Practice

- (1) Councillors, employees of Council and other persons at the meeting are required to observe the Code of Meeting Practice at all meetings of Council.

- (2) Failure on the part of a Councillor or an employee to observe the Code of Meeting Practice may be subject to a complaint under the Code of Conduct (Clause 9.5 of Council's Code of Conduct).
- (3) The Chairperson of the meeting, a Councillor, employee or any other person in attendance may report in writing to the General Manager a complaint alleging a breach of the Code of Meeting Practice.

11.2. Questions of Order

- (1) The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- (2) A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- (3) The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- (4) The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Reg 255

11.3. Act of Disorder

- (1) A councillor commits an act of disorder if the councillor, at a meeting of a council or a committee of a council:
 - (a) contravenes the Act or any regulation in force under the Act, or
 - (b) assaults or threatens to assault another councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or committee, or addresses or attempts to address the council or committee on such a motion, amendment or matter, or
 - (d) insults or makes personal reflections on or imputes improper motives to any other councillor, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or committee into contempt.
- (2) The chairperson may require a councillor:
 - (a) to apologise without reservation for an act of disorder referred to in subclause (1) (a) or (b), or
 - (b) to withdraw a motion or an amendment referred to in subclause (1) (c) and, where appropriate, to apologise without reservation, or

- (c) to retract and apologise without reservation for an act of disorder referred to in subclause (1) (d) or (e).
- (3) A councillor may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a council for having failed to comply with a requirement under subclause (2). The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Reg 256

11.4. Disorder at Meetings - Adjournment

How disorder at a meeting may be dealt with

- (1) If disorder occurs at a meeting of a council, the chairperson may adjourn the meeting for a period of not more than 15 minutes and leave the chair. The council, on reassembling, must, on a question put from the chair, decide without debate whether the business is to be proceeded with or not. This subclause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.
- (2) A member of the public may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a council for engaging in or having engaged in disorderly conduct at the meeting.

Reg 257

11.5. Effect of Expulsion

Who is entitled to attend meetings?

- (2) However, a person (whether a councillor or another person) is not entitled to be present at a meeting of the council or of such a committee if expelled from the meeting:
 - (a) by a resolution of the meeting, or
 - (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

LGA Sec 10 (2)

11.6. Warning to Councillors

- (1) If the Chairperson of the meeting is of the view that the ongoing behaviour of a Councillor is disruptive to the good order of the meeting, the Chairperson:
 - (a) shall warn the Councillor that he/she could face a motion to authorise removal from the meeting if he/she continues to breach the Code of Meeting Practice, and
 - (b) if a further breach occurs, seek the views of the meeting as to the removal of the Councillor.

11.7. Power to Remove Persons from Council Meeting

The power to expel a person or persons from a meeting is delegated to the mayor or to another chairperson of the meeting in respect of a council meeting and to the chairperson of each council committee of which all members are councillors in respect of a meeting of that committee.

If a councillor or a member of the public fails to leave the place where a meeting of a council is being held:

- (a) immediately after the council has passed a resolution expelling the councillor or member from the meeting, or
 - (b) where the council has authorised the person presiding at the meeting to exercise the power of expulsion—immediately after being directed by the person presiding to leave the meeting,
- a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member from that place and, if necessary, restrain the councillor or member from re-entering that place.

Reg 258

12. ADJOURNMENT OF MEETINGS

12.1. Motion to Adjourn Meeting

- (1) A Councillor may move the procedural motion “that the meeting be adjourned”.
- (2) The motion before being put to the vote must be seconded by a Councillor.
- (3) The mover of the motion may address the meeting on the motion.
- (4) No further debate on the motion is permitted.

12.2. Amendment to Adjourn Meeting Motion

- (1) Amendments to the motion are permitted, but only to the extent that they relate to the timing and place of reconvening the meeting.
- (2) Amendments to the motion to adjourn a meeting are to be moved and seconded.
- (3) The mover of the amendment may address the meeting as to the content of the proposed amendment.
- (4) Any address to the motion of adjournment or amendment is limited to three (3) minutes.

12.3. Re-convening an Adjourned Meeting

- (1) The Notice of Meeting provisions do not apply to a re-convened meeting.
- (2) A re-convened meeting will commence in accordance with any motion or amendment and will continue as if there had been no break in the proceedings of the meeting.
- (3) To the extent that it is practical, public notice of the re-convened meeting is to be given.
- (4) In the circumstances of an adjourned meeting for which there was no specified time and place for the meeting to be re-convened, Council will deal with any unfinished business for which notice was given at the next ordinary meeting of Council.

13. CLOSED MEETINGS

13.1. Motion to Close Part of the Meeting

Which parts of a meeting can be closed to the public?

- (1) A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:
 - (a) the discussion of any of the matters listed in subclause (2), or
 - (b) the receipt or discussion of any of the information so listed.

LGA Sec 10A(1)

Refer Appendix A for the announcements to go into, or out of, a closed meeting.

13.2. Grounds to close meetings

- (2) The matters and information are the following:
 - (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the council, councillors, council staff or council property,

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (3) A council, or a committee of the council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

LGA Sec10A(2)-(3)

13.3. Limitations to Closing Meetings

Further limitations relating to closure of parts of meetings to the public

- (1) A meeting is not to remain closed during the discussion of anything referred to in section 10A (2):
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret—unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

LGA Sec 10B(1)

13.4. Discussion of Legal Matters

Further limitations relating to closure of parts of meetings to the public

- (2) A meeting is not to be closed during the receipt and consideration of information or advice referred to in section 10A (2) (g) unless the advice concerns legal matters that:
- (a) are substantial issues relating to a matter in which the council or committee is involved, and
 - (b) are clearly identified in the advice, and
 - (c) are fully discussed in that advice.

LGA Sec 10B(2)

13.5. Motions to Close other Parts of a Meeting

Further limitations relating to closure of parts of meetings to the public

- (3) If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in section 10A (3)), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is a matter referred to in section 10A (2)).

LGA Sec 10B(3)

13.6. Matters of Public Interest

Further limitations relating to closure of parts of meetings to the public

- (4) For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
 - (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

LGA Sec 10B(4)

13.7. Department Guidelines for Meeting Closure

Further limitations relating to closure of parts of meetings to the public

- (5) In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must have regard to any relevant guidelines issued by the Director-General.

LGA Sec 10B(5)

13.8. Representation by Public Before a Council Meeting is Closed

- (4) A council, or a committee of a council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

LGA Sec 10A(4)

- (1) A representation at a council meeting by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded.
- (2) That period is as fixed by the council's code of meeting practice or (if the council does not have a code of meeting practice or its code of meeting practice does not fix that period) as fixed by resolution of the council. Different periods can be fixed according to the different types of matters to be discussed or received and discussed at closed parts of meetings.

Reg 252

A member of the public who wishes to address a Council meeting on a motion that the meeting be closed to the public for discussion on a confidential item may address the Council for up to five (5) minutes, or at the discretion of the Chair who may provide more time.

13.9. Specifying Grounds for Closing Meetings

Grounds for closing part of meeting to be specified

- (1) The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.
- (2) The grounds must specify the following:
 - (a) the relevant provision of section 10A (2),
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

LGA Sec 10D

13.10. Notice of Closure not required in Urgent Cases

Part of a meeting of a council, or of a committee of the council of which all the members are councillors, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in section 10A (2), and
- (b) the council or committee, after considering any representations made under section 10A (4), resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

LGA Sec 10C

13.11. Resolutions to be Made Public

If a council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting or part of the meeting has ended.

Reg 253

14. VOTING AND DECISIONS OF COUNCIL

14.1. What Constitutes a Decision of the Council?

A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

LGA Sec 371

14.2. Voting Entitlements of Councillors and Chairperson's Casting Vote

What are the voting entitlements of councillors?

- (1) Each councillor is entitled to one vote.
- (2) However, the person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

LGA Sec 370

14.3. Abstentions to be Counted

Voting at council meetings

- (1) A councillor who is present at a meeting of a council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- (2) If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.

Reg 251(1)-(2)

14.4. Divisions

Conducting a Division

- (3) The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than 2 councillors rise and demand a division.
- (4) When a division on a motion is demanded, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are respectively recorded in the council's minutes.

Reg 251(3)-(4)

Recording of Voting on Planning Matters

- (1) In this section, planning decision means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979:
 - (a) including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but
 - (b) not including the making of an order under Division 2A of Part 6 of that Act.

- (2) The general manager is required to keep a register containing, for each planning decision made at a meeting of the council or a council committee, the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- (3) For the purpose of maintaining the register, a division is required to be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- (4) Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document, and is to include the information required by the regulations.
- (5) This section extends to a meeting that is closed to the public.

LGA Sec 375A

When a planning matter is presented to a Council or Committee meeting for consideration, a Division be automatically called to facilitate the recording of the names of the Councillors who voted “for”, and the names of the Councillors who voted “against”, the decision.

14.5. Open Voting at Council excepting Elections

- (5) Voting at a council meeting, including voting in an election at such a meeting, is to be by open means (such as on the voices or by show of hands). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

Reg 251(5)

14.6. Voting at Committees

Procedure in committees

- (1) Subject to subclause (3), each committee of a council may regulate its own procedure.
- (2) Without limiting subclause (1), a committee of a council may decide that, whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote.
- (3) Voting at a committee meeting is to be by open means (such as on the voices or by show of hands).

Reg 265

14.7. Invalidation of Council or Committee Proceedings

Certain circumstances do not invalidate council decisions

Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or

- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to disclose a pecuniary interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with section 451, or
- (e) a failure to comply with the code of meeting practice.

LGA Sec 374

14.8. Rescinding or Altering Resolutions of the Council

- (1) A resolution passed by a council may not be altered or rescinded except by a motion to that effect of which notice has been duly given in accordance with regulations made under section 360 and, if applicable, the council's code of meeting practice.
- (2) If notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.
- (3) If a motion has been negatived by a council, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with the council's code of meeting practice.
- (4) A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been negatived by the council, must be signed by 3 councillors if less than 3 months has elapsed since the resolution was passed, or the motion was negatived, as the case may be.
- (5) If a motion to alter or rescind a resolution has been negatived, or if a motion which has the same effect as a previously negatived motion, is negatived, no similar motion may be brought forward within 3 months. This subsection may not be evaded by substituting a motion differently worded, but in principle the same.
- (6) A motion to which this section applies may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.
- (7) The provisions of this section concerning negatived motions do not apply to motions of adjournment.

LGA Sec 372

The closing date and time for receipt of Rescission Motions is 5:00pm on the following day after the meeting.

15. COMMITTEES OF COUNCIL

15.1. Committee of Council

Committee of council

A council may resolve itself into a committee to consider any matter before the council.

LGA Sec 373

15.2. Committee of the Whole

- (1) All the provisions of this Regulation relating to meetings of a council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provision limiting the number and duration of speeches.
- (2) The general manager or, in the absence of the general manager, an employee of the council designated by the general manager is responsible for reporting to the council proceedings in committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.
- (3) The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

Reg 259

15.3. Council may establish committees

- (1) A council may, by resolution, establish such committees as it considers necessary.
- (2) A committee is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- (3) The quorum for a meeting of a committee is to be:
 - (a) such number of members as the council decides, or
 - (b) if the council has not decided a number—a majority of the members of the committee.

Reg 260

15.4. Function of Committees

A council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

Reg 261

Meetings of Council committees are to be conducted in accordance with this Code of Meeting Practice.

15.5. Notice of Committee meetings to be given

- (1) The general manager of a council must send to each councillor, at least 3 days before each meeting of the committee, a notice specifying:
 - (a) the time and place at which and the date on which the meeting is to be held, and
 - (b) the business proposed to be transacted at the meeting.

- (2) However, notice of less than 3 days may be given of a committee meeting called in an emergency.

Reg 262

15.6. Councillors Entitled to Attend Committee Meetings

Non-members entitled to attend committee meetings

- (1) A councillor who is not a member of a committee of a council is entitled to attend, and to speak at, a meeting of the committee.
- (2) However, the councillor is not entitled:
 - (a) to give notice of business for inclusion in the agenda for the meeting, or
 - (b) to move or second a motion at the meeting, or
 - (c) to vote at the meeting.

Reg 263

15.7. Chairperson and Deputy Chairperson of Committees

- (1) The chairperson of each committee of the council must be:
 - (a) the mayor, or
 - (b) if the mayor does not wish to be the chairperson of a committee—a member of the committee elected by the council, or
 - (c) if the council does not elect such a member—a member of the committee elected by the committee.
- (2) A council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- (3) If neither the chairperson nor the deputy chairperson of a committee of a council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- (4) The chairperson is to preside at a meeting of a committee of a council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Reg 267

15.8. Addressing Committees

- (1) Members of the public may address meetings of committees on items that are on the committee agendas, subject to the approval of the relevant committee.
- (2) The committee Chairperson may ask members of the public to restrict their addresses to no more than five (5) minutes.

- (3) The committee Chairperson may suggest that, if a satisfactory resolution to the matter on the agenda is being considered, there may be no need for members of the public to address the committee.
- (4) Committees, and employees of Council on behalf of committees, may invite applicants, consultants, Government authorities and other groups or individuals to provide a presentation to a committee on a matter that is on the committee agenda. Time limits for such presentations may be set by the committee.

15.9. Representations by Members of the Public before closure of Committee meeting

- (1) A representation at a committee meeting by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded.
- (2) That period is as fixed by the council's code of meeting practice or (if the council does not have a code of meeting practice or its code of meeting practice does not fix that period) as fixed by resolution of the council. Different periods can be fixed according to the different types of matters to be discussed or received and discussed at closed parts of meetings.

Reg 264

15.10. Voting Procedure in Committees

- (1) Subject to subclause (3), each committee of a council may regulate its own procedure.
- (2) Without limiting subclause (1), a committee of a council may decide that, whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote.
- (3) Voting at a committee meeting is to be by open means (such as on the voices or by show of hands).

Reg 265

A Councillor, or committee member, who is present at a meeting of a committee but who fails to vote on a motion put to the meeting is taken to have voted against the motion. (This subclause does not apply to a Councillor or committee member who does not vote because he or she has a pecuniary interest in the subject matter of the motion.)

If a Councillor or committee member who has voted against a motion put at a committee meeting so requests, the minutes of the meeting must ensure that the Councillor's or committee member's dissenting vote is recorded.

15.11. Absence from Committee Meetings

- (1) A member (other than the mayor) ceases to be a member of a committee if the member:
 - (a) has been absent from 3 consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
 - (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- (2) Subclause (1) does not apply in respect of a committee that consists of all of the members of the council.

Reg 268

15.12. Disorder in Committee meetings

The provisions of the Act and of this Regulation relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Reg 270

15.13. Certain persons may be expelled from Council Committee meetings

- (1) If a meeting or part of a meeting of a committee of a council is closed to the public in accordance with section 10A of the Act, any person who is not a councillor may be expelled from the meeting as provided by section 10 (2) (a) or (b) of the Act.
- (2) If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council, committee or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place.

Reg 271

15.14. Committees to keep Minutes

- (1) Each committee of a council must ensure that full and accurate minutes of the proceedings of its meetings are kept. In particular, a committee must ensure that the following matters are recorded in the committee's minutes:
 - (a) details of each motion moved at a meeting and of any amendments moved to it,
 - (b) the names of the mover and seconder of the motion or amendment,
 - (c) whether the motion or amendment is passed or lost.

- (2) As soon as the minutes of an earlier meeting of a committee of the council have been confirmed at a later meeting of the committee, the person presiding at the later meeting must sign the minutes of the earlier meeting.

Reg 266

15.15. Reports of Committees

- (1) If in a report of a committee of the council distinct recommendations are made, the decision of the council may be made separately on each recommendation.
- (2) The recommendations of a committee of the council are, so far as adopted by the council, resolutions of the council.
- (3) If a committee of a council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting, that is closed to the public, the chairperson must:
 - (a) make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and
 - (b) report the resolution or recommendation to the next meeting of the council.

Reg 269

16. MINUTES AND ACCESS TO INFORMATION

16.1. Minutes of Meeting

- (1) The council must ensure that full and accurate minutes are kept of the proceedings of a meeting of the council.
- (2) The minutes must, when they have been confirmed at a subsequent meeting of the council, be signed by the person presiding at that subsequent meeting.

LGA Sec 375

16.2. Matters to be included in minutes of Council meeting

The general manager must ensure that the following matters are recorded in the council's minutes:

- (a) details of each motion moved at a council meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment is passed or lost.

Reg 254

In the event that Council makes a decision against the recommendations of their officers or Council engaged experts, the minutes may include the reasons for Council's decision.

16.3. Inspection of the minutes of a Council or Committee Meeting

- (1) An inspection of the minutes of a council or committee of a council is to be carried out under the supervision of the general manager or an employee of the council designated by the general manager to supervise inspections of those minutes.
- (2) The general manager must ensure that the minutes of the council and any minutes of a committee of the council are kept secure and in safe custody and that no unauthorised person is allowed to interfere with them.

Reg 272

16.4. Disclosure and misuse of information

- (1) A person must not disclose any information obtained in connection with the administration or execution of this Act unless that disclosure is made:
 - (a) with the consent of the person from whom the information was obtained, or
 - (b) in connection with the administration or execution of this Act, or
 - (c) for the purposes of any legal proceedings arising out of this Act or of any report of any such proceedings, or
 - (d) in accordance with a requirement imposed under the Ombudsman Act 1974 or the **Freedom of Information Act 1989 Government Information (Public Access) Act (1999)**, or
 - (e) with other lawful excuse.
- (1A) In particular, if part of a meeting of a council or a committee of a council is closed to the public in accordance with section 10A (1), a person must not, without the authority of the council or the committee, disclose (otherwise than to the council or a councillor of the council) information with respect to the discussion at, or the business of, the meeting.
- (1B) Subsection (1A) does not apply to:
 - (a) the report of a committee of a council after it has been presented to the council, or
 - (b) disclosure made in any of the circumstances referred to in subsection (1) (a)–(e), or
 - (c) disclosure made in circumstances prescribed by the regulations, or
 - (d) any agenda, resolution or recommendation of a meeting that a person is entitled to inspect in accordance with section 12.
- (2) A person acting in the administration or execution of this Act must not use, either directly or indirectly, information acquired by the person in that capacity, being information that is not generally known, for the purpose of gaining either directly or indirectly a financial advantage for the person, the person's spouse or de facto partner or a relative of the person.

- (3) A person acting in the administration or execution of this Act, and being in a position to do so, must not, for the purpose of gaining either directly or indirectly an advantage for the person, the person's spouse or de facto partner or a relative of the person, influence:
 - (a) the determination of an application for an approval, or
 - (b) the giving of an order.

LGA Sec 664

17. MISCELLANEOUS

17.1. Council Seal

- (1) The seal of a council must be kept by the mayor or the general manager, as the council determines.
- (2) The seal of a council may be affixed to a document only in the presence of:
 - (a) the mayor and the general manager, or
 - (b) at least one councillor (other than the mayor) and the general manager, or
 - (c) the mayor and at least one other councillor, or
 - (d) at least 2 councillors other than the mayor.
- (3) The affixing of a council seal to a document has no effect unless the persons who were present when the seal was affixed (being persons referred to in subclause (2)) attest by their signatures that the seal was affixed in their presence.
- (4) The seal of a council must not be affixed to a document unless the document relates to the business of the council and the council has resolved (by resolution specifically referring to the document) that the seal be so affixed.
- (5) For the purposes of subclause (4), a document in the nature of a reference or certificate of service for an employee of the council does not relate to the business of the council.

Reg 400

17.2. Minister to convene meetings in certain cases

- (1) Whenever an area is constituted or reconstituted, the Minister is required:
 - (a) to convene the first meeting of the council of the area, and
 - (b) to nominate the business to be transacted at the meeting, and
 - (c) to give the councillors notice of the meeting.
- (2) If there is no quorum at that meeting, the Minister may convene meetings in the same manner until a quorum is present.
- (3) The council must transact the business nominated by the Minister for a meeting convened under this clause.

Reg 234

17.3. Citizenship Ceremonies

That, by arrangement with the recipient(s), citizenship ceremonies shall be held at 5:45pm on the day of any ordinary meeting of Council, or as otherwise determined by the General Manager.

18. DEFINITIONS

amendment, in relation to an original motion, means a motion moving an amendment to that motion.

chairperson:

- (a) in relation to a meeting of a council – means the person presiding at the meeting as provided by section 369 of the Act, and
- (b) in relation to a meeting of a committee of a council – means the person presiding at the meeting as provided by clause 267.

committee, in relation to a council, means a committee established under clause 260 or the council when it has resolved itself into a committee of the whole.

councillor includes a member of the governing body of a county council.
Reg 231

relative, in relation to a person, means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse or de facto partner,
- (b) the spouse or de facto partner of the person or of a person referred to in paragraph (a).

LGA Sec 1650

APPENDICES

Appendix A – Closed Council Announcements

For Going Into Closed Meeting

Resolved that the meeting now be closed to the public in accordance with Section 10A(2) of the Local Government Act (1993) for consideration of the following matters:

- Details of the matter (Agenda Heading)
- Relevant provision of Section 10A(2)
- Reason why discussion in open Council would be contrary to the public interest.

For Going Out of Closed Meeting

Resolved that as consideration of the matters referred to in the closed meeting have been concluded, the meeting now be opened to the public.

(The Mayor or General Manager then reports the recommendations of the closed meeting for consideration.)

Appendix B – Declaration of Conflict of Interest form



File Ref: GO.CO.4

DECLARATION OF CONFLICT OF INTEREST FORM

To General Manager,

Surname: _____
Given Names: _____

Nature of Meeting: Ordinary
(Please tick) Extraordinary
 Other (Please Specify).....

Date of Meeting:/...../.....

Report Item

Item No: _____
Page No: _____

Reason for the Interest: _____

This conflict of interest has been identified as a:
(Please tick appropriate boxes)

Pecuniary Interest
Non-pecuniary Interest **→ Significant Non - Significant**

If you are of the view that your non-pecuniary interest is less than significant and does not require further action, please provide your explanation directly below:

I hereby declare that the above details are correct to the best of my knowledge and I make this conflict declaration in good faith.	I hereby declare that I have received and appropriately noted this conflict of interest declaration.
Signature Date:/...../.....	Signature (General Manager) Date:/...../.....

DEFINITION

A PECUNIARY INTEREST:

An interest that the member of a Council Committee has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person (see section 442 of the *Local Government Act 1993*).

A NON-PECUNIARY INTEREST:

A private or personal interest that does not amount to pecuniary interest as defined by the *Local Government Act 1993*.

DEALING WITH CONFLICT OF INTERESTS

Section 451 of the *Local Government Act 1993* requires Committee members to disclose a pecuniary interest, the nature of a pecuniary interest, leave the Committee meeting, and not participate in discussions or voting on the matter involving the pecuniary interest. (See also Clause 4.7(b) of the Code of Conduct.)

DEALING WITH SIGNIFICANT NON-PECUNIARY INTERESTS:

Clause 4.16 of Council's Code of Conduct provides that you must manage a significant non-pecuniary interest by either removing the source of conflict or otherwise by dealing with it the same way as you would if it were a pecuniary interest in accordance with section 451(2) of the *Local Government Act 1993*.

DEALING WITH NON-PECUNIARY INTERESTS:

Clause 4.14 of Council's Code of Conduct states:

"How you manage a non-pecuniary interest will depend on whether or not it is significant."

Clause 4.15 of Council's Code of Conduct states:

"As a general rule, a non-pecuniary conflict of interests will be significant where a matter does not raise a pecuniary interest but involves:

- a) a relationship between a Council official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse, current or former spouse or partner, de facto or other person living in the same household
- b) other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship
- c) an affiliation between the council official and an organisation, sporting body, club, corporation or association that is particularly strong."

DEALING WITH LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS:

Clause 4.17 of Council's Code of Conduct provides that if you determine that a non-pecuniary conflict of interest is less than significant and does not require further action, you must provide an explanation of why you consider that conflict does not require further action in the circumstances.

IS YOUR NON-PECUNIARY INTEREST LESS THAN SIGNIFICANT?

If you are of the view that your non-pecuniary interest is less than significant, please provide your explanation directly (only complete if you are claiming that your non-pecuniary interest is less than significant).

Appendix C – Public Forum Speaker's Request form



**BLAYNEY SHIRE COUNCIL
PUBLIC FORUM**

SPEAKERS REGISTRATION FORM

Present this form to Council no later than 4.30pm on the day of the Council Meeting

Enquiries: phone 6368 2104

Lodge Form by: email council@blayney.nsw.gov.au / over the counter

NAME:

PHONE:.....

ADDRESS:

.....

REPRESENTING:

(Self / Name of Organisation / Other Party)

DATE OF MEETING:

SUBJECT OF DISCUSSION:

.....

MEETING AGENDA ITEM REFERENCE *(if applicable)*:

.....

.....

Agreement

I have read and understand the Conditions, Conduct and Unacceptable Behaviour at the Public Forum details as set out over leaf

Signature: **Date:**

The information supplied by you is private information for the purposes of the Privacy and Personal Information Protection Act. Your information is being collected by Council and may be used in the future to provide feedback on any issue raised. The information will not be used for any other purpose, and you can elect not to provide particular details, however your name and the topic for discussion must be supplied.



Conditions

The maximum speaking time is five minutes per speaker. The Public Forum will run for 15 minutes.

At the discretion of the chair, more time may be provided for a speaker.

Any issue may be addressed; however should there be an agenda item, there must be a direct link between the member of the public wishing to address Council and the substance of the agenda item.

Should there be more than one person wishing to address Council on an issue, those persons are to nominate one person to represent the group (applicable only if the 15 minutes are exceeded).

The Public Forum cannot be used to request reports, nor used to address matters in the minutes of an earlier meeting or other matters already dealt with at the meeting.

Persons speaking in the Public Forum may, with the permission of the Chair, use appropriate materials or documents to support their position, but may not table documents to be actioned or use electronic presentations.

Please be advised that this is a public forum, and speakers need to be aware that they have no protection from action in response to any comments they may make.

Code of Conduct

Speakers will abide by Council's Code of Conduct when addressing the Council, Committee or Forum.

The Code of Conduct incorporates integrity, objectivity, accountability, openness, honesty and respect.

The Public Forum does not provide private parliamentary privilege to speakers, Councillors or staff.

Speakers are expected to

- behave in a manner that does not cause any reasonable person unwarranted offence or embarrassment
- act lawfully honestly and to exercise a degree of care and diligence in the comments made
- observe the highest standards of honesty and integrity, and to avoid conduct (verbal/actions) that might suggest any departure from the key principles of conduct
- avoid any behaviour that could be deemed to be an act of disorder or misbehaviour such as insults or personal reflections on or imputes improper motives when discussing others
- not behave in a manner that might be considered to be threatening to or harassment of Councillors or Council staff

Unacceptable behaviour at the Public Forum

Persons who conduct themselves in a manner considered by any reasonable person, to be disorderly, will be expelled from the forum in a similar manner as that provided under the Meetings Regulations for Council and Committee meetings (Section 258) Local Government (General) Regulation 2005.

Should the behaviour of a speaker and/or audience be such that the Mayor/Chairperson of the forum deems if necessary to discontinue a particular section of the forum, then the following will apply:

- speaker and/or persons will be asked to discontinue the offensive behaviour;
- speaker and/or persons may be asked to leave the building where the meeting is being held;
- a Police Officer or any person authorised for the purpose by Council, or the person presiding may, by using only such force as is necessary, remove the person/persons from the building and if necessary restrain that person from re-entering the building;
- the person may be advised to correspond in future with Council via mail or email and/or Council's appointed legal representative

Code of Meeting Practice

End of Policy

Adopted:	11/10/1999	681
Review History:		
	11/09/2000	525
	11/12/2000	722
	09/04/2001	182
	09/07/2001	340
	13/08/2001	371
	15/04/2004	104
	08/08/2005	05/225
	10/10/2005	05/280
	14/05/2007	07/094
	08/12/2008	08/333
	14/12/2009	0912/006
	14/03/2011	1103/006
	12/11/2012	1211/014
	13/07/2015	1507/010
Last Reviewed:	17/09/2018	
Next Reviewed:	18/05/2021	



Community Engagement Strategy

Policy	3L
Officer Responsible	General Manager
Last Review Date	20/08/2018

Strategic Policy

Introduction

Council is committed to improving quality of life in Blayney Shire through the involvement of the community in development of policies, programs and services. Council is also committed to ensuring that all views are considered through inclusive deliberation and active involvement of the community.

Engaging the community is required by all Councils under Council's Charter Section 8 of the NSW Local Government Act 1993. The charter comprises a set of principles, where eleven out of fourteen principles directly reflect why Council should engage the community. These principles include:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively
- to exercise community leadership
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism
- to promote and to provide and plan for the needs of children
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- to have regard to the long term and cumulative effects of its decisions
- to bear in mind that it is the custodian and trustee of public assets and to account for and manage the assets for which it is responsible
- to engage in long-term strategic planning on behalf of the local community
- to exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights
- to facilitate the involvement of Councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government
- to keep the local community and the State government (and through it the wider community) informed about its activities

For our Council to meet these principles, it needs to ensure that effective levels of engagement are implemented depending on the project's current impact on the community and into the future. This means that the Council needs to be open and accountable to the community and provide ample opportunity for feedback. Council also acknowledges that by involving a cross section of the community in a consultative process, it can make better decisions. Council also knows that strong relationships with the community is integral and is built on trust, goodwill and respect with the community. It is intended that this Community Engagement Strategy and Policy framework will give the community a clear understanding of:

- Council's commitment to Community Engagement
- when Community Engagement will occur
- what level of engagement will occur
- how Community Engagement process will be managed.

Language and meaning

Community Engagement

Community Engagement is a term that covers all the ways a Council and its Community come together to improve decision-making, build relationships and partnerships, raising awareness and complementing representative democracy. It is a way of working side-by-side and building support for the shared goal of making the community a better place to live. Community engagement is an outcome. Engagement covers a wide variety of Council / Community connections, ranging from information sharing through community consultation to active participation in government policy development and its decision making processes.

Engagement acknowledges the right of citizens to have a say and to get involved in the business of Council. It is not about public relations or marketing a particular viewpoint or issue, rather it involves assisting Council to fulfil its obligations to the community having regard to the long term and cumulative effects of decisions. Effective community engagement allows Council to tap into diverse perspectives and potential solutions to improve the quality of its decision making.

Consultation

The process of developing understanding of the issues and boundaries around a particular topic or issue before decisions are made. We consult with one another when the boundaries around a decision are not understood.

Communication

The exchange of information. We communicate when the boundaries around a decision are understood.

Capacity building

The development of knowledge, skills and attitudes to achieve a purpose.

Communities of interest

All those who influence or are influenced by a particular proposed project, program, issue or action

What are the benefits of Community Engagement?

It is central to participatory democracy

Communities rightfully expect to have input into matters that affect them and seek involvement and engagement beyond the election of their political representatives. Community engagement complements the official electoral process and is a key method of participatory democracy.

Decision making is improved

Better decisions are made when information and all points of view are heard and understood. Where feasible and desirable, Council's decisions need to match the needs and aspirations of the community.

It builds trust

Trust and understanding are likely to grow in an environment where engagement and involvement is taken seriously and is well done.

It builds networks

When we work together we build relationships and have the opportunity to form purposeful networks and partnerships. In this environment collaboration, occurs more easily.

It helps build resilience and stronger communities

Trusting, confident and involved communities tend to be stronger and able to respond to change and circumstances 'together', combining expertise, experience and resources.

What are the risks associated with community engagement?

The costs of poor engagement processes and tools

Communities recognise poor engagement processes and tools. Poorly managed community engagement will lead to scepticism and loss of trust. You need to use the right process in the right way.

Managing expectations

Engagement does not give decision-making powers to non-elected representatives. Sometimes engagement can raise unrealistic expectations of both Council and Community. Again, this is usually a product of poor practices.

Balancing the act

More is not necessarily better. The most appropriate form of engagement needs to be understood and well undertaken.

Budget and project management

Community engagement is 'part of' not an 'add on' to any project or program.

The cost of not collaborating or sharing resources

Working on things that matter to the community without engagement can lead to conflict and costly rework.

What are the guiding principles for community engagement?

The design and development of engagement activities in Blayney Shire will be guided by the following principles. We will strive to make all engagement – communication, consultation, involvement, collaboration and partnerships:

- Inclusive and accessible
- Productive and enterprising
- Approachable and welcoming
- Consistent so we know where we stand
- Engaging, exciting and inspiring

What are the characteristics of successful community engagement in our Shire?

These 'characteristics of success' will guide and inform how we design, implement and provide feedback on the outputs and outcomes of our community engagement activities:

The purpose of the engagement and how the input of the engagement will be used is clearly stated:

The purpose of the engagement is to be stated clearly from the outset. Checking the understanding of the purpose should also be undertaken at the beginning of any interaction so there is no confusion or unrealistic expectations. Similarly how the engagement input will be used should also be stated from the outset.

Activities are timely, held at the right time and given enough time.

Input is sought before decisions are made. Engagement activities are held so they do not clash with other events or activities; at a convenient time for those participating and enough time is given to discussion, comment capture and agreeing outcomes and actions.

Include all groups and organisations that have an interest in the engagement topic or issue

This will include demographic groupings, different cultural backgrounds, social economic- groups and geographic representation.

Create safe space and a positive atmosphere

Engagement should be seen as part of community life where people come together to discuss issues, opportunities and challenges. The atmosphere needs to be positive and welcoming, not combative. It should be a space where all alternatives can be explored in safety. Respect for one another and actively listening to understand the different points of view will help create 'safe space'. Just as community views and priorities are heard, so too are Council's views and priorities. It is a two-way activity.

Information is accessible

Information is written in plain English so it is easily understood. The implications of the information are also explained.

Existing networks are used

Communities are made up of different networks. Geographically based networks and communities of interested need to be understood and motivated to support engagement activities. Using this approach you are building and working from what already exists.

The capacity and capabilities of community leaders is developed and strengthened

The capacity of community leaders within these networks is developed and strengthened. Each community engagement activity is an opportunity to learn more about our community and the things that affect the Shire. Engagement knowledge, skills and attitudes can be built both within Council and also with community leaders.

It is not a 'one size fits all'

Different processes and mediums are used to engage different groups in the community.

What level to use.

- The level of engagement is directly related to the complexity of the information needed and the degree of impact a project, program or action could have on the community. The higher the impact, the more complex the information, the greater the potential risk within the decision and therefore the more engagement is needed.
- The following Impact/Complexity Matrix links the likely impact and complexity of information with the types of community engagement that might be considered.

How will we implement the Community Engagement Strategy?

This strategy aims to be a resource for Council to ensure that its engagement processes are appropriate, accessible, well-planned and integrated, and adequately resourced.

Objectives

This Strategy strives to:

1. Provide a process for co-ordination of a strategic plan for Blayney that takes account of the broad community desires and expectations
2. Ensure that the views of a wide cross section of the community are incorporated into the process, by selecting engagement methods that are flexible, inclusive and appropriate to the people being consulted

3. Enable the development of a community “vision” for Blayney that will help guide subsequent Council strategic plans; and support ongoing opportunities for involvement in and shared “ownership” of Council’s decision making and strategy development
4. Keep the Blayney community well informed about issues, strategies or plans that may affect them
5. Assist Council in meeting its legislative requirements regarding community engagement
6. Provide staff with the support and training to conduct effective community engagement processes
7. Improve Council’s internal systems and procedures to ensure a coordinated and comprehensive approach to engagement.

Principles of Engagement

The following principles underpin Blayney Shire Council’s approach to community engagement:

1. Integrity – where there is openness and honesty about the scope and purpose of engagement
2. Inclusion – where there is an opportunity for a diverse range of values and perspectives to be freely expressed and heard
3. Deliberation – where there is sufficient and credible information for dialogue, choice and decisions, and where there is space to weigh options, develop common understanding and to appreciate respective roles and responsibilities
4. Influence – where people have input in designing how they participate, when policies and services reflect their involvement and when their impact is apparent.

Levels of Community Engagement

The level of community engagement will depend on the particular circumstances of the issue:

1. Inform

Information processes are “one-way” methods of engagement, often used to explain “why” a decision has been made or the processes used for making a decision. Used in isolation, they do not provide the community with the opportunity to express their views. Common methods for providing information are media releases, fact sheets, newsletters, websites and notification letters.

2. Consult

Consulting involves the exchange of information between the Council and the community. These processes are “two-way” methods of engagement, allowing community members the opportunity to express their opinions on a particular issue or proposal. Common methods for consulting include surveys, focus groups, staffed public displays and meetings.

3. Involve

This type of engagement requires Council to actively seek the involvement of the affected community as part of the planning and decision making process. Community members have the opportunity to be involved in discussion and debate and to influence Council's decision-making. Common methods of involving the community include advisory committees, community workshops and site meetings.

4. Collaborate

Engagement at a collaborative level provides the community with a high level of involvement in Council's decision-making. This type of community engagement encourages community members to be involved in identifying solutions to local issues. Collaboration encourages community involvement up front and is focused on finding the best possible result for the community as a whole. Common collaboration methods include community reference groups, community design teams, and forums.

5. Empower

This places the final decision-making in the hands of the public. Common methods include ballots, constitutional referenda, and delegated decisions.

When to Engage?

Council must consult when:

- It is required by legislation
- It wants to identify community issues, needs and priorities

Council should consult when:

- Any proposed changes will impact on current users or customers of a Council service or facility
- Any proposed changes which will affect the rights or entitlements of community members, including minority groups
- There is potential impact on surrounding neighbours
- It wants to monitor customer satisfaction with Council's services facilities
- There is a level of controversy or sensitivity about a particular issue
- There is conflict among community members about an issue.

Factors affecting Engagement

A number of factors impact the effectiveness of community engagement, such as access, resources and timeframe.

1. Access

Community members should have equal opportunity to participate in community engagement processes. Therefore, access is a critical issue to consider when planning community engagement. In this instance, access refers to any barriers that may impede a person's ability to participate. Specific areas to consider include:

- Selecting a venue and engagement technique appropriate to the people involved in the community engagement (e.g. Aboriginal and Torres Strait Islander people; people from diverse cultural and linguistic backgrounds; people with disabilities; older and young people)
- Ensuring venues are accessible to wheelchairs and have appropriate facilities (e.g. Disabled toilets)
- Ensuring community education and information is easily understood
- Being aware of and supporting any potential language, sight or hearing impairments
- Promoting the engagement in a manner that reaches a wide cross-section of the community (e.g. Newspapers, schools, local radio, etc.)

2. Resources

Another key component in community engagement is adequate resourcing. Effective community engagement requires sufficient resourcing in terms of finance, staff time and materials.

3. Timeframe

Sufficient timeframes are critical to give participants time to provide feedback or attend consultation displays/meetings and to incorporate feedback into Council's processes. Time constraints should not compromise Council's engagement with the community.

When and how will we engage – what are the triggers?

Various factors influence the need to engage with the community on a specific issue. On an overall basis community engagement has two principal components for these purposes.

- The first is at an overarching Strategy Planning level. This is the process adopted by Council to support development of a Community Strategic Plan that will determine priorities and community vision for the future. This Plan will also consider the varying strategies that both the community, and the Council, may adopt to give effect to the vision.
- The second component to community engagement surrounds the body of techniques and approaches that develop and sustain working relationships between Blayney Shire Council and the wider community. The triggers for the level and type of engagement will be determined by Council's assessment of the likely impact on the community, and on the complexity of the issue to be addressed. These levels of engagement will follow four of the stages outlined previously (viz: Inform; Consult; involve; and/or collaborate).

Assessment criteria

The examples provided below are indicative, not prescriptive: each issue should be considered on its merits.

Level of Impact	Criteria (one or more of the following)	Examples
<p>Level A High Impact - Blayney Shire</p> <p>High level of impact or risk, perceived or real, on the whole or a large part of Blayney Shire</p>	<ul style="list-style-type: none"> • Potential high impact on State or regional strategies or directions • High level of real or perceived impact or risk across Blayney Shire • Any significant impact on attributes that are considered to be of high value to the whole of Blayney Shire, such as the natural environment or heritage • Any impact on the health, safety or well-being of the Blayney Shire community • Potential high degree of controversy or conflict • Likely high level interest across Blayney Shire 	<ul style="list-style-type: none"> • Shire wide or regional plans • A change to land categorisation i.e. selling land • Disability action plan • Strategies, plans or policies, e.g. Culture, Youth, Aged • Removal of a facility or service catering across Blayney Shire, e.g. Library Services • Provision of a district or regional facility, e.g. skate park, indoor sports centre • Key changes to a Blayney Shire wide service, e.g. waste management • Changes to or impact on natural bushland or waterway (where the natural values could be affected)

<p>Level B High Impact – Local</p> <p>High level of impact or risk, perceived or real, of a local nature, e.g. a local area, specific community or user group</p>	<ul style="list-style-type: none"> • High level of real or perceived impact or risk on a local area, small community or user group(s) of a specific facility or service • The loss or significant change to any facility or service to a local community • Potential high degree of controversy or conflict at the local level 	<ul style="list-style-type: none"> • Removal or relocation of a local playground • Change to or loss of valued activity or program, e.g. local youth activity • Re-development of a sportsground • Major development or redevelopment of non-regional parks • Local street road closure • Increase or removal of car parking in local shopping centre
<p>Level C Lower Impact – Blayney Shire</p> <p>Lower level of impact on the whole or a large part of Blayney Shire</p>	<ul style="list-style-type: none"> • Lower, although still some real or perceived impact of risk across Blayney Shire • Potential for some controversy or conflict • Potential for some although not significant impact on State or regional strategies or directions 	<ul style="list-style-type: none"> • Improvements to a Blayney Shire wide service, e.g. Library Services • Upgrade of a district or regional facility • Changes to Customer Services processes, e.g. payment of rates • Most changes to fees and charges (unless contentious) • Provision of a community wide event • Review of community needs, e.g. recreational needs assessment
<p>Level D Lower Impact - Local</p>	<ul style="list-style-type: none"> • Lower level of real or perceived impact or risk on a local area, small community or user group(s) of a specific facility or service • Only a small change or improvement to a facility/ service at the local level • Low or no risk of controversy or conflict at the local level 	<ul style="list-style-type: none"> • Upgrade of a local playground • Local street or streetscape upgrade • Changes to a local activity program, e.g. timing or venue/location

Four tier community engagement guide

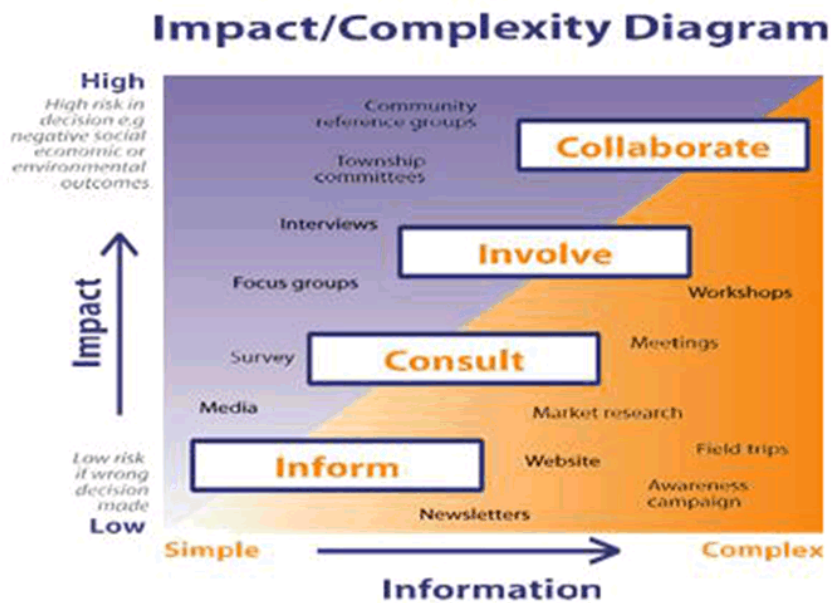
A four tier level of community engagement is used to guide Council's approach to conducting consultation.

Typical Level of Engagement	Definition	Typical highest level of impact
1. Informing	<ul style="list-style-type: none"> Advising the community of a situation or proposal Informing on a decision or direction Providing advice on an issue No response is required, although people are free to seek a further level of participation 	<ul style="list-style-type: none"> Level A Level B Level C Level D
2. Consulting	<ul style="list-style-type: none"> Undertaking market research to identify needs or issues Seeking comment on a proposal, action or issue Seeking feedback on a service or facility Requiring a response, but limited opportunity for dialogue Option for people to seek a further level of participation 	<ul style="list-style-type: none"> Level A Level B Level C Level D
3. Involving	<ul style="list-style-type: none"> Involving the community in discussion and debate Ensuring informed input through briefings and information Adopting a more personal and innovative approach through personal contact meetings/sessions that encourage participation Involving at different times in the planning process, i.e. keeping informed and enabling further comment 	<ul style="list-style-type: none"> Level A Level B
4. Collaborating	<ul style="list-style-type: none"> Establishing a structure for involvement in decision-making, e.g. committee Enabling ongoing involvement and keeping informed Allocating responsibility in achieving initiatives 	<ul style="list-style-type: none"> Level A Level B

The engagement approach applied in each instance will be influenced by the assessed impact level. The impact and complexity level for any given matter will tend to reflect the engagement. The higher the impact, the greater the level of engagement.

Engagement matrix

The level of engagement that may be required is illustrated in the following diagram, giving an indication of the relationship between the degree of impact and the complexity of the information.



This decision diagram is based on:

- Likely risk, and
- Complexity of the information which needs to be understood for a sound decision.

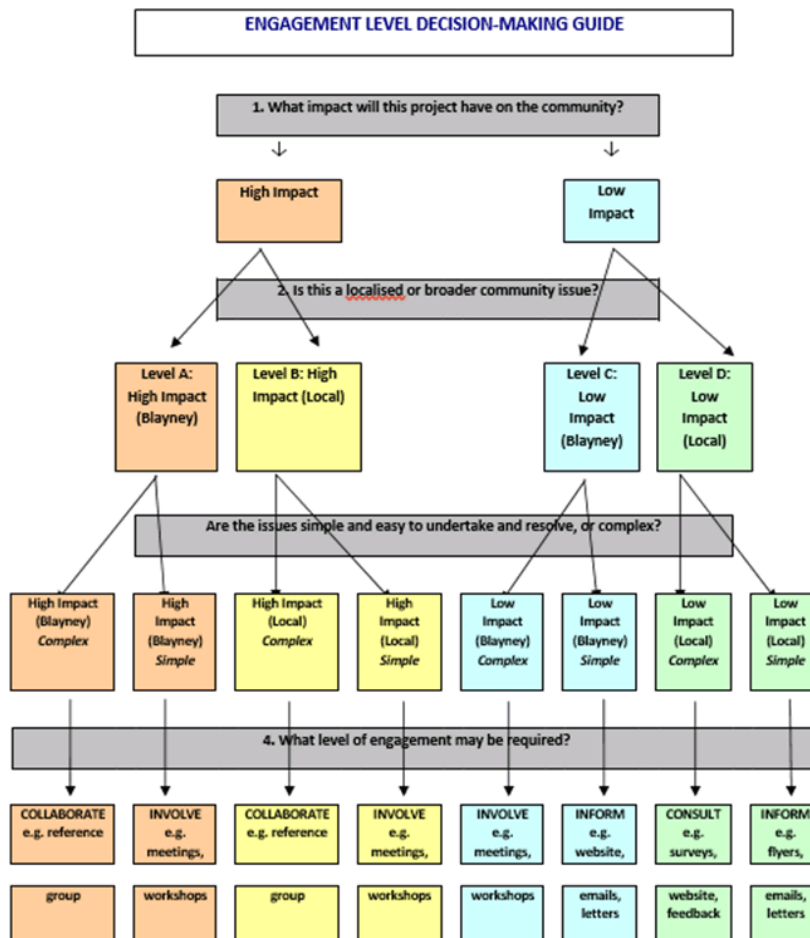
The example methodologies are indicative only of some of the numerous types of community engagement tools that Council may utilise.

Selection methodologies will depend on the outcomes of research that will include demographic, technical, legal and financial data. Recommendations and information provided by Council will, in all cases, be evidence based.

Engagement decision making guide

How the assessment of impact, locality or scope, and complexity works in practice is illustrated in the Engagement Level Decision-Making Guide below.

Council first evaluates the likely impact of the issue or project on the community and Council, and then asks whether it is a local issue or one with ramifications across the entire Shire. Council then considers whether the issue is easily understood or more complex before deciding on the methodologies of engagement. For many issues, it's typical that multiple types of engagement will occur, for example, letter box drops, surveys, focus groups, information sessions and one-on-one conversations.



When will Community Engagement Occur?

Council will engage the community in the following areas:

Strategy Planning

This refers to the development of strategic plans and projects that inform the Management Plan and Business Plans

Policy Development and Implementation

This includes any policy development that has a direct impact on the community

Site Specific

This refers to any changes to a site that may have impact on the community

Service Planning

This includes the development and/or improvement to a service

Areas of improvement

This refers to any improvement required to increase the quality of lifestyle for the community e.g. shopping areas, open spaces, etc

Legislative Requirements, including planning issues

This refers to all prescribed plans and projects under the Local Government Act (1993) and other relevant Acts

What level of Engagement will occur?

Council will call for different levels of engagement depending on the issue, and it's immediate or long term impact on the community. The levels of engagement with the community may include:

Level 1	Inform	Giving information to the community
Level 2	Consult	Obtaining community feedback
Level 3	Involve	Participating directly with the community
Level 4	Collaborate	Partnering with the community to create solutions

How will Community Engagement Activities be managed?

Community engagement activities will include the following elements:

Management of the Community Engagement Activity

- Each community engagement activity will be the responsibility of the Manager within the lead unit
- When planning community engagement, Managers need to ensure that resources (staff and finance) for engagement activities across Council are effectively allocated and managed. Where possible combine engagement activities with other activities that target similar communities

Community Representation

In planning community engagement, Council will ensure that every effort is made to:

- Attract and reach a cross section of the community by using a wide range of communications methods Invite specific targeted community groups as identified in the project Accommodate participants' cultural, language and special needs
- Involve community groups who are sometimes hard to reach i.e. young people, people with disabilities, women, and people from ATSI backgrounds

Reporting back to Participants and the Community

- Upon completion of a community engagement activity, outcomes from the activity will be communicated to all participants and the community.
- A report will be developed outlining the community engagement outcomes, considerations, and recommendations made by Council

Evaluation of Community Engagement

Upon completion of a community engagement activity, an evaluation will be conducted to assess:

- Community representation
- Type of communications publicity methods most suitable Methods utilised for engaging the community
- Timing i.e. promotion time and time of the actual activity Qualitative and quantitative information gained and gathered
- These assessment results will be used to improve future engagement plans and processes.

Steps in planning community engagement and questions to ask

When undertaking community engagement, Council will follow six steps and ask a series of associated questions:

Establish the level of impact and complexity of the project, program or action

Council will ask:

- What is the likely impact of the project, program, issue or action on the community? High? Low? Or somewhere In-between?
- Is it localised or does it involve the broader community?
- Is the issue or project straightforward and easy to understand or is it and the implications, complex?
- Where does it sit on the Risk/Complexity matrix?

Identify all those communities of interest who have an interest around the issue

Council will ask:

- Who has an interest in this project, program, issue or action?
- List all the individuals, groups and organisations.
- Make sure those who engage are 'representative' of all these relevant communities of interest

Plan the engagement process and gather or develop relevant information and resources

Council will ask:

- What is the purpose of the engagement?
- What processes will we use?
- What information do people need to engage well?
- If there is an engagement event, what are the logistics of the event we have to organise e.g. venue, catering, materials, technology

Engage the relevant and identified communities of interest

Council will ask:

- Have we given people enough notice?
- Does it clash with another event or priority in the community?
- Have we considered the convenience of participants?
- Am I fully prepared for the engagement?
- How we made it clear what the purpose of the engagement is?
- Does everyone know how their input will be used?

Feedback results of engagement and decision making if relevant

Council will ask:

- Have we let participants know and got agreement over how their input will be used?
- Have we let people know the outcome of their input?

Evaluate the process

Council will ask:

- What would we do differently next time to improve the process?

End

	Date	Minute No.
Created:	11/02/2013	1301/006
Lasted Reviewed:	10/05/2013	1305/006
	17/09/2018	
Next Reviewed:	15/03/2021	



Investment Policy

Policy	4B
Officer Responsible	Chief Financial Officer
Last Review Date	17/09/2018

Strategic Policy

1.1 Objectives

- (a) To undertake investment of surplus funds in a way that, firstly ensures the security of Council Funds and secondly maximises earnings from authorised investments.
- (b) To ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.

1.2 Definitions

Authorised Deposit taking institutions - financial institutions in Australia supervised by the Australian Prudential Regulation Authority (APRA) and authorised under the Banking Act 1959 (Cth) to accept deposits from the public.

Ausbond Bank Bill Index - formerly the UBS Bank Bill Index. The UBS Australia index family was acquired by Bloomberg from Q3 2014, and while branding changed the benchmark construction is unaltered. It represents the performance of a notional rolling parcel of bills averaging 45 days and is the widely used benchmark for local councils and other institutional cash investors.

Bank Bill Swap Rate - a short-term interest rate used as a benchmark for the pricing of Australian dollar derivatives and securities, most notably floating rate bonds

Bills of Exchange - A bill of exchange is an unconditional order in writing, addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand, or at a fixed or determinable future time, a sum certain in money to or to the order of a specified person, or to bearer.

Debentures - a type of debt instrument that is backed only by the general creditworthiness and reputation of the issuer rather than being secured by physical assets or collateral.

Ministerial Investment Order - schedule of authorised investments approved for access by NSW Councils pursuant to Local Government Act 1993 section 625 by the Order of the Minister and published in the Government Gazette.

Responsible Accounting Officer - a member of the staff of the council designated by the General Manager, or if no such member been designated, the General Manager. (LGGR, clause 196)

TCorp – New South Wales Treasury Corporation including the TCorp Investment Management arm which manages the TCorpIM funds (formerly Hour-glass).

Term Deposits (Deposits) - Funds invested with a financial institution at a predetermined rate that applies for the duration of the deposit. The principal is held on deposit for a fixed term with interest payable at set periods during the term and/or on maturity. Increasingly banking regulation requires term deposits to be issued on “unbreakable” terms or at a minimum funds cannot be withdrawn for a minimum period of 31 days.

1.3 Legislative Requirements

All investments are to be made in accordance with:

- (a) Local Government Act 1993;
- (b) Local Government Act 1993 – Order (of the Minister) dated 12 January 2011
- (c) Trustee Act 1925;
- (d) Local Government (General) Regulation 2005;
- (e) Local Government Code of Accounting Practice and Financial Reporting;
- (f) Australian Accounting Standards; and
- (g) Office of Local Government Circulars.

1.4 Delegation of Authority

Authorised Officer	Roles & Responsibilities
General Manager	Authority to invest surplus funds and authority to delegate this function in accordance with the councils adopted investment policy.
Director Corporate Services	Per Delegation
<u>Manager Financial Services Chief</u> <u>Financial Officer (Responsible Accounting Officer)</u>	Per Delegation
<u>Assistant</u> Accountant	Per Delegation

All delegated officers shall confirm in writing that they have received a copy of Council’s current investment policy and that they understand the contents and their obligations as a delegated officer.

1.5 Authorised Investments

Investments are limited to those allowed by the most current Ministerial Investment Order that has been issued by the NSW Minister for Local Government.

Council shall only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- (a) any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory;
- (b) any debentures or securities issued by a council (within the meaning of the Local Government Act 1993 (NSW));
- (c) interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (as defined in the Banking Act 1959 (Cwth)), but excluding subordinated debt obligations;
- (d) any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- (e) a deposit with the New South Wales Treasury Corporation or investments in an **Hour-Glass investment facility TCorpIM Investment Fund** of the New South Wales Treasury Corporation.

All investment instruments (excluding short term discount instruments) referred to above include principal and investment income (interest).

1.6 Prudent Person Standard

The investments shall be managed with care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolios to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes

1.7 Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the General Manager.

If engaged, independent advisors shall also be required to declare that they have no actual or perceived conflicts of interest.

1.8 Prohibited Investments

This Investment Policy prohibits any investment carried out for speculative purposes including:

- (a) Derivative based instruments;
- (b) Principal only investments or securities that provide potentially nil or negative cash flow;
- (c) Stand alone securities issued that have underlying futures, options, forward contracts and swaps of any kind; and
- (d) **Any investment acquired using The use of leveraging to fund the purchase** (borrowing to invest) **of any investment.**

1.9 Risk Management Guidelines

Investments are to comply with the following criteria:

- (a) Preservation of Capital - all reasonable measures are to be taken to prevent losses in portfolio value (considering the time value of money);
- (b) Institutional Diversification:
 - i. Not less than three (3) quotations shall be obtained from authorised institutions when an investment is proposed.
 - ii. Direct investments shall not exceed \$3,000,000 with any one institution at any one time.
 - iii. All term deposit investments are to be made with authorised deposit taking institutions authorised under the Banking Act, 1959 and with an investment grade credit rating.
 - iv. The maximum holding limit in each rating category and the target credit quality weighting for Council's total portfolio shall be:

Total Portfolio Limits		
Long Term Credit Rating (or Moody's, Fitch, S&P or Equivalent)	<u>Short Term Credit Rating</u> (S&P or Equivalent)	Maximum Holding
<i>TCorp IM Funds</i>		<u>100%</u>
AAA – AA Category	<u>A1+</u>	100%
A Category	<u>A1-A2</u>	80%
BBB+ to <u>BBB</u> Category	<u>A2-A3</u>	40%

- v. ~~Exposure to individual counterparties/financial institutions will be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below (excluding Council's cheque and at call accounts).~~

Individual Institution Limits		
Long Term Credit Rating (or Moody's, Fitch S&P or Equivalent)	Short Term Credit Rating (S&P or Equivalent)	Maximum Holding
<u>AAA Category</u>	<u>A1+</u>	<u>40%</u>
<u>AA Category</u>	<u>A1+</u>	<u>40%</u>
<u>A Category</u>	<u>A1-A2</u>	<u>30%</u>
<u>BBB Category</u>	<u>A2-A3</u>	<u>20%</u>

- (c) Maturity Risk - the investment portfolio is to be invested within the following maturity constraints:

Overall Portfolio Return to Maturity		
Portfolio % < 1 year	Min 40%	Max 100%
Portfolio % > 1 year	Min 0%	Max 60%
Portfolio % > 3 year	Min 0%	Max 30%
Portfolio % > 5 year	Min 0%	Max 20%

- (d) Market/Credit Risk - consideration shall be given to the risk that the fair value or the future cash flows of an investment will fluctuate due to changes in market prices, or the risk of failure to repay principal or pay interest on an investment;

- (e) Liquidity Risk -

- i. Matching investments with cash flow requirements.
- ii. Ensure access is available within seven (7) days to at least \$1,000,000 or 10% of value of total investments, whichever is **greater lesser**.

1.10 Performance Benchmarks

The performance of the investment portfolio shall be against the industry standard 11am Cash Rate for cash investments, BBSW 90 Day Swap Rate for direct investments **and the Ausbond Composite 2 – 5 year index for investments exceeding 2 years.**

1.11 Safe Custody

Safe custodial arrangements shall be as follows:

- (a) **Council must retain beneficial ownership at all times;**
- (b) **Council must be in receipt of documentation existence of investment;**
- (c) **The custodian must be the custodian nominated by TCorp for investment in TCorp/IM Funds, or Austraclear, or an investment grade institution so rated by Standard and Poor's or Fitch.**

1.12 Reporting and Responsibilities of Council Officers

- (a) The Responsible Accounting Officer shall be responsible for reconciling the investment register on a monthly basis and ensuring sufficient records are maintained, including:
 - a. the source and amount of money invested;
 - b. particulars of the security or form of investment in which the money was invested;
 - c. the term of the investment, and
 - d. if appropriate, the rate of interest to be paid, and the amount of money earned, in respect of money invested.
- (b) A monthly report shall be provided to Council, detailing the investment portfolio in terms of performance, investment institution and amount of each investment.
- (c) The report should also detail each average return percentage against the performance benchmark rates.
- (d) For audit purposes, certificates must be obtained from financial institution confirming the amounts of investment held on the council's behalf at 30th June each year.
- (e) The documentary evidence must provide Council legal title to the investment.

1.13 Investment Advisor

Should Council engage an investment advisor, the advisor must be approved by Council and licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of the investment policy.

The independent advisor is required to provide written confirmation that they do not have any actual or potential conflicts of interest in relation to the investments they are recommending or reviewing, including that they are not receiving any commissions or other benefits in relation to the investments being recommended or reviewed.

1.14 Grandfathering provisions

This Policy shall only apply to investments made from the date of Council adoption onwards.

1.15 Review of Investment Policy

This policy shall be reviewed annually *by the Chief Financial Officer* and any amendments, if necessary, shall be approved by resolution of council.

End of Policy

Adopted:	14/10/2003	123
Last Reviewed:	11/10/2005	280
	14/05/2007	07/094
	09/08/2010	1008/04
	14/03/2011	1103/010
	08/08/2011	1108/004
	14/11/2011	1111/011
	12/11/2012	1211/014
	10/11/2014	1411/007
	17/09/2018	
Next Review:	16/03/2021	



Event Management Policy

Policy	9G
Officer Responsible	Director Corporate Services
Last Review Date	17/09/2018

Strategic Policy

ADMINISTERING THE EVENT MANAGEMENT POLICY

Objectives

- To recognise the important contribution public events make to achieving Council and community goals.
- To manage public events in a safe, effective, efficient and equitable manner.
- To manage public events in a way in which the benefits to the local community, including local businesses are maximised whilst potential negative impacts to the community are minimised.
- To provide quality entertainment and leisure opportunities for local residents and visitors.
- To ensure that unacceptable and/or irreversible damage does not occur to the local environment, and that events are held in accordance within the provisions of all relevant legislation and regulations, and
- To ensure that adequate revenue is returned to Council to cover costs of managing the event and (where appropriate) for the rehabilitation and enhancement of event venues.

Scope of the policy

This policy applies to events organized by Council, by other government agencies, by businesses, schools and special interest groups or community groups, on or in all areas under Council's ownership or control, or events outside of the Blayney Local Government Area (LGA), that directly affect the Blayney LGA.

The primary focus of this policy is on events organized on or in all areas under Council's ownership or control.

The purpose of this policy is said to be:

"Any organised gathering in a public place either within the Blayney Local Government Area (LGA), or directly affecting the Blayney LGA".

The nature of the organiser or the purpose of the event has little bearing on the nature or cost of the management input required to ensure a satisfactory outcome. As a consequence this policy encompasses events organised by Council, by other government agencies, by businesses, schools and special interest groups or community groups.

The potential scope for the Event Management Policy is extremely broad given the diversity of the events and the range of the issues raised. For this reason limits have been set to ensure the Policy remains manageable. Matters falling outside these parameters are generally

either addressed through other existing Council policies, or are not seen to require Council intervention.

The policy does not encompass:

- Events occurring on private property, or leased premises on public land.
- Events for which there is no organising body e.g. Halloween
- Civic events or ceremonies organised by Blayney Shire Council
- Detailed aspects on traffic management

Objectives

The objectives of this policy is to:

- **manage public events in a safe, effective, efficient and equitable manner, and**
- **manage public events in a way in which the benefits to the local community are maximised whilst potential negative impacts are minimised.**

A fundamental issue here is the maintenance of the character of the area, which should be in keeping with the “positioning” of Blayney. If it is the village atmosphere which attracts organisers to hold events in Blayney, and the people to participate in them, then it would be a retrograde move to destroy that atmosphere through permitting too many events or the wrong type of events.

It is likely that the process of “positioning” will establish a focus on the following elements:

- **maintaining the integrity of agricultural and farming industry encouraging industry development**
- **personalised experiences with an educational or self-development component**
- **fine food and wines**
- **providers of local food and wine – gourmet foods**
- **nature appreciation**
- **activities for older people**
- **historical elements**
- **family orientated events**
- **encouraging events to promote the entire area not just the one event**

Further objectives of the policy are:

- **to ensure and maximise public health and safety**
- **to provide quality entertainment and leisure opportunities for local residents and visitors**

- ~~to maximise the benefits of events to local businesses~~
- ~~to ensure that unacceptable and/or irreversible damage does not occur to the local environment, and that events are held in accordance within the provisions of all relevant legislation and regulations~~
- ~~to ensure that inconvenience to the community is minimised~~
- ~~to ensure that adequate revenue is returned to Council to cover costs of managing the event and (where appropriate) for the rehabilitation and enhancement of event venues.~~
- ~~To minimise waste generation and ensure adequate waste and recycling facilities are provided at all events; and~~
- ~~To ensure that Council fully meets its obligations in terms of relevant legislation~~

Key Considerations Principles

Those factors which are Factors that will be considered when assessing an Event Application, include, but are not limited to **deciding the merit of, and management response to, events are listed below. Such factors need to be addressed by those making application to hold an event.**

- Date of event and proposed location
- Availability of contact telephone numbers for event organisers and support staff for use on the day of the event
- Duration of the event including set-up and pull-down times
- Whether filming is to take place
- Vehicle access to reserves and parking on reserves
- Wet weather options
- Details of proposed measures to reduce traffic /parking impacts
- Requirements for reserved roadside parking for organisers, stall holders, etc
- Provision of shuttle bus services
- Nature and extent of pre-event publicity
- Identity and commercial status of the event organiser, including business or personal referees, and details of any sponsors
- Contact details for relevant staff at other Councils in whose areas the organiser has previously held an event
- Nature and extent of involvement by local/ community groups, and local businesses
- Expected number of participants and spectators
- Details of charges to event participants and /or spectators
- Nature and extent of food and beverage sales (or giveaways), and provision of hot water facilities to food and beverage stalls
- Provision if adequate waste and recycling facilities
- Availability of alcohol and details of liquor license held
- Equipment and personnel to be on site to guarantee orderly conduct and the safety of participants, e.g. possible attendance by St John's

Ambulance, first aid kit and trained staff provided by organiser, security personnel (preferably identified as event staff)

- Exact details concerning the installation of banners and other temporary signage, including location (e.g. within reserve, surrounding streets) and size
- Temporary toilet provision required or proposed
- Litter collection on the site and in surrounding streets
- Provision of electricity, including possible use of generators
- Applicable security/ damage bonds
- Proposed use of fireworks
- Measures taken to advise local residents, for e.g. letterbox drops
- Likely noise levels, e.g. public address systems or bands
- Details and locations of all structures to be erected (plan to be provided). Proposals for scaffolding and grandstands, camera towers etc, must be accompanied by a structural engineer's certificate obtained at the organiser's expense.
- Completion of **a business an event management** plan to be completed and delivered to Council no later than three months after the event (where applicable)

Conditions to apply for all events

1. All applications for events will only be considered if submitted on the appropriate Council form
2. Applications for events are to be made not less than 3 months prior to the proposed date of the event
3. Approval for events are only to be granted on a year-by- year basis
4. Reservation of areas for an event on a particular date cannot be confirmed until such time as an application has been approved.
5. Where two or more applicants request the same date and venue then preference will be given to the applicant who lodges their application first.
6. Event organisers are required to obey the directions of Council Officers during the course of conducting the event.
7. Applications for events which require exclusive use of Council Facilities and which are not open to the public e.g. private corporate events, will be considered by Council on a casual use basis.
8. Event organisers are responsible for removal of all rubbish from the venue site and on adjacent carriageways. This includes the removal of all banners and signs at the venue and elsewhere in the Council area. If this does not occur then remedial action will be taken by the Council at the cost to the event organiser.

9. Organisers of events on Council-controlled lands will be billed for the provision and collection of additional rubbish and recycling receptacles and for the provision of electricity. The cost of these items will be deducted from any security/damage deposit held by Council.
10. Organisers of the events will be responsible for the provision of any temporary toilet facilities in quantities and locations as directed by the Council, and at the expense of the event organiser.
11. Event organisers are responsible for damage to Council facilities or infrastructure which occurs during the course of the event, e.g. damage to Council's irrigation system due to spikes being driven into the ground.
12. In the event that an application to hold an event is submitted by a person or group who has previously failed to abide by the conditions of the consent granted by Council, then such application will be rejected unless adequate cause can be shown as to why this should be varied.
13. The holding of a public liability insurance policy which notes the event and Council's interest as a named insurer is a required condition of consent. In the case of events the minimum level of cover is **\$20m ~~ten~~ million dollars**. The original policy statement issued by the insurer, or a certificate of currency, or certified copy, must be provided to the Council not less than one month prior to the event taking place. Organisers will also be required to furnish an indemnity form.
14. Prior to, or during the course of, the event no signs or other objects are to be attached to trees, street furniture or public utilities, without the written approval of Council.
15. No event shall commence prior to 8-00am or continue after 11-00pm without prior approval of Council.
16. Food or beverages are not to be sold in polystyrene containers.
17. Where the event will involve the participation of temporary food stalls then they shall comply with the provisions of the relevant Food Acts of NSW and with Council's requirements for temporary food stalls, and may be subject to inspection during the course of the event.
18. The organisers of all events are to comply with all environmental protection legislation at all times.
19. Amusement rides are not permitted without the express permission of Council.

20. No amplification is to be used at any event without Council's approval, with the exception of a public address system to make important announcements, e.g. prize winners.
- ~~21. In considering approval of events, the provision of appropriately trained and licensed security staff to assist in the orderly conduct of events is seen as desirable, and may be a requirement of approval at the discretion of Council.~~
- ~~22. Upon the adoption of a proposed Events Traffic Management Strategy, it is proposed that observance of the provisions of the Strategy will be a condition of consent.~~

Administration of the Policy

The management of the Event Management Policy will vest in Council's Corporate Services Department with final approval for events to be decided by Council's General Manager.

Prior to final approval the documentation will be referred to Council's Director Corporate Services, Human Resources Officer Council's Infrastructure Services and Council's Planning and Environmental Services Departments to ensure details of the policy have been adhered to. Each section will sign off on the application or indicate reasons for not authorising the application. Any further requirements will also be noted on the application. The application will then be referred to the General Manager for final approval.

Once approval has been given the applicant will be notified in writing with all further requirements being noted. A further letter will be included to be signed by the applicant signifying acceptance of any compliance requirements.

Those whose applications are rejected may seek a further determination based on the submission of additional supporting information to the General Manager. In the case of applications to hold a major event the General Manager, at his or her discretion, may elect to have the matter considered by the Council.

All internal and external communications will be under the control of Council's Director Corporate Services.

The Event Management Policy is to be periodically reviewed and amended as required. The frequency of reviews shall be not more often than once per year, and not less often than once every three years.

All applications for the holding of an event in the Blayney LGA must be completed on the appropriate application form and submitted within the appropriate time frame. No application will be considered unless the correct paperwork is completed.

The applicant must make written application to Council with an *Event Management Application Form* (available from Council's website). This application must include the following:

- evidence of minimum \$10 million public liability insurance cover in respect of the event, with Council's interests duly noted.
- A map showing the proposed roads to be used will be submitted to Council for approval prior to the event being conducted including any signposting.
- A traffic control plan shall be submitted to Council for approval prior to the event.
- If a highway is to be used, written approval from the RMS is required.
- Council will inform the NSW Police Force seeking their written approval prior to the event taking place and any additional conditions.

Council provides a written response – this maybe a refusal or approval with conditions attached. These conditions may include the requirement to:

- provide a management plan for the event
- evidence of risk assessment. as presented in the "*Safely Managing your Event*" document obtainable from Council. A sample risk assessment can be found in the "*Information for Planning a Public Event in Blayney Shire*" guide available from Council's website <http://www.blayney.nsw.gov.au/> or Council's office.
- public advertising of the event/road closures

Traffic Management

Traffic and parking are major considerations in staging any event in Blayney. The organiser of any particular event must demonstrate that they have considered this matter, and have put in place measures to reduce impact on local residents and to maximise public safety. Council's role is then to assist in the co-ordination of the event.

The co-ordinator of the event should undertake the following steps to ensure that the traffic impact of the event is minimised:

1. Liaise with local police, emergency services and Council staff before, during and after the event.

- ~~2. If required by Council, prepare a Traffic Management Plan in consultation with Council staff, police and other relevant organisations for consideration by Council.~~
- ~~3. Any street closures required should be brought to Council's notice~~
- ~~4. Undertake pre-event publicity~~
- ~~5. Provide directional signage in appropriate locations~~
- ~~6. Advertise the event in local papers, noting issues such as road closures and parking restrictions.~~

Risk Management

All applicants must be aware of their responsibilities for the safe management of an event, the safe management includes the principles of risk management and compliance with current ~~New South Wales Occupational Work Health and Safety legislation in New South Wales in particular the Occupational Work Health and Safety Act (20011)~~ and the ~~Occupational Work Health and Safety Regulations (2017)~~.

Council may request a formal written risk ~~management plan assessment~~ to be submitted prior to formal acceptance of the application. ~~This request can be submitted using the Assessment Sheets provided in the document "Safely Managing your Event" obtainable from Council.~~

By early identification of hazards risks can be minimised. It is your responsibility to ensure that you comply with Council's Risk Management procedures and you complete the relevant paperwork.

~~To help with the risk assessment process we have prepared general forms, fact sheets and explanations to make the process a bit more manageable. The process will seem cumbersome for the first few times you undertake it, however after a while you will recognise the benefits and become more comfortable with it. The general forms are included in the document "Safely Managing your Event".~~

End Policy



APPLICATION TO CONDUCT AN EVENT

Date of Event: _____

Exact Location: _____

APPLICANT DETAILS

Name of the Organising Body: _____

Legal status of the organising body, e.g. school, incorporated association, company, etc:

Name of person submitting this application: _____

Postal address: _____

Postcode: _____

Daytime Phone: _____ Fax: _____ Mobile: _____

Email: _____

Signature: _____ Date: _____

This form should be completed in the case of organised events that are to be held on public open space in Blayney. Please complete fully and legibly using a black pen. Please attach additional sheets if your response cannot fit in the space provided. In some cases you may need to also submit a plan showing the proposed location and layout of the event venue. If some of the issues included in this form do not apply to your proposed event simply note "Not applicable".

Please return the completed form to Post Office Box 62, Blayney, NSW 2799. Should you require assistance in completing the form please contact the Council on telephone (02) 6368 2104.

Council is asking you to provide this information in order to:

- ensure that you are aware of relevant Council policies and understand your obligations in this regard;
- ensure that Council has a very clear picture about the nature of the event proposed, and all related activities, including the relevant lines of accountability and contact details for relevant personnel.

Further details concerning Council's approach to the management of events are contained in our Event Management Policy.

Other forms or information you may need to obtain and return to us:

- Application Form Catering and Sale of Food temporary Holder Permit
- Traffic Management Plans

If you propose to sell food or drinks, you will need to contact Council's Environmental Services Department.

GENERAL DETAILS OF THE EVENT

Will the organising body be responsible for management and conduct of the event, or will this be fully or partly undertaken by contractors? If contractors are to be used please provide names and contact details for each. (Contractors might include professional event organisers, professional security personnel, film crews, fireworks providers, amusement ride operators, and bus companies):

If professional event organisers are not being employed, please provide details of previous events managed by the organising group/applicant:

GENERAL DETAILS OF THE EVENT

What is the anticipated number of participants/attendees at the proposed event?

Will the proposed event involve the erection of tents or marquees? If yes, have you already obtained the required form from Council or do you want us to send you one?

Will the event involve commercial filming or photography?

Yes No

What is the nature of the event? (Tick appropriate event)

Open to the general public

Private function (e.g. wedding reception or corporate event)

If Private function, please indicate type

Will the proposed event require the closing of a road? If yes, have you already obtained the required form from Council or do you want us to send you one?

Do you currently have public liability insurance and/or do you understand your insurance obligations as set out in Council's SEM Policy? (attach Certificate of Currency if available)

<p><u>What we need to know to evaluate your proposal</u></p>	<p><u>Applicants Response</u></p>
<p><u>Mobile phone numbers</u> <u>We need to know the names and telephone numbers of those members of the organising group who will be on site during the event.</u></p> <p><u>In providing this information, you should clearly identify the person in charge and the responsibilities of other team members.</u></p> <p><u>This enables the Council rangers and Police to be in ready contact at all times.</u></p>	
<p><u>Program/Duration</u></p> <p><u>We need to know the full duration of the event identifying the timing of all significant components of the event. This includes set up and pull-down times, band practice or performance times, etc. Council must be advised of any subsequent changes to this programme.</u></p>	
<p><u>Food/Drink Sales</u></p> <p><u>Are you planning to sell food or drinks? If yes, will these be sold to the general public or only the immediate participants in the event (e.g. competitors in sailing regatta but not spectators)</u></p>	
<p><u>Liquor sales</u></p> <p><u>Is alcohol to be provided at the event? For public events, what type of alcoholic beverages are to be provided? In general Council is not in favour of the sales of beer in its reserves.</u></p> <p><u>You will need to provide a copy of your liquor license application and approval.</u></p>	

<u>What we need to know to evaluate your proposal</u>	<u>Applicants Response</u>
<p><u>Vehicle Access requirements</u></p> <p><u>Will you need to drive vehicles into reserves? When, where and why?</u></p> <p><u>This has implications for public safety and possible damage to reserves. We will also need to have staff on hand to unlock gates.</u></p>	
<p><u>Use of Barricades</u></p> <p><u>Do you intend placing barriers on the roadway, and if so do you wish to loan barricades from the Council? (Charges apply and barriers must be collected from, and returned to, Council's depot)</u></p>	
<p><u>Wet weather contingency</u></p> <p><u>Public events require a wet weather contingency plan, even if it only details the method of liaison with Council staff to determine the condition of reserves after rain, the placement of signs at the venue, phone calls to radio stations, etc.</u></p>	
<p><u>Publicity</u></p> <p><u>For public events, please tell us about the nature and extent of pre-event publicity.</u></p>	
<p><u>Involvement by local groups/businesses</u></p> <p><u>Have you approached and/or do you expect the involvement of local service clubs, the State Emergency Service, Volunteer personnel, local shops, etc</u></p>	
<p><u>Applicable charges</u></p> <p><u>Will you be charging people to participate in the event and/or to watch? Will goods be sold? Please advise applicable charges.</u></p>	

<u>What we need to know to evaluate your proposal</u>	<u>Applicants Response</u>
<p><u>Cleansing, rubbish collection and recycling services</u></p> <p><u>Do you envisage that Council will need to provide additional cleansing, rubbish or recycling services for the event? This will be discussed with you.</u></p> <p><u>Note that organisers are responsible for placing all litter in Council receptacles.</u></p>	
<p><u>On-site support staff</u></p> <p><u>Please advise us regarding your provision for staff trained in first aid, and for security staff, eg. How many? What times will they be on site, etc</u></p>	
<p><u>Banners and signs</u></p> <p><u>What signs or banners are you proposing to erect in or around the event venue? Note that signs are not to be affixed to trees or street furniture without written Council approval.</u></p>	
<p><u>Power requirements</u></p> <p><u>Do you require access to mains power?</u> <u>Are you proposing to use generators?</u></p>	
<p><u>Use of fireworks</u></p> <p><u>Do you propose to use fireworks? If so, please provide full details.</u></p>	
<p><u>Noise levels</u></p> <p><u>Will you be providing any PA systems or amplified music during the event? If so what steps will you take to minimise noise intrusion into local homes.</u></p>	
<p><u>Amusement rides</u></p> <p><u>Will the proposed event involve the provision of amusement rides - if so, please provide full details.</u></p>	

<p><u>What we need to know to evaluate your proposal</u></p>	<p><u>Applicants Response</u></p>
<p><u>Temporary structures</u> <u>Please provide details of any structures which you propose to erect at the event venue.</u></p> <p><u>We will require an accurate scale drawn plan showing the layout of any stalls, rides, fireworks display areas. Certain structures may require the provision of more detailed technical drawings.</u></p>	
<p><u>Toilet provision, i.e. Portaloos</u></p> <p><u>Are you proposing to provide temporary toilets. If so, how many and where?</u></p>	
<p><u>Advice to residents</u></p> <p><u>It is important that local residents are given advance warning of major events. What steps will you be taking to ensure this occurs?</u></p>	

Planning and Programming Guidelines

Careful planning is vital to make the event, that you are organising, a success. Developing an **Event Management Plan** may seem quite laborious, however the process is valuable to ensure you consider all matters and your time and effort in planning is reflected in a quality event or activity. Of course the bigger the event the greater the management required. The attached **EVENT PLANNING GUIDE** will assist you in this process. This guide covers the points below that you may find worth considering when planning your event:

- Decide on the type of event and the date 9-12 months ahead;
- Establish a working group or committee if necessary and have named organiser(s) identified.
- If you are looking for sponsors, begin to approach local businesses and companies 9-12 months ahead. Longer if you are planning a major event;
- Inform the Council and check if you need any permission on any aspect of your event as soon as you have formulated ideas. Ensure that you seek Council's requirements at least three months before the proposed event;
- Book your venue/site 6-12 months ahead and confirm in writing;
- Arrange for local publicity;
- Check the availability of sound and light equipment, marquees etc;
- Send out the first press release as soon as dates are firmed up;
- Book first aid assistants, caterers, judges, compares, dignitaries and any other services 6-9 months ahead;
- If holding competitions send out schedules and rules 2-4 months ahead;
- Start looking for volunteers and staff 2-4 months ahead;
- Talk about finances as early as possible and any other funding opportunities; there will be cut-off dates for various funding applications so be aware of the time scales involved;
- Order posters and publicity 3 months ahead and send out 6-8 weeks prior to the event;
- Apply for licences, consents, approvals, permits at least 3-4 months ahead, earlier if you can;
- Create other plans to achieve publicity and target sponsors;
- Notice for your event or activity should be given to the Visitors Information Centre at the Council. The minimum notice for small/medium events is 28 days. In the case of a large scale event at least 6 months notice should be given;
- Choose a time and date for your event that will suit the audience it is intended for, also check that no similar public events are taking place at the same time.

Event Safety Checklist

(tick box as required)

General Events

- Have the following key personnel been identified? Event organiser, safety manager, chief steward, stewards?
- Do you have permission from the landowner?
- Is the site suitable for your event? (Is there a more suitable site?)
- Have you carried out a risk assessment to make sure you have all the necessary health and safety measures in place?
- Have you decided who should be responsible for health and safety at your event?
- Have you provided necessary information for example, maps and site plan details of gas/electricity installations and an outline program of events?
- Do you know how many people you are expecting?
- Do you know where the entrances and exits on your site are?
- Are the entrances and exits controlled, stewarded, suitable for prams and pushchairs and appropriately signed?
- Do you have trained, briefed and clearly identifiable stewards?
- Have you met the needs of people with disabilities?
- Have you set up a reliable system of communication between key people?
- Have you set up a reliable system of communication with the audience/crowd?
- Has a control point been identified, call signs predetermined and announcements prepared?
- Are crowd control barriers necessary?
- Are emergency procedures in place and have these been agreed with the emergency services?
- Can emergency vehicles get on and off the site easily?
- Do you have effective fire control measures in place?

- Do you have adequate first aid facilities?
- Do you need any other special arrangements for example, for lost children, lost property, drinking water, toilets, noise control or parking?
- Do you have an emergency plan? Does it cover everything? Has it been viewed by the Council Safety Officer? Who will make the decisions during an emergency? Will you stop the event during an emergency? Have you asked for advice from the emergency services about emergency routes?
- Is a Place of Public Entertainment licence required from the Council?
- Do you have appropriate and correct insurance cover?
- Please note that, apart from emergencies, the emergency services may charge if you ask them to be present at your event.
- Have you carried out a hazard analysis of the food safety risks involved in the preparation or handling of the food & drink you will be offering?
- You need to identify critical steps in food preparation or handling and put in suitable control measures. You should also monitor these control measures. If you are using caterers, they should be able to provide this information.
- Have you obtained the Temporary Food Permit?

It is advisable that you have a system in place to cater for children who have been dislocated from their guardians. Depending on the size of the type / size of the event, a specific lost children service may be required. Contact the group for more details.

Events on Roads

In addition to the general safety checklist items, the following issues should be considered when organising events on roads. In all cases event participants must comply with **The Road Transport (Safety and Traffic Management) Act 1999**, and **The Australian Road Rules**.

- Timing. Don't hold your event in the dark – bad visibility and tiredness make accidents more likely.
- Planning your route. Whenever possible your event should be held in a park, sports ground or on footpaths away from the road. Remember that country walks need careful planning. Plan the route away from roads wherever possible. Don't use roads without proper footpaths or verges. Don't use roads where there are road-works as these can be dangerous.
- Events on local and/or highways require Council and NSW Police approval. Any event where the highway is involved must also have written approval from the RTA.
- The applicant must make written application to Council. This application must include the following:
 - Evidence of minimum \$10 million public liability insurance cover in respect of the event, with Council's interests duly noted.
 - A map showing the proposed roads to be used will be submitted to Council for approval prior to the event being conducted including any signposting.
 - A traffic control plan shall be submitted to Council for approval prior to the event.
 - If a highway is to be used, written approval from the RTA is required.
 - Council will inform the NSW Police Service seeking their written approval prior to the event taking place and any additional conditions.
 - Council provides a written response – this maybe a refusal or approval with conditions attached. These conditions may include the requirement to
 - provide a management plan for the event
 - evidence of risk assessment as presented in this Information Pack
 - public advertising of the event/road closures
- A briefing by the organiser of the event must be conducted prior to the event with all competitors and marshals being informed of their responsibilities and safety aspects for the event.

~~☐ Changes in the route. Make sure you obtain approval from Council for any changes to your route. Make sure that everyone taking part knows about the changes through the marshals or signs.~~

Your Event – Things to Consider GUIDE

Risk Assessment

You must carry out and provide a written risk assessment as the first step in planning your event. This will ensure you have adequate health and safety measures in place.

For example, you need to know:

- Do you have enough adequately trained marshals for your event?
- Do they have correct equipment to do their job?
- Are they wearing high visibility clothing?

You will also need to take out insurance to cover your event. Contact your insurance provider for advice and give them **all** the details of your event. In some cases a specialist insurance provider may be required, contact the group for more details.

Stewards / Volunteers

You must have enough stewards for the size and type of your event. The number of stewards you need will depend on several factors.

- If the event is indoors or outdoors.
- How many children are likely to attend?
- If it is dark or light.
- If there are unsound surfaces.
- If the weather is bad.
- If vulnerable people are there.
- If alcohol is being served.

Smaller events may use helpers and volunteers as stewards, while major events will often need professional stewards hired for the occasion. All stewards must be properly trained and briefed.

Communication

You must have a reliable method of communication in place for the event. It is essential for stewards and organisers to be able to communicate during the event. In addition, there should be at least one office on site, jointly staffed by all the organisations taking part.

Equally vital is the method of communication with the public. This is particularly important if the site has to be evacuated.

Evacuation

You must have an evacuation procedure as part of the risk assessment for your event. For indoor events, the building you are using may already have an evacuation procedure in place. However, this is far less likely for outdoor events.

First Aid

You must provide an agreed level of first aid, paramedical and medical facilities at your event depending on the type of event, number of people and risk. Access by ambulance in an emergency should be considered.

Fire Safety Arrangements

You should agree on arrangements for fire prevention, detection and control with the Fire Brigade before your event.

Security

You must ensure any special security measures are in place for example, if you have VIPs at your event, or large amounts of cash. The Police can advise you on this issue.

Barriers

There are many different types of barriers. Some barriers can only be used if you have trained and experienced stewards who are familiar with how they work.

Any temporary structure, which is load bearing, must comply with health and safety laws and building control regulations.

People with Disabilities

You must ensure that all arrangements you make, including emergency procedures, meet the needs of people with disabilities.

Signs

You must provide clear direction and information signs at your event. Consideration of the need for multilingual signs may be needed depending on the event and clientele.

Any temporary signs on public land (like footpaths, parks, road verges) will need to be approved by the Council. Remember to give plenty of time for this matter as approval can not be assumed nor can it be dealt with immediately.

The Environment

You must look after the environment when planning your event. For example, you must make sure that the site is suitable for the type of event that you are planning, and take account of local concerns such as noise and litter. Where possible the site should always be left in the same condition as it was before the event. A reinstatement fee may be imposed by the landowner if the site has been damaged.

Food Safety

If you are preparing food for your event it is essential you consider the section of this Information Pack on **Catering and Sale of Food for Temporary Food Premises**. There are a number of regulations you will need to comply with, including:

- Siting of the food
- Design & construction of the facilities & equipment
- Cleanliness & repair of the above
- Washing facilities
- Waste disposal
- Temperature control
- Staffing including appropriate training
- Food safety practices & supervision
- Safety of temporary power provisions such as LPG, propane & butane cylinders.

If you are a food business within the Blayney Shire or you are bringing in other food businesses, you must refer to the relevant section in the **Catering and Sale of Food for Temporary Food Premises**.

Facilities

You must decide what facilities will be needed at your event, such as hot and cold drinks, toilets, PA systems, lighting and temporary structures (shelters and stages)

Law

You must comply with all laws and regulations at all times.

The Event Planning Guide Information Guide on Planning an Event

This guide follows. Use the Guide to assist you to cover off the various elements for a successful event. You may not need to use all the sections, e.g. if there is not going to be alcohol served then this section can be left blank. The Guide **also provides assistance with your Event Risk Assessment is intended to be used with the Risk Assessment sheets that are attached to the “Safely Managing your Event” package.** Please note that the guide is not an exhaustive list and should only be used as an indication of the minimum requirements.

PRE-EVENT AUDIT

File No

<u>Description of Event and Location:</u>										
<u>Company/Personnel/Organisation Running the Event:</u>										
<u>Date and Time:</u>				<u>Stall holder/Activity:</u> <u>where appropriate)</u>						
<u>Work Method Statement(s) that apply:</u>				<u>Non-standard Work Method Statement attached</u> Yes <input type="checkbox"/> No <input type="checkbox"/>						
HAZARD IDENTIFICATION Check the following and tick the appropriate box: NA=Not applicable; S=Satisfactory; US=Unsatisfactory										
	NA	S	US		NA	S	US			
<u>Paperwork</u>				<u>Public Matters</u>						
<u>Contractor Toolbox Meeting Record and Risk Assessment completed (attach copies)</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Crowd control measures in Place</u> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
<u>Licences of Operation</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Appropriate clothing for staff (hot/cold/visibility)</u> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
<u>Chemical Usage & Material Safety Data Sheets completed</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Loud hailer available</u> Yes <input type="checkbox"/> No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
<u>Specialist certificates required (eg Traffic Control Management, Confined Spaces)</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Entry controlled</u> Yes <input type="checkbox"/> No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
<u>Food handling approvals sighted</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Fire fighting equipment</u> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
<u>Activities</u>				<u>Site</u>						
<u>Electrical equipment tagged</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Traffic Control Plan, provisions for parking (attach copy or Traffic Control Plan No.....)</u> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
<u>Personal protective equipment (provided and worn)</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Pedestrian access at site for slips, trips, falls</u> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
<u>First Aid Kit available</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Site amenities, toilets, fresh water</u> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			

<u>Lighting is adequate for activity</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>General site conditions, security</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Environmental Protection (attach plan if applicable), air water, litter and noise</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Correct signs on site</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Noise control/dust control</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Adequate protection and fencing to site</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Condition of plant and guards on all machinery</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Utilities identification (underground & overhead) including irrigation</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Ladders (Good condition and properly secured)</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Adequate ventilation</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Manual handling and lifting equipment</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Rubbish disposal</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Gas cylinders and equipment in order & comply</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Material storage</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Emergency procedures, eg fire, explosion, civil disturbance, lost child, etc</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Presence of hazardous materials (eg asbestos)</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Insurances sighted</u>				<u>COMMENTS/CONTROL MEASURES:</u>			
<u>Public Liability</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<u>Professional Indemnity</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<u>Workers Compensation</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<u>Other</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<u>ATTENDANCE LIST</u>				<u>Place additional signatures on back of form</u>			
<u>Name</u>		<u>Signature</u>		<u>Date</u>			
<u>Name</u>		<u>Signature</u>		<u>Date</u>			
<u>Name</u>		<u>Signature</u>		<u>Date</u>			
<u>Name</u>		<u>Signature</u>		<u>Date</u>			
<u>PROJECT SUPERVISOR (PLEASE PRINT)</u>							
<u>Name</u>		<u>Signature</u>		<u>Date</u>			

APPLICATION FOR CATERING & SALE OF FOOD
TEMPORARY HOLDER PERMIT

Local Government Act 1993 – Section 68 (1)

Applications must be received seven (7) working days
BEFORE date of event

To: The General Manager, Blayney Shire Council, PO Box 62 Blayney 2799

1. Applicant/Organisation Name:

2. Address:

Contact name and phone number:

3. Intended location for market/one day event:

4. Intended date for market/one day event

5. Food intended to be sold (describe range & type of food & whether it is to be sold wrapped or unwrapped, hot or cold etc)

6. How is the food protected/transported to the market?

7. Address of premises where food will be prepared (prior to sale at market/one day event)

8. For unwrapped foods, how do you protect food against potential sources of contamination?

9. Food requiring temperature control. How will you keep cold food below 5 degrees Celsius and hot food about 60 degrees Celsius?

10. How do you provide facilities that are required for:

Handwashing:

Washing food & utensils

Signature Date.....

If you have any queries please contact Council's Environmental Services Department on 6368 9618.

†

The information you provide is personal information for the purposes of the Privacy and Personal Information Protection Act 1998.

The supply of the information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed.

This personal information is being collected from you in order to process your application.

This is Page No. 114 of the Attachments of the Ordinary Council Meeting of Blayney Shire Council held on 17 September 2018

	Date	Minute
Adopted:	12/03/2008	08/047
Last Reviewed:	12/11/2012	1211/014
	17/09/2018	
Next Review:	15/03/2021	



Waste Collection Services

Policy	18C
Officer Responsible	Director Planning & Environmental Services
Last Review Date	17/09/2018

Strategic Policy

Objective

Is to To provide **a set of** guidelines for Council's provision of domestic and non-domestic waste collection services within the Blayney Shire Council.

1. INTRODUCTION

1.1 Legislation

Section 496(1) of the Local Government Act 1993 states "A council must make and levy an annual charge for the provision of domestic waste management services for each parcel of rateable land for which the service is available". ~~Part two of~~ Section 496(2) also states the circumstances where parcels exempt from rating may also be charged.

1.2 Purpose of the Plan Policy

The purpose of this Policy is to clarify ~~this~~ section **496** of the Local Government Act 1993 with reference to the Blayney Shire Council **Local Government Area**. The aim is to provide **a** clear Policy and guidelines **for the Procedures** for the provision of **these** waste collection services.

The issues which are to be addressed by this Policy include:

- Compulsory provision of services within a town or village, as is the current status;
- **The provision of services between towns and villages Extension of the service between the existing routes** to enable **populated occupied rural areas properties** to receive the service;
- **Enforcement of Outline which** properties **along the route to must** utilise the service;
- Availability of the service to properties willing to take bins to a designated location along the route; and
- That domestically produced waste **and recycling** is collected, where possible, **through by** Council's contracted service provider, to ensure an environmental improvement in the disposal of domestic waste.

1.3 Land to which the Policy Applies

All land within the Blayney Shire Council is deemed to be affected by this Policy however this policy will clarify where the services are available.

2.0 Policy

2.1 Availability of Council's Waste Collection Service

- a) Council will charge for and make available the Waste Collection Service to all properties within a town, or village, or locality as defined by Council's Local Environmental Plan (as amended) or as nominated when Council sought tender and Council's contract for the provision of these services;
- b) Where the service is provided to a residential property, the full rate charge is payable;
- c) Where the service is provided to a vacant parcel of land, the vacant land charge rate is charged payable;
- d) Where the service is available to a vacant parcel of land which has, for rating purposes, been amalgamated with an adjoining parcel for which a full service is being charged, the vacant land charge is not payable for each parcel of land for which the service is available;
- e) Where the service is available outside of a town or village, and is along a route as agreed with Council's contractor, all properties which have with an occupiable residence within 250m of the main property gate providing access to the serviced road and are serviced by the route, will be required to utilise the service for the disposal of their domestic waste;
- f) Where a property meets the criteria of point (e) above, but there is no occupiable residence, the vacant land charge will apply. The charge will be applied per rating assessment which is serviced by the route;
- g) Properties which are along existing routes prior to the implementation of this policy will be advised in writing of Council's intention to enforce the use of the service effective from 1st June 2007, and properties which require bins will be requested to contact Council to arrange the delivery of bins.

2.2 Provision of Bins

- Council, or Council's contractor, will provide one free a bin or bins bin/bins (depending on the service type) per service as provided;
- If additional services are requested, the bins for those services will be initially provided free of charge; and additional service charges will be incurred per Council's current Operational Plan
- Where a bin has been split, damaged, or has had damage and can be collected by Council, or Council's contractor, for replacement, the request may be completed with Council or Council's

contractor for the replacement of such bins, and those bins will be repaired or replaced (where applicable) free of charge;

- Where a bin has become broken, damaged, vandalised, or stolen, Council, once notified, will arrange for the contracted service provider to repair and / or replace the bin on the next service day.
- ~~Where a bin has been burnt, stolen or is missing, and cannot be collected by Council, or Council's contractor, the request may be completed with Council or Council's contractor for the replacement of the bin/s, and the fee is payable for the replacement of the bin/s;~~

End of Policy

Adopted:	Date: 14/07/2008	Minute: 08/191
Lasted Reviewed:	Date: 10/12/2012	Minute: 1212/004
	17/09/2018	
Next Reviewed:	Date: 15/03/2021	

Blayney Shire Council Bridge Naming Project



Centenary of World War I



Prepared by Gwenda Stanbridge
on behalf of
Blayney Shire Local & Family History Group Inc.
2017

Preamble

The following suggested names are those of young men who lived as close as possible to the new bridges or in a nearby community and died overseas - in action or as a result of hostilities and conditions in the field. It is restricted to soldiers who were living in the district at the time of enlistment or had recently resided there with their families, although not all were born in the district. It also reflects their family's engagement with the local community. The order is my priority based on the length of time of their family's association with the area. Their place of association is in brackets after each name. The biographies are in alphabetical order.

Belubula River Tributary - Coombing Street (Carcoar) & Coombing Creek - Felltimber Road

- o Private Walter Godfrey Smith (Carcoar) Reg. No. 7533; 34th Battalion
- o Lance Corporal Stanley Clyde Maybury / Mayberry (Carcoar) Reg. No. 2936; 57th Battalion
- o Private Spencer Tucker (Carcoar) Reg. No. 577; 36th Battalion
- o Private Colin Reginald Cheffins (Carcoar) Reg. No. 3605; 54th Battalion AIF

Dirt Hole Creek - Errowanbang Road

Gunner Stephen Ellery (Shaw/Neville/Burnt Yards) Reg. No. 1550; 2nd Divisional Trench Mortar Battery

Felltimber Creek - Gallymont Road

- o Private Archibald John Green (Gallymont) Reg. No. 2838; 53rd Battalion
- o Sergeant Isaac Hilton Wentworth Green (Gallymont) Reg. No. 1541; 19th Battalion

Coombing Creek - Dowsetts Lane

- o Private George Clifton Chittenden (Hobbys Yards) Reg. No. 1895; 45th Battalion
- o Private Richard Stanley Meek (Hobbys Yards) Reg. No. 653; 2nd Battalion

Evans Plains Creek - Newbridge Road

- o Private Walter William Wilson (Newbridge) Reg. No. 4554; 1st Division Ammunition Column

These three names of deceased soldiers are also listed on the Newbridge Honour Roll - Herbert Kable, George Phillip Kable and William Joseph Burke - however they were primarily associated with Moorilda.

BIOGRAPHIES

[Belubula River Tributary - Coombing Street \(Carcoar\) & Coombing Creek - Felltimber Road](#)

- **Private Colin Reginald Cheffins (Carcoar)**
1879 - 1918
Regimental Number 3605; 54th Battalion AIF



Local Memorials: Carcoar

Medals: British War Medal, Victory Medal

Colin Cheffins was the third child and second son of Peter and Catherine Cheffins. Born in Little Easton, Dunmow, Essex, England in 1879, he arrived, with his parents and brother, Charles, on board the ship, "John Elder" , at Sydney Cove on 18 August 1882. Prior to leaving England, his father had been Private Secretary and Manager of the Duke of Sutherland's estate.

Shortly after their arrival in 1882, Peter Cheffins obtained a position in the roads branch of the Public Works Department at Orange as first assistant and superintendent, under Mr. Percy Scarr. The following year he moved the family to Young where he became Roads Superintendent, then in 1886 they moved again, this time north to Casino. After four years in the same position there, Peter Cheffins moved his family to the South Coast town of Kiama, which by now included another son, David. He was promoted to the position of Road Engineer. The Cheffins resided here for a period of about eight years. Colin Cheffins, and his brothers had largely received their education by private tuition until that time. Colin, who by then was aged 11, attended school at Kiama. The family lived in the Illawarra district for nearly a decade, until 1898, when they travelled to England for a holiday and to visit relatives. On their return, Peter Cheffins was given a position as engineer at Tumbarumba. The family's sojourn in the south was only short. The next year (1900) Peter Cheffins took up the engineer's job with the Blayney Municipal Council. The Cheffins lived in Blayney until 1906 when Peter was appointed to the Coolah Council. After only two years there the family moved back to the Blayney district when Peter Cheffins became engineer to the Lyndhurst Shire Council where he purchased a property, "Killarney," near Carcoar.

Throughout all these moves the Cheffins boys accompanied their parents. By the time of their arrival in Carcoar, Colin Cheffins was 30 years old. He worked on the family property, although he had already had some training as a surveyor. Being a bit older, Colin did not enlist in the first wave of volunteers after war had been declared in 1914, however, by 1917, volunteers were becoming scarce and older men were being recruited. Still single, Colin Cheffins enlisted into the AIF at Carcoar on 30 May 1917, and was placed in the 10th Reinforcements of the 54th Battalion, Trench Mortar Brigade and given the rank of Private. This was later changed to Gunner, but reversed later. Colin gave his age as 32, when in fact he was closer to 38. His given occupation was farmer.

According to his enlistment papers, Colin Cheffins had already served some time at the Bathurst Army Camp and had previously been rejected on the grounds of heart trouble. His particulars recorded by Carcoar Doctor, A. Wynter Hawthorne, noted that he was 5 ft 8 ins tall; weighed 10 stone, had a fair complexion, blue eyes and brown hair. He was Church of England. As well he had the tattoo mark of a "ship in full tail" on his chest and tattoos on both forearms, and both legs. After nearly five months training at the Liverpool camp near Sydney, Colin and other soldiers boarded the troopship "Euripides" on 31 October 1917. It docked at Devonport, England on Boxing Day of that same year. Two days later the group marched into the AIF Codford camp in the county of Wiltshire. Further training awaited the men, and as in Colin's case, time in hospital for illness - mumps. After three months of an English winter, Colin crossed the English Channel on 1 April 1918, and joined the 54th Battalion in the field three days later in France near Villers-Brettoneux. Throughout the rest of the month and into May, Colin was introduced to life on the Western Front - spells on and off the line, enduring wet and cold weather; intermittent shelling and a gas

bombardment on Villers-Brettoneux. He would have gradually become accustomed to the noise of gun fire and routine work parties. The battalion relieved its sister battalion, the 53rd, for 8 days in May. On the 1st June the 54th moved to the village of Querrieu, north-east of Amiens, for a rest - training periods were interspersed with various sport competitions and the weather was warmer. After two weeks, the battalion marched out to the Divisional Reserve position. Almost immediately, cases of influenza began occurring amongst the men. Within two days it had become an epidemic and training was suspended with work parties reduced. With most of the battalion affected, it is likely that Colin too, became ill and reduced physically. Orders were received to relieve the 29th battalion, and as soon as most men were recovered the battalion moved to Heilly north of Villers-Brettoneux, but not before cleaning and disinfecting their dugouts.

Throughout the first two weeks in July 1918 the men were in and out the line, enemy shelling was more frequent, and machine gun fire experienced. Thunderstorms and wet weather made for muddy, slippery conditions. According to the unit diarist, "the men made the best of things" despite being wet and filthy. Mid July they were given a days break off the line to wash and clean up. A day after moving back to the line they were draining trenches and laying duck boards. The rest of the month was quiet. On 1st August the men were bussed to St. Vaast, north-west of Amiens. They were paid, had a bath and relaxed. Two days later Private Colin Cheffins was sent to 14th Brigade headquarters for guard duty, where he spent just over two weeks, rejoining the 54th on 20 August. By the end of the month the battalion was moving east through part of the old Somme battlefield toward the town of Peronne. The unit diarist noted that there were many German dead, unburied, making progress obnoxious. On 30th August they moved to Barleux where they were to support the 15th Brigade's attempts to cross the Somme. The next day orders were received for the battalion to cross the Somme at Omnicourt, however, the bridges were impassable due to enemy shell fire. The men experienced continuous shelling with ammunition and gas. During the evening of 31 August the battalion crossed the Somme River on the Mont St. Quentin side of Peronne. They then prepared to an assault on Peronne at dawn the following morning. Colin Cheffins would not see the sun rise ever again. While still on the banks of the Somme at 6 a.m. as the eastern sky lightened on the first day of September 1918 the men were moving toward the hopping off trench when enemy shelling and machine gun fire cut down many of the 54th infantrymen. Colin was hit in the neck and died before he could be taken away by stretcher bearers. He was later described as a very decent fellow and very reserved and quiet. He was known to his mates as "Cecil." Colin Cheffins was 39 years old.

Towards the end of that same month Peter and Catherine Cheffins, by then living at Castle Hill in Sydney, received news of his death. A Kiama newspaper in reporting their sad loss, noted that Colin, in a letter to his parents, had remarked how the garden flowers, despite the ravages of war were running wild. Private Cheffins' body was buried in an isolated grave which was exhumed and reburied in the Peronne Communal Cemetery Extension Cemetery, France after the end of hostilities. He was posthumously awarded the British War Medal and Victory War Medal. His father, Peter, received his Memorial Plaque and Scroll in 1922. Colin's name was later inscribed on the War Memorial in Carcoar. ↵

** Colin Cheffins younger brother, David Cheffins, purchased a Browns Creek property in June 1934. He died in the Blayney Hospital after being seriously injured in a car accident on the Blayney-Carcoar road during August 1935. He was buried in the Carcoar Cemetery. His wife, Annie, was the daughter of Mr. and Mrs. James Smith of Carcoar.*

References

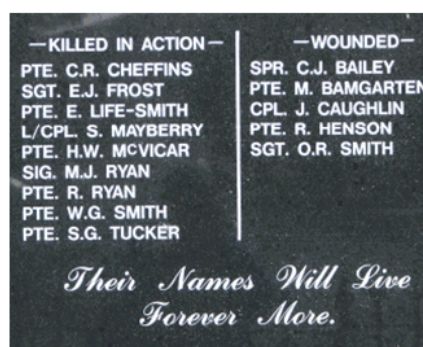
- Various newspapers noting the working life of Peter Cheffins - Trove - www.nla.gov.au
- Electoral rolls ; shipping lists; photograph and Cheffin family trees - www.ancestry.com.au
- Personnel records for Colin Reginald Cheffins - www.aif.adfa.edu.au & www.naa.gov.au
- Red Cross Files and Honour Roll cards for Colin Reginald Cheffins - www.awm.gov.au
- *Kiama Independent & Shoalhaven Advertiser, 28 September 1918; Carcoar Chronicle, 23 August 1935.*
- St. Claire, Ross, *Our Gift to the Empire-54th Australian Infantry Battalion 1916-1919*

- o **Lance Corporal Stanley Clyde Maybury / Mayberry (Carcoar)**
1896 - 1918
Regimental Number 2936; 57th Battalion

Local Memorials: Carcoar

Medals: British War Medal, Victory Medal

** The AIF records for Stanley spell his surname as Maybury, as did newspapers of the day, however, NSW Birth registration records use the spelling Mayberry and his father Henry signed his name that way in official records. The spelling was also used on the Carcoar War Memorial (see right). Mayberry also appeared on the headstone of his father who died in 1935 and was buried in the Carcoar Cemetery.*



The fifth child of Henry (Harry) Mayberry and his wife Harriet, Stanley was born in Carcoar about May 1896. At the age of two, the same year as his youngest sibling was born (1898), Stanley's mother, Harriet, died. She had contracted measles and then, while in a weakened state of health, a further infection caused pleurisy, from which she died. Stanley's upbringing may have been left largely to his two older sisters, Helen and Sarah.


Stanley attended Carcoar Public School, and lived with his father and siblings in Jones Street, Carcoar. About the time he finished school, Stanley was reported as being a patient in the Carcoar Hospital after accidentally shooting himself in a foot with a pea rifle. Like his father he worked as a labourer and was known as Stan by the locals. When time permitted he played sport with local teams, being recorded as a member of the Carcoar B cricket team in 1915, scoring a duck against a visiting Cowra side on that occasion. The following year in September he caught the train to Bathurst and enlisted for service in the Australian Imperial Force at the Bathurst Military Camp. Subsequently he was placed in the 7th Reinforcements for the 57th Battalion and sent to camp in Sydney for training. The group embarked on the troopship "Afric" on Sydney Harbour on 3 November 1916. They disembarked at Plymouth in England on 9 January 1917. Five days later they marched into the Hurdcott Training Camp in Wiltshire, England, where Stan and his new mates spent three months undertaking training in preparation for service on the Western Front.

Private Maybury's first taste of France was at Etaples where he disembarked on 21st March 1917. Four days later he was joining the 57th Battalion in the field at Beaumetz, north-west of Amiens in France. It was spring and the weather still cool, raining and snowing the day he and another 66 reinforcements joined the battalion. Their introduction to the front line was short as the evening of the next day the 57th moved to billets, eventually to Villers au Flos near Bapaume, east of Pozieres in the Somme region. The battalion remained in the Bapaume area throughout April, with a few days of outpost duty at Morchies, but mostly spent at Mametz for a lengthy spell of rest, which included training and sport competitions; church parades on Sunday, and the occasional concert. The second week of May the battalion relocated to the front, where they were stationed on the Beugny Ytres Line, about 3 miles north-east of Bapaume. This was Stan's first real experience of front line work - trench maintenance and strengthening under heavy shell fire. Fatigue duty included carrying gas canisters for allied gunners. There were many wounded during enemy gunfire amongst the battalions, and a significant number of deaths, with burial parties also required. After 12 days the battalion was withdrawn and moved off the line to a tented camp at Biefvillers, north west of Bapaume. After such intense hostilities the 57th spent the rest of May and all of June in training and recreation, first at Biefvillers (23 days), then in billets at Contay, west of Albert. During this period there were also a number of route marches. Football was played and as it was by then summer, a cricket competition held amongst the various companies.

At the end of July 1917 the battalion moved north towards the Belgium border arriving at their billets in La Belle Hotesse on the 30th July. It remained there for six weeks, training each day, going on route marches and relaxing with various games and sports. During September tactical

exercises were included as the men prepared to enter the war in Belgium. The battalion moved to the vicinity of Polygon Wood in the last week of September, and spent four days under very heavy shelling on the front line. Moving out of the line, the battalion travelled back to the vicinity of Ypres where they cleaned up themselves and equipment. During this period Stan contracted influenza and spent 13 days in hospital recovering. When he rejoined his unit it was at camp in Rossignol. The next major engagement was not until the end of November when the 57th took over a section of the line at Wyschaete in Belgium. By then it was winter and conditions cold. Most of the time the men spent in work parties improving trench conditions or picking up salvage. After two weeks on the line the men moved out to camps around Doudeauville in France, where they stayed for over two months, initially relaxing over Christmas/New Year, and then moving into the familiar pattern of mornings of training and drill, with afternoons of sport.

Their next move was to the front line near Messines. Entry was by single file, as their future posts were close to German lines. Still winter, the men had to endure shelling on both sides and minenwerfers launched from the German side. Night patrols were carried out in No Man's Land and work parties during the day. After three weeks on the line during the wet and cold of winter, the 57th was withdrawn from Belgium, eventually returning to familiar territory at Corbie in France by the end of March. In April they were established near Villers-Brettoneux, enduring frequent shelling and gas attacks. On Anzac Day in 1918, Stanley and his battalion participated in the counter-attack there which was a key victory for Australian Force. Throughout May they manned the line keeping the ground which had been gained in fighting. On 17 May Stanley was promoted to the position of Lance-Corporal. The battalion remained in the general area throughout June and into July taking turns in trench duty and work parties. Three weeks into July, Stan was given leave, which he spent in England. After two weeks leave he returned to the battalion then based at Allonville, north-east of Amiens, arriving on 6th August. The battalion was preparing to participate in what became known as "der Schwarz Tag" - the Black Day - of the German Army (the battle of Amiens.)

The village of Harbonnieres was in the southern sector of operations and it was tasked to be captured by the 57th and 59th Battalions. On this day Lance Corporal Stanley Maybury, fresh from leave and just 22 years of age lost his life. The unit diarist only indication of the retaliatory force on the day was to comment that there was shelling during the day and night. The Orange *Leader* newspaper, on 2 September 1918, in reporting news of his death said, "The sad news was received at Carcoar by telegram on Monday evening ... that Private Stanley Clyde Maybury had been killed in action in France on August 8th last. Stan left Carcoar about two years ago, and had seen considerable service in France. He evidently met his end on the first day of the recent big push of the Australian troops." Stan was buried in the Heath Cemetery at Harbonnieres, one of 984 Australians who also lost their life on the western front. The inscription on his grave simply reads "Born at Carcoar, 8 May 1896." 

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- **Private Walter Godfrey Smith (Carcoar)**
1896 - 1918
Regimental Number: 7533; 34th Battalion

Local Memorials: Carcoar

Medals: British War Medal, Victory Medal

Walter Godfrey Smith was born in Carcoar towards the end of 1896. He was the 5th of ten children of Benjamin and Annie Minerva Smith (nee Stewart). They lived in Rodd Street, Carcoar and had married in 1885.

The Smiths were Church of England, and as such, Walter would have attended the Carcoar Public School as a child. His service records indicated that he had tried to enlist before 1917 but had been rejected because of defective eye sight. He had also admitted to having once been convicted of riotous behaviour. By the time 21 year old Walter presented himself to the Carcoar Dr. A W. Hawthorne to enlist a second time in 1917, enlistment requirements were less strict. The doctor noted that he had blue eyes, brown hair and a fair complexion. He was 5 ft 8 ins tall. The young man gave his occupation as labourer. Walter subsequently travelled by train to Sydney and was formally accepted into the 25th Reinforcements of the 13th Battalion at Victoria Barracks on 12 March 1917. After training at Liverpool in Sydney this group embarked on the HMAT Marathon on 10 May 1917 and sailed for England. Two months later the ship arrived in Devonport, England, where the reinforcements disembarked.

Walter's next journey was to Codford in England where he and his fellow soldiers joined the 4th Training Battalion on 20 July 1917. Four months later he proceeded to France where he was assigned to the Reinforcements for the 34th Battalion. He would remain with this Battalion for the rest of his service. On 21 November 1917 Walter Smith joined the battalion in the field in Belgium. The diarist for the 34th Battalion later commented that the reinforcements, a number of which were originally intended for the 13th Battalion, had physical conditions that were fair. Training was satisfactory "with the exception of Musketry which in many cases was below the desired standard."

It was by then late autumn and the battalion was moving to the front line trenches at Pont Rouge south of Warneton. For the rest of that month and throughout December, the 34th moved between the front line and rest area at Le Rossignol. Enemy activity was intermittent with occasional shelling or strafing. The weather gradually became cooler and there was much work to be done in improving trenches which were in a bad shape. Over the two days of 17 & 18th December, Walter, with the other troops voted in the Australian Conscription Referendum. Soon after the battalion moved into France to support relieve troops near Armentieres. Most of January 1918 Walter and his battalion rested and trained in Billets at Meteren before moving back towards the front line at the end of the month. The majority of February was spent in the Romarin Camp either training or supplying work parties. At the end of February (25th) the battalion was moved by light rail back to the Bas Warneton sector where it relieved the 40th Battalion. Winter days were now very cold though fine. During early March there was increased bombardment on both sides. On the 3rd March a brigade raiding party attacked the enemy line which included some of the 34th. Perhaps due to its success, two days later another raiding party was formed, but its members were less fortunate for it was met with great resistance from enemy machine guns. By the end of the day the young Carcoar lad was listed as missing in action. This was later changed to Killed in Action, Belgium.

Red Cross interviews were later held with some of Walter's 34th battalion comrades. In summary they recalled that on the 5th March 1918, Walter was being employed as a bayonet man during a raid on German trenches at Warneton. He had reached the enemy front line trench when a shell or possibly a stick grenade hit the parapets of the trench. He was severely wounded and lost consciousness. Witnesses stated that he was covered in blood, and though not dead, his condition

appeared to be hopeless. He was unable to speak. The enemy barrage became so severe across No Man's Land that the battalion was ordered to retreat. Mortally wounded, he was left behind. Walter's body was never recovered.

After the war Walter's name was one of many recorded on the Menin Gate Memorial to the missing at Ypres in Belgium. His parents later received a Memorial Scroll and Memorial Plaque, as well as his medals - British War Medal and Victory Medal. The townspeople of Carcoar also ensured that his name was engraved on the Carcoar War Memorial.

Walter was one of three sons of Benjamin and Annie Smith to enlist. His brother, Frederick Ernest Smith (enlisted 17 February 1917) , also served in the 34th Battalion, and William Benjamin Smith (enlisted 5 July 1916) joined the 32nd Battalion.

References

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○ **Private Spencer Tucker**
1894 - 1917

Regimental Number:577; 36th Battalion

Local Memorials: Carcoar

Medals: British War Medal, Victory Medal

The fifth child and third son of Alfred and Mary Anne Tucker, Spencer Gordon Tucker was born in Carcoar on 9th December 1894. Spencer's father operated a butchery in Naylor Street, Carcoar, and owned a property "Boxhill" by the time of his son's enlistment. He had spent his whole life in the district, having been born at Brown's Creek and also served for a period as an alderman on the Carcoar Municipal Council.

Spencer attended Carcoar Public School and on Sunday's he and the family worshipped at St. Paul's Church of England. As a youth he was a keen and competent football player (then rugby union), playing for Carcoar in district matches. He also joined the Carcoar Rifle Club and was equally competitive on their range.

After the Gallipoli campaign had ended, and with the need for reinforcements, a N.S.W. politician and government minister, Ambrose Carmichael, approached Rifle Clubs around the state seeking volunteers for enlistment. Spurred on by his enthusiasm, Spencer made the decision to enlist and travelled to Liverpool, Sydney with a letter of support written by the Captain of the Carcoar Rifle Club, Charles Young. It was 14 January 1916 and he had just turned 22 years of age when his medical examination was completed. It was noted that he had a fair complexion, blue eyes and brown hair and was 5ft 9 ins tall. Initially, Spencer was placed with 1st Battalion reinforcements, but after a month, and with the letter written by Charles Young, he was transferred to B Company in the 36th Battalion - Carmichael's 1,000 or the Rifle Battalion - which was based at Newcastle (NSW).

It wasn't long before Spencer became known as "Tucker." After completion of training at the Broadmeadow Camp, "Tucker" and the other men were farewelled by locals at the Newcastle

Railway Station before leaving for Sydney where they embarked on the ship "Beltana" bound for Southampton in England on 13 May 1916. The vessel arrived on 9 July 1916. After leaving ship the battalion entrained for the army camp at Lark Hill on the Salisbury Plains. Fortunately it was late summer as their accommodation was in basic timber barracks with little heating. However, by the time they left Lark Hill on 22 November that year, bound for France, it was late autumn. After stepping ashore at Le Havre they spent a short period at No. 1. Rest Camp, before catching the train bound for Bailleul in France. The men travelled in horse boxes for 10 hours before reaching their destination from where they marched to billets in the Merris district. Their first experience of the conflict was the sight of enemy aircraft in the skies above. After three days the whole battalion travelled by motor lorry to Armentieres (16 vehicles altogether). The billets there became home for Spencer and the other riflemen on and off over the following few months. Until their first experience on the front line, which began on 4 December 1916, they were allotted to various work parties during the day. By the time they entered the line at Houplines it was winter and already rain had filled shell holes. For some it would be mud and cold that stayed long in their memory. The men were issued with gum boots. At first the line was relatively quiet, but two days later, their first men were killed and a significant number of others wounded when the Germans retaliated after an allied bombardment. The rest of that long winter was spent in working parties around Armentieres or in trenches in the Houplines sector, maintaining the system or making evening patrols. They were shelled occasionally by the German gunners. Mud was everywhere and in March, when spring should have improved their lot, the battalion diarist noted that on 27th snow was falling and the cold was intense. The relief at leaving the line on 1st April to return to billets must have been welcomed. By the 3rd of the month they were back on working party duty, and orders were received that they were to proceed east to the town of St. Omer. Arriving there on 10 April, they marched, via the village of Wizernes for two days, the second through rain, hail and sleet until they reached the army training area at Journy, about mid way between St. Omer and the coastal centre of Boulogne. After twelve days of intensive training, they packed their kits and then marched back west via Arques and Erquinghem where they entered billets. Spencer, still in B company, but having taken over the role of sniper would have made sure his rifle was well maintained before setting out on the overland trek.

After resting on 28 April they moved into trenches at Le Touquet, north of Armentieres and just over the border in Belgium. It was not far from the Belgian village of Messines. The position protected the route to the bridge over the River Lys at Frelinghien. It had been entrenched since early in the war. The last day of April there was a heavy bombardment on the line, with a curtain of shrapnel descending on both support and communication trenches. An enemy raid was tried but was unsuccessful. Once again, Spencer witnessed men of the 36th killed and wounded. The next day, 1st May 1917 the unit diarist noted that despite counter battery shelling, the front line was quiet. Perhaps it was a little too quiet, as Spencer was up on the parapet, possibly just having a look around before getting into position, when he was hit by a deadly-accurate German sniper's bullet through his forehead. He died instantly. His body was later buried in the London Rifle Brigade Cemetery, near the village of Ploegsteert in Belgium. Captain Chaplain Richmond of the 33rd Battalion conducted his burial service.

Just over two weeks later, the Bathurst "National Advocate" advised its readers that "another athletic and exceedingly popular Wester District soldier, Private Spencer Gordon Tucker, had made the supreme sacrifice, having been killed in action, in France, on May 1. ...

"He was only 22 years old and prior to enlisting was a prominent member of many sporting clubs in Carcoar. He embarked with 'Carmichael's Thousand' (B. Coy of the 36th Battalion) about twelve months ago, and owing to his abilities as a rifle shot, was subsequently detailed for sniping."

The next year (1918), in May, the Orange newspaper published the following news...

The Rev. Canon Wilton, of Bathurst, last week journeyed to Carcoar in connection with the memorial service to the late Pte. S. Tucker, and the commemorating of a reading desk which is of solid oak, beautifully carved, bear the following inscription - "A.M.D.G. And in loving memory of Private Spencer Gordon Tucker, 36 Batt., A.I.F., "Carmichael's Thousand." who made the supreme sacrifice at Messines on May 1st, 1917, at the age of 23 years. Buried in the London Rifle Brigade Cemetery, Ploegsteert Wood, Messines. The gift of the members of the family." The banner of green and

white, the colour of the 36th Battalion has a wreath of laurel leaves surrounding the crossed rifles and southern cross, and underneath the motto "Mitamur usque ad astra," which freely translated means, "We must go even to the death."

His name was subsequently engraved on the War Memorial in his home town of Carcoar.

* A.M.D.G. - Ad maiorem Dei gloriam - "For the greater glory of God."

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Dirt Hole Creek - Errowanbang Road

**Gunner Stephen Ellery (Shaw/Neville/Burnt Yards)
1891 - 1916**

Regimental Number: 1550; 2nd Divisional Trench Mortar Battery

Local Memorials: Neville, Blayney

Medals: 1914-15 Star, British War Medal, Victory Medal



** Although Stephen Ellery grew up around the Barry/ Shaw area, his younger brother John, later farmed a property, "Braeburn" at Burnt Yards, and his mother, Emily, moved to "Sion Hill", Lyndhurst, the home of her daughter, Mrs. Alice Emms, after the death of her husband in 1910. John Ellery also attempted to enlist, at least twice, but was prevented from doing so by a medical condition. Two older brothers, Samson and Joseph Ellery also enlisted.*

Stephen Ellery was the third of the six surviving children of Mark and Emily Ellery originally of Shaw, near Blayney. He was born in 1891 at Shaw (registered Carcoar) and attended school at nearby Barry. He worked as a farm labourer locally before finding other employment at one of the gold mines near Canbelago, east of Cobar, NSW. His brother's Joseph and John also worked there. He was employed as a fireman and probably worked with one of the large steam engines that powered the mine equipment. He enlisted on 22 July 1915 at Dubbo, aged 23. He was described as being dark-haired with brown eyes and had the dark complexion of one used to working outdoors. Stephen's attestation paper notes that he had been a member of the local rifle club. He was initially assigned to the 12th Reinforcements of the 1st Light Horse, which, after training, subsequently embarked in Sydney on the HMAT SS Hawkes on 22 October 1915 bound for Egypt.

While in Egypt, Stephen contracted the mumps and spent two weeks recovering in hospital during January 1916. In March he was transferred to the 2nd Divisional Artillery Column (DAC) as acting Driver, his section being based at Zeitoun. On the 20th of that month the column sailed for France, aboard the H.T. Magdalena, arriving in Marseilles a week later. A train trip north brought them

close to hostilities. After the Egyptian heat and desert Stephen and all the men were refreshed by the French climate and countryside. He also had a change of unit, spending three months with the 20th Australian Service Corps from April to July (1916), as a driver of wagons full of food supplies for troops as well as other commodities. His early upbringing at Shaw would have brought him a familiarity with livestock. The light draught horses used during WWI in all transport details needed careful and experienced handling. After completing that duty he was briefly re-assigned to the 2nd Divisional Artillery Column, for a week before being transferred to a new unit.

Exactly one year after volunteering, Stephen Ellery became a gunner with the 2nd Division Trench Mortars on 22 July 1916, being posted to the Y 2/A Battery, just in time to join the Somme Offensive at Pozieres. At the end of July 1916, the 2nd Division relieved the 1st AIF division, with the aim of gaining the crest of the Pozieres ridge. Stephen's mortars were located in a long, narrow gully called Sausage Valley, which was the main way of approaching the battlefield. Though behind the front line they were designed to fire projectiles high into the air to reach their target, unfortunately the enemy operated on the same principles. It was in this area that Stephen was killed in action when a shell hit the battery's dugout at the rear of Pozieres. He died almost instantly, on 9th August, 1916. He was 24 years old. Fellow soldiers reported that he was buried in the vicinity of Sausage Gully, although his grave was not able to be located. His death is now commemorated on the Australian National Memorial at Villers - Brettoneux, France. His mother, Emily, eventually received a memorial plaque and scroll, along with his medals.

Stephen Ellery is also commemorated on the Blayney and Neville War Memorials, and the Blayney Methodist Church (now Uniting) Honour Roll. He is also remembered on two Canbelago Honour Rolls that are in the Cobar Memorial Services Club, and the Great Cobar Outback Heritage Centre. Among the effects received by his mother was an emu plume, a poignant reminder of his enthusiastic enlistment into the Light Horse, just thirteen months before.

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Felltimber Creek - Gallymont Road

- **Private Archibald John Green (Gallymont)**
1881 - 1916
Regimental No: 2838; 53rd Battalion



Local Memorials: Mandurama

Medals: 1914-15 Star, British War Medal, Victory Medal

Archibald John Green was born in Trunkey in 1881. He attended school at Rocky Bridge, which was a part-time school near Rocky Bridge Creek that catered for children in the small goldfields that dotted the area. The creek begins behind Hobbys Yards and winds its way down through Pennsylvania State Forest, eventually flowing into the Abercrombie River. Archie's parents were Thomas and Elizabeth Green. His father died in 1906, leaving a large family from two marriages, and his mother, his father's second wife, had also died. Archibald was one of the younger children born from the second marriage. Like most of those who enlisted from the district he was a labourer, but older than many of his fellow soldiers, being 34 yrs & 4 months when he enlisted in June 1915. At the time he was living in Gallymont. He gave the name of his next eldest brother, Thomas, who also lived at Gallymont, as

his next of kin. The doctor noted his ruddy complexion and good eye sight. He had brown hair, was 34 and unmarried.

Archie joined the 9th Reinforcement of the 1st Battalion and made the voyage to Egypt on the Argyllshire, arriving after the end of the Gallipoli campaign on 6 January 1916. He was subsequently transferred into the newly created 53rd Battalion the next month, during the A.I.F.'s restructure. Along with the others in the new battalion he sailed for France, arriving at Marseilles on 28 June 1916. The 53rd Battalion was one of the first to go over the top at Fromelles, less than a month later. Archie was just one of many who disappeared that day. He was aged 35.

The action at Fromelles was ill conceived from the start and poorly implemented. The inexperienced infantrymen of the Australian 5th Division with an equally inexperienced English division were assigned the task of breaching German defences on the Sugarloaf Salient in order to take the Aubers Ridge. Tragically for the troops, the Germans were well prepared and had the advantage of the high ground. At least four machine guns were positioned to cover the flat ground around the salient. The Australians including Archie's 14th Brigade had to carry their own ammunition and stores up from the dumps behind the lines which meant that most of them were exhausted before they went in to battle, many falling asleep on the line. The majority had not been issued with steel helmets. When it was time for the 53rd Battalion to enter No Man's Land, the German machine gunners mowed them down. Archie Green and thousands of other Australians had no chance. One officer later recalled the carnage - there were dead bodies lying in all directions, just as they had fallen.

The following year a Red Cross interviewer recorded a statement made by one of Archie's battalion friends, Michael Brennan..."I knew Green well. We enlisted together and were great mates. He was in the charge at Fleurbaix-we started out together at 17 minutes to 6 in the evening. I was hit early. I did not see him fall and never could hear whether he was killed or not. He was tall and fair, and was very popular." Private Michael Brennan was a farmer from the Mudgee district, some twelve years younger than Archie, but still a mate, serving in the same battalions as Archie.

That same year, 1917, a court of enquiry convened "In the Field" by the commanding Officer of the 53rd Battalion, determined that Archibald Green had been killed in action on 19 July 1916. Archie's name is just one of the many missing recorded on a wall at the V.C. Corner Cemetery just outside the village of Fromelles in France. His body most likely in one of two mass graves either side. After the war the people of Mandurama included his name on their village Roll of Honour.

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- o **Sergeant Isaac Hilton Wentworth Green (Gallymont)**
1897 - 1919
Regimental Number: 1541; 18th Battalion



Local Memorials: Mandurama

Medals: 1914-15 Star, British War Medal, Victory Medal

Isaac Hilton Green, known as Hilton, was the 7th child born to Charles and Dorothy Green of Gallymont in 1897 though he was born at Lucknow. Hilton must have distinguished himself as a scholar, as he was a student at the Neville public school when he sat the Public School Scholarship Exam at the end of 1911. He was the only male student in the Blayney district to be successful. The scholarship entitled him to attend either Bathurst or Orange High School. The latter school was chosen and in his first year at that school was successful in gaining first place for general proficiency at the end of 1912. After finishing school he found work as a bank clerk, probably with the Commonwealth Bank, as a letter from the bank asking about his death was included in his army service file.

Not long after starting work, war was declared, and Hilton, like other young men was keen to enlist. Being young, he needed parental consent. Both his parents signed the letter which was dated 24 March 1915. Two weeks later Hilton presented to army authorities at Liverpool in Sydney. He was placed in the 1st Reinforcement, 18th Battalion, with the rank of Private. The medical officer duly noted that he was 18 years 2 months old; was 5ft 9 ins tall; had a fair complexion, grey eyes, and brown hair. His religious denomination was Church of England. With other recruits he embarked on the ship "Themistocles" on 12 May 1915, bound for Egypt.

Soon after arriving in Egypt the 18th Battalion was sent as fresh troops for Gallipoli. Their ship left Alexandria in Egypt on 1 August 1915 bound for Lemnos harbour in preparation for entry to the Gallipoli peninsula. Hilton found the scene in the waters around the Dardanelles inspiring. In a letter home to his parents at Gallymont he wrote that he had got the shock of his life to find the cruiser Sydney among the three hundred warships, destroyers, transports, and supply ships which were lying in the waterways surrounding the islands of the Dardanelles.

The 18th Battalion landed at Anzac Cove on 19 August 1915. Being fit and fresh, virtually straight away they were sent into battle in the ill fated attempt to take Hill 60. On 22 August they were told to attack with bombs and bayonet, despite the fact that the battalion had no bombs. They were told to do the best they could without them. They charged the Turkish trenches and lost half their strength in the process- of the 383 casualties half again were dead. Miraculously Hilton survived. He and other survivors were sent to a quieter position at Russell Top. Fortunately for him, though, his stay on the peninsula was short. In the worsening conditions of the trenches he was sent to hospital at Anzac with diarrhoea on 2 October 1915. As his condition deteriorated and was re-classed as dysentery, he was sent to hospital in Malta, then transferred by ship to the Birmingham War Hospital in England, being admitted on 1 November that year. After recovery he was detached from the 18th Battalion and sent to Army Pay Corps Administration Headquarters in London. His short banking career had led to this new occupation.

While working in London Hilton was witness to the shooting down of a German zeppelin over the city, and sent a lengthy letter home to Gallymont describing the scene. It was published in the *Carcoar Chronicle* on 3 November 1916.

About 1.30 pm, on Saturday, 2nd September, I, along with two other Australians, came out of the Palladian Theatre, Oxford Circus. One could not wish for a lovelier night, as the sky was perfectly clear and just a very gentle breeze to cool the air. Instead of taking the tube as usual we decided to go home on the top of a bus, so as to get a taste of fresh air. About 11.45 the searchlights began to flash, and although they seldom show after

11 o'clock, not a thought of Zeppelins entered our heads and we came home and went to bed quite oblivious of the exciting times in store for us. About 1.30 I was suddenly awakened by a shout and heard the one word, "Zepps."

In the space of a few seconds I was out of the room and up on the roof of our bathroom where we could see anything that was going on. For about five minutes we saw nothing excepting a maze of search lights flashing from all directions and seemingly intent on finding some object which for the moment was hidden from our view in the clouds. During the hour or so that we were inside a complete change had taken place in the atmosphere, and instead of being a clear starry night a thick mist hung over London and clouds were racing across the heavens. After what seemed to us an interminable length of time, but which was in reality only a few minutes, the search lights achieved their object, and our first glimpses of the Zeppelin was in the shape of a huge cigar traveling at an enormous rate in a north-westerly direction..

He went on to describe how it was shot down, and that he and others later visited the site of the Zeppelin's crash. He took some photos and was sending them home with two pieces of the craft.

Hilton continued to work in the pay section of the army in England for another twelve months, being discharged from active service to home service. This was primarily due to problems with his hearing. A medical report noted that he had pre-existing ear disease which was aggravated by a shell splinter entering the right ear while he was on Gallipoli, which had caused the hearing in that ear to further decrease. Unhappily for Hilton, on 8 December 1917 he was admitted to the Sutton Veny Hospital with a haemorrhage caused by tuberculosis and congestion of the lung. After a month in hospital he returned to work as a pay clerk for the 18th battalion at Tidworth, and on 6 February 1918 was given the rank of Pay Sergeant. On 3rd December 1918 he was listed for return to Australia. Unfortunately for Hilton and his family that did not eventuate as 12 days later he was admitted to the Group Clearing Hospital, this time for phthisis (wasting caused by T.B.). Five days later he was transferred to the Monte Video Hospital at Weymouth, with pneumonia and dangerously ill. He never recovered and died on 20 March 1919, aged 22. He was buried in the Melcombe Regis Cemetery in Dorset, England.

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Coombing Creek - Dowsetts Lane

- **George Clifton Chittenden (Hobbys Yards)**
1895 - 1917
Regimental Number: 1895; 45th Battalion

Local Memorials: Hobbys Yards Honour Roll, Blayney
Medals: British War Medal, Victory Medal

The property "Kenfield" situated near Coombing Creek at Hobbys Yards was taken up by George Chittenden (Sr.) during the 1870s. On his death in 1887 it was passed to his son, James Edward Chittenden, and would, in turn, have been passed to his son, George Clifton Chittenden, if it hadn't been for the outbreak of WWI.



George Clifton Chittenden was born in December 1895, the first child of James Edward Chittenden and his first wife, Emily. He was his father's only son. George's early education was at the Hobby's Yards school, and the family attended the Presbyterian Church there. After completing his primary education he attended school in Bathurst and served 9 months as a Senior Cadet. ON leaving school he joined his father working on "Kenfield."

After turning 20 years of age, George travelled to Bathurst where he enlisted for service with the A.I.F. on 25 February 1916. He was 5ft 9 ins tall, had a fair complexion, light brown hair and blue eyes. He was placed in J Company at the Bathurst Military Depot where his initial training was carried out for two months, then transferred to the 3rd reinforcement of the 45th Battalion. George and his new companions embarked at Sydney on the transport ship "Warialda" bound for Plymouth in England on 22 May 1916. They arrived on 18 July the same year, and then transferred to the 12th Training Battalion at the Rolleston camp on the Salisbury plains south-west of London. Two months later he left England by steamer, eventually bound for the huge military camp at Etaples in France, commonly called the "Bull Ring." Accommodation for the next week was a bell tent. After completing further training with other reinforcements he travelled through northern France to the Ridgewood Camp near Vierstraat in the Ypres area of Belgium.

At this time the 45th was off the line and all available men were working on fatigues. Home was a dugout and the battalion was on brigade support duty. George was soon absorbed into the battalion. It was autumn and nights getting colder. Three days later, George and the 45th moved into trenches on the front line for a week of relief duty. Much time was devoted to trench reconstruction and at night patrols were carried out. The enemy trenches were from 80 - 200 yards away from their positions. After a week the men moved off the line to reserve camps behind the line where they either trained or joined work parties. Mid October, another nine days were spent holding the line. After completing that spell the battalion was refitted and reorganised before moving into France where they arrived at Brucamps, north-west of Amiens on 28 October 1916. Over the next week the men marched, spending the nights in billets of varying conditions, before eventually arriving at Dernancourt on the Somme battlefield on 6th November. Four days were spent in the village, training, and cleaning up themselves and their equipment - the weather was inclement. The next day the battalion marched to Bernafay Wood where they bivouacked. Another five days was spent here with the men on fatigue duty making a road from the wood to the main Longueval Road. Their next task was to relieve the 46th Battalion on the front line. The inclement weather and previous rain had made the trenches very wet and muddy which meant that time was spent on draining and improving the walls and passageways. Burial parties took away unburied soldiers. According to the unit diarist, George and the other men "had a hard time being wet through" however their spirits were excellent. Artillery was active on both sides. On 27th November the men moved off the line to a new camp at Bazentin. A day was spent cleaning up all equipment and rifles as well as whale-oiling feet. During the week spent at Bazentin, the men either built new huts or went on work parties to support pioneer or engineering companies, including the light railway that had been built. It was now winter, and working conditions were deteriorating further.

After Bazentin the 45th battalion, minus two companies, moved back to Dernancourt, where they remained for almost a fortnight, training and re-organising. Working parties were making new rifle ranges. Their next move was back past Amiens to Flesselles where they stayed till the new year. The familiar daily routine of work parties and route marches was once again implemented. On the third day of January 1917, even though he did not know it, George Chittenden marched for the last time back to Dernancourt via the village of Franvillier. Another soldier (E. P. F. Lynch), new to the battalion and possibly known to George, as he had come from the village of Perthville, near Bathurst, later described Dernancourt as a "scene of filth, mud and misery." It was now mid-winter. After a night there George and the others marched off, bound for the front line. Edward Lynch described the route...

Early afternoon sees us moving off for the front line. We march on to Bernafay Wood through absolutely unbelievable condition. On either side stretches a quagmire, a solid sea of slimy mud. The roads are few and narrow and only distinguished from the surrounding shell-ploughed mud by an unbroken edging of smashed motor cars, ambulances, guns, ammunition limbers, and dead

horses and mules... And on we slush, mile after mile, towards the front line. For an hour or two we lie in the mud; out in the open with no protection from the pouring rain, but our greatcoats and a few water-proof sheets. Darkness falls and we file on in platoons for the front line. Shells burst about us...

By the 8th January George and the 45th battalion were in their positions in the frontline trenches near Guedecourt, north-west of Pozieres. Conditions were no better than the road in. Boots disappeared with a noisy squashy sound into the mud underfoot. There was nowhere to lie or sit. The men stood in the freezing mud. After 15 minutes in the one spot their legs had to be pulled out to stand in a new position. Sleep somehow had to be achieved standing up. Companies tried to improve the trenches, but quite a few men were evacuated with frostbite or trench foot. After just three days, George was rubbing his feet with whale-oil in an attempt to keep the circulation going. Patrols were a break from standing in the mud. Some relief was obtained with extra rum and hot stew.

On 16th January a raiding party of some 60 Germans was repelled on the line. A week later news came through that they were to be relieved from the line. Tragically, on Wednesday, 24th January 1917, the battalion's last day in the line, was also the day 21 year old George Clifton Chittenden died. Just how it happened was not recorded. A random piece of shrapnel or a sniper's bullet perhaps, but a tremendous blow to his family in Australia.

A month later, the *Bathurst Times* published the following report from the community at Hobby's Yards.

Word has been received here of the death of Private G. C. Chittenden, of the 45th Battalion. He was killed in action in France on January 24th, 1917. The family here received a great shock at the sad news, and all the neighbours around feel very much for this father in the loss of his only son. He was a boy who was admired by all, and was of a quiet and unassuming disposition... We all join with a sorrowing family in the loss of such a fine son and brother who, without fear did his duty well and honourably. "A glorious death is his who for his country falls." - Homer.

George's body was placed in a temporary grave, and later re-buried in the Guards Cemetery at Lesbouefs. At Hobby's Yards, his parents had a memorial erected in their Presbyterian church.

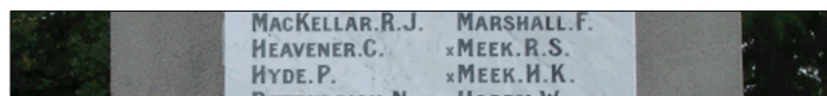


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The Meek Brothers (Bathurst/Hobbys Yards c. 1912)

The Meek brothers - Benjamin C., Mortimer and Richard S. - bought 771 acres at Hobbys Yards in 1911 under the Closer Settlement Promotion Act (*West Macquarie*, 2 Dec 1911.) Richard Stanley Meek and his brother, Hubert Kingsley Meek, are both listed on Blayney War Memorial Gates, however their association with the district was only brief.



○ **Private Richard Stanley Meek**
1883-1915

Regimental Number: 653; 2nd Battalion, AIF

Local Memorials: Blayney

Medals: 1914-15 Star, British War Medal, Victory Medal

Known as Stan, Private R.S. Meek was born in Armidale, NSW, in 1883 to the Rev. Benjamin Meek and his wife, Emma. He was 31 years old when he enlisted for service with the A.I.F.



Stan was the fourth child, one of eight children—seven boys and one girl. His father, Benjamin, was a Methodist minister who moved frequently. The family lived in a number of Sydney suburbs and the country centres of Wollongong, and West Maitland, by which time Stan had completed his schooling at Newington College in Stanmore, Sydney. According to later records the 20 year old found employment as a warehouseman, and also worked in a Sydney Insurance office.

Stan's father, Rev. B.J. Meek, was transferred to the Methodist Church in Bathurst in 1909. This move introduced his family to the surrounding area. During the last year of Rev. Meek's residency in Bathurst, three of his sons— Benjamin, Jr.; Mortimer and Richard Stanley, purchased 771 acres of land near Hobby's Yards in the Blayney district. Stan would later describe himself as a farmer at the time of his enlistment to the AIF. However, this may have been only on a part time basis.

When war was declared in 1914, Stan was among the first wave of volunteers to join up at Randwick in Sydney on 26 August 1914. He was placed in "F" company of the 2nd Battalion. After initial training at Randwick, the 2nd Battalion, including coal miners from the Newcastle & Hunter Valley areas, embarked on the *AT Suffolk* in Sydney Harbour for the voyage bound for service overseas. The fleet left Albany on 1st November 1914, arriving in Alexandria, Egypt a month later on 2nd December. The battalion made its way to the 1st Division Camp at Mena, at the base of the Pyramids. Here Stan and the others trained in the desert, with route marches; trenching practice and musketry exercises, in preparation for the front line. The battalion was reorganised into four companies, Stan was placed in "D" company.

When the decision was made to send the Australian troops to the Dardanelles, the men struck camp early in April 1915. By the morning of the 4th April the 1st Brigade, including the 2nd Battalion, was on its way. Stan and his comrades boarded the troopship *Derfflinger* at Alexandria for the voyage to the island of Lemnos, which became the base of operations for the Dardanelles campaign.

At Lemnos the troops were readied for the landing at Gallipoli. Early in the hours of 25th April 1915, the first ships left the Mudros harbour bound for the Gallipoli peninsula, carrying the 3rd Brigade, who were the first to go ashore. Stan's battalion, and others in the 1st brigade were next to land in the second and third waves . By the time it was their turn to clamber into the boats that would take them into the shallow waters of the narrow beach, it was near dawn and the Turkish guns were seeking out destroyers and row boats. The men were in a high state of excitement once the shelling began. Between 5. 30 and 7. 30 am on that day the 2nd Battalion landed.

Companies "A" and Stan's "D," were tasked with assisting the 3rd Brigade in taking the hill "Baby 700." This meant finding their way in near darkness up the steep cliffs and ravines into unfamiliar territory. The hill had to be retained to enable a further push inland to Hill 971. Once reaching the position, achieved at some cost, they were ordered further on through part of Monash Valley up to the Nek. Initially they were able to drive about 60 Turks into retreat, however some of the men, despite lying in the scrub, were exposed to other Turks in concealment. Eventually both officers and men were caught by scattered bullets. It is not known whether Stan was injured here or during

the next couple of days, but he was seriously injured by a gunshot wound to the head. He was taken back to the beach at Anzac Cove and then transferred to the hospital ship *Devanah*. He died of his injuries on 2 May 1915 and was buried at sea. Richard Stanley Meek was aged 32.

When news of Stan's death reached Sydney, notice of his death was given in the *Cumberland Argus & Fruitgrower's Advocate* ... "It has fallen to the lot of Private R..S. Meek, the son of the Rev. B. J. Meek, and a member of the Parramatta Golf Club, to be the first Sydney golfer to give his life for King and Country in the present war." ↵

* Stan had two brothers who served with British forces during WWI—H. Kingsley Meek, who was killed on the Western Front, and chaplain, H. Arthur Meek.

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Evans Plains Creek - Newbridge Road



**Private Walter William Wilson (Newbridge)
"Wally" or "Tiny"
Regimental No. 4554; 1st Division Ammunition Column**

Local Memorials: Newbridge, Blayney

Medals: 1914-15 Star, British War Medal, Victory Medal

Thomas and Clara Wilson were living in Pashley Street, Balmain, Sydney when their son, Walter William Wilson was born on 7 April 1888. He was the first of their three children and known to the family as Wally. A sister, Ivy Maggie Isabel, followed in 1887, and a brother, Sydney Harold (known as Harry), in 1893.

Harry later served in a Light Horse brigade in Palestine during WWI.

As a child, Walter attended the Erskineville Public School in Sydney. When he was about 12 or 13 his father purchased the Bakery in Newbridge. The family soon settled in the village. It wasn't long before Thomas Wilson and his family got involved in the social life of the community. Thomas held a position as Vice-President of various sporting groups, including the Jockey Club, Football Club, Cricket Club and Sparrow Club, and in 1911 was appointed as Justice of the Peace. With such a background it is not surprising that both of his sons were keen sportsmen.

Walter helped his father in the Newbridge bakery, and also received some training as a motor mechanic. This led him to getting work as a chauffeur for Blayney doctor, Dr. Percy Dean Bray. The doctor had advertised for a chauffeur in 1911 when he was driving a Renault car, by 1914 he had replaced it with a Studebaker. A mechanic/driver would have been required in the case of breakdowns. Out of working hours Walter rode horses, or played football and cricket. The Wilsons had a pony hunter by the name of "Wee Teddie" that was very successful at shows and sports meeting. It was generally ridden by Walter's brother, Harry, but if needed Walter could ride. For

Walter his strength lay on the football field. Known as "Tiny" due to his short stature he was a key member of the Newbridge Rugby Union Team. Newspaper reports through the decade before WWI constantly noted that W. Wilson "did good work"; "showed good work" or "showed a great piece of play." He was adept on the field and able to side-step opposing players and score tries, as well as convert them. While working for Dr. Bray, he lived in Blayney, and played for the Blayney Town team. In 1912 he was awarded a medal as best back by the Blayney Football Club. During the summer months he played cricket with the Newbridge team, but did not shine as on the football field. In April 1913 he was chosen to give away his sister, Ivy, when she married in the little Church of England Church at Newbridge.

Unfortunately for Walter, his mother and siblings, his father, Thomas Wilson, while making bread deliveries to Moorilda in December 1913, was kicked in the right ankle by his horse as he attempted to mount his cart. He was taken to the Blayney Hospital where he was placed under the care of Blayney doctor, Algernon Smith Marr. An infection set in, subsequently early in February 1914, Dr. Smith Marr was forced to amputate at least part of his leg. The shock and infection was too much for Thomas and he died in the Blayney Hospital on 18 February 1914, aged 58. The baker was buried in the Church of England Cemetery at Moorilda, the same year war was declared in Europe. Walter didn't enlist with the first wave of volunteers, probably in deference to his newly widowed mother, but during March 1915 he caught the train to the army camp at Liverpool where he enlisted on 25 March 1915. His medical, which was carried out on the 27th noted his age - 26 yrs 11 mths; his short height - 5 ft 4 3/4 ins; dark complexion, grey eyes and black hair. His religion was noted as Church of England and his occupation given as chauffeur. No doubt it was this detail and the fact that he had had plenty of experience with horses that led to his allocation to the 3rd Field Brigade Ammunition Column, part of the 6th Reinforcement of the 1st Divisional Ammunition Column.

In June 1915 he returned home to say goodbye. A hurried farewell function was held in the hall next to the hotel, the attendance being exceptionally large. Along with Walter, Thomas Kennedy was also farewelled. He had joined the Light Horse. Mr. T. Wright, speaking on behalf of the Newbridge Football Club said " they were proud of the young men who were going to the front. They had often assisted to carry glory on football fields, and he felt sure that they would also assist in upholding the flag for the Empire... The people of Newbridge would all watch their movements in the battlefield, They would watch and wait for news of their deeds on the battlefield." Both young men were presented with a pipe and fountain pen.

Walter's unit sailed from Sydney on board the "Uganda" later in the year on 15 October 1915. Its destination was Egypt where he and the others were absorbed into the re-organised AIF and saw the sights as tourists. This was a time for training, inoculations and more health checks. Early in 1916, the column sailed for France, leaving Alexandria on 23 March, arriving at Marseilles 6 days later. The next day, perhaps distracted by French sights, Walter missed parade was later sentenced to 8 days of Field Punishment No.2. - army discipline was unforgiving. On arrival in France he was transferred to the 1st Division Ammunition Column which was marched to a farm - Trou-Bayard - near Estaires in the Armentieres area, arriving 15 May 1916. The rest of that month, and all of June was spent at that base, with the men kept busy carting ammunition to the various artillery brigades of the division, which had entered the line in April. It was summer and the northern days were long. There was little respite for the ammunition columns. Danger was ever present with ammunition dumps and columns being as much a target as the front line.

Walter's previous experience with horses was much needed, for generally, as driver, he was transporting shells by wagon or limber with a team of horses, and two other drivers. Most wagons had six horses. A driver rode one of a pair of horses and had oversight for the horse he rode and the one next to it, but he also had to be aware of the other drivers and their horses. He wore reinforced leggings particularly on the leg closest to the shaft. The size of the wagon and the weight of its load dictated the number of horses and drivers, The driver was responsible for harnessing the horses in the team and how they operated when in position in the team. He had to have skill with horses, be confident, capable, patient and not afraid of hard work. He needed to be able to control his horse under all circumstances and in all conditions.

For Walter and others in the column, rest did not come until July when by way of train and route marches they moved back away from the line south-west to Senlis, still in France. Here they continued supply work for another ten days, and at the end of July 1916, by way of route march moved to billets at Montrelet, north of Amiens. After about 12 days rest, orders were received for them to move into the Somme area to Long Valley near Albert, so again, with just one days route march the column moved to its new position on 16 August 1916 - midst rain and hail. On arriving at their destination orders were received for the delivery of 18 pounder shrapnel shells and 4.5" howitzer shells. After a week supplying the necessary ammunition, the column, by route march moved north west to Doullens where they entrained for further "in field" work, not noted by the unit diarist, but possibly just over the border in Belgium. The column remained in the field throughout the rest of August, all of September and into mid-October, supplying ammunition for the big guns of the division. By then autumn had arrived. Throughout the rest of the month the unit by way of route marches moved back to the Somme area. At Dernancourt the column came under fire from enemy guns. By 25th October all had arrived at Fricourt, just east of Albert., for the new front line was now at Guedecourt. The drivers and their horses delivered gun ammunition and Mills grenades to ammunition dumps. Even though it was still autumn rain and fighting had so changed the topography that it was impossible for wagons to be taken over the ground due to the sheer number of shell holes. Conditions were wet and very trying for the men; horses were evacuated and many men were sick. Shells were transported strapped to mules. Throughout the rest of October and into November the rain continued. On 16th November the men were moved to the nearby camp at Montauban, one section was sent away for rest. All of December, the first month of winter, was spent in this ruined village, supplying the Field Artillery Brigade batteries using both horses and mules, and carting ammunition to the Quarry Dumps. Men and animals alike operated around a sea of craters, surrounded by shores of mud and slush. Feet and hooves sank into mud at every step.

The next move, by slow route march was made to a new camp at Buire sur l'Ancre, south of Albert, when the 1st Division took over a new position in the line. Just before leaving Montauban, mid month it had snowed and then thawed. Duckboard tracks covered the mud, but were dangerously exposed to enemy fire. Walter and his horses or mules would have suffered terribly in the conditions. The rest of December was spent moving salvage or taking ammunition to the dump, and into the new year of 1917 continued to carry ammunition for the various batteries of the division. Despite new billets, the teams of the ammunition columns still worked over the same area. Walter and his team, either horses or mules, were working back near Montauban in the wasteland of mud and cold. On the 11th January 1917 somehow Walter was killed, probably by a random shell. His body was taken for burial to the Quarry Military Cemetery established near the quarry for which it was named. After receiving news of his death, his mother Clara, had the following inscription added to her husband's grave in the Moorilda Cemetery - "We mourn your loss but your actions sweet balm to your loved ones bring, for he's ever a hero who dies for his country God and King." On his headstone in France, it simply says " In memory of the dearly loved son of the late Thos. & of Clara Wilson."



Archdeacon Howell of Blayney was also informed of Walter's death, The *Bathurst Times* noted - " Prior to enlisting he resided at Blayney, and was a good footballer and good general sportsman. The news will be received with much regret." Clara Wilson left Newbridge soon after and moved to Sydney, where early in 1920 she wrote to the authorities from her home "Montauban", Anderson Avenue, Ryde... *Dear Sir, I have been waiting for a photo of my son's grave, and it seems a long time ... Please send to me his mother.* After the war, Walter's friends made sure his name was included on the Newbridge and Blayney memorials. 🍀

Below: Quarry Military Cemetery, Montauban, France.
Walter Wilson's grave is first on the left of the second row.



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**ADDENDUM to BLAYNEY SHIRE COUNCIL BRIDGE NAMING PROJECT
August 2018**

*Prepared by Gwenda Stanbridge
Blayney Shire Local & Family History Group Inc.*

The following biographies of WWI soldiers have been prepared regarding the naming of two bridges across the Cowriga Creek - on the Brown's Creek Road near Blayney, and the Forest Reefs Road, near Millthorpe. These bridges were added to the project in June 2018.

The soldiers profiled are listed on Memorials or Honour Rolls in Millthorpe, or on the "Discovering Anzacs" website of the National Archives of Australia, and have been chosen based on their connection to areas around Brown's Creek, the Millthorpe village or Forest Reefs. Consideration has also been given to their families' association with the area, school attendance in Millthorpe, work place in the village, or known association with the localities. The Millthorpe memorials and honour rolls also include the names of soldiers who resided in other localities on the eastern side of the village, from Guyong to Greghamstown and appear on rolls associated with these place. These soldiers have been excluded from the list.

For both bridges the names of soldiers killed in action or who died from wounds during WWI has been prepared. In the case of the Brown's Creek bridge, all soldiers identified as relating to the area returned to Australia. The closest resident soldiers to the Brown's Creek bridge, who were both killed in action during WWI were the Goode brothers, Ernest and George, who lived on the road to Blayney near Millthorpe.

Profiles for Millthorpe: Ernest Harold Goode, George Henry Goode, Ernest Richard Larkin Baulch, John Thomas Burrell, Walter Garnett Bennett, Robert Henry Caldwell, John Harold Davis, Lancelot Douglas Nicol (also associated with Forest Reefs), Gilbert Pearce, Alpheus Eric Wenban.

Profiles for Forest Reefs: Frederick William Bernard Gainsford & Richard Oswald Rapley

BIOGRAPHIES

Cowriga Creek - Browns Creek Road

The Goode Brothers of "Woodvilla," Millthorpe

Ernest and George Goode were two of ten children born to William and Elizabeth Grace (nee Pascoe) Goode. They were born and grew up on the family farm, "Woodvilla", situated on the Blayney road out from Millthorpe. Their home is still used as a residence at No. 881 Millthorpe Road, but now called "Woodville." The Goode boys were well known around both Millthorpe and Blayney, but were primarily associated with Millthorpe. Their education was received at the Millthorpe Public School, and they, with their parents, were a part of the Methodist Church congregation in Millthorpe. William Goode, their father had lived in the district most of his life, and was very involved with the Millthorpe community. Their mother, Elizabeth Grace Pascoe (known as Grace,) had emigrated to Australia from Cornwall in England in 1864. She married William Goode at Guyong in 1874.

William Goode was associated with the following Millthorpe organisations: Progress Association; NSW Farmer's & Settler's Association; Butter and Bacon Company; School of Arts; Literary Institute; Rifle Club, and Rock Lodge of the United Ancient Order of Druids. The latter lodge was a fraternal organisation concerned with philanthropy and benevolence along with social and intellectual discourse. Both William and Grace remained on their "Woodvilla" property all their lives and were buried in the Millthorpe Cemetery in 1929 and 1936, respectively. During the marriage the couple had ten children, with only one, a daughter, dying in infancy. The first four born were

girls, and the remaining six children were boys. The eldest boy, Norman, served with the 3rd NSW Mounted Rifles during the Boer War. The next two, in order, were Ernest Harold Goode and George Henry Goode, both of whom enlisted for service in WWI, both being killed in action. As both Ernest and George were older than the majority of volunteers, 31 & 28, there may have been some reluctance on their part to enlist during the early days of recruiting.

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Private Ernest (Ern) Harold Goode
1885 - 1917
Regimental No.: 2637; 18th Battalion, A.I.F.

Local Memorials: Blayney Memorial Gates; Millthorpe Memorial Gates; Millthorpe Public School Honour Roll; Millthorpe Methodist Honour Roll; West Macquarie Honour Roll December 1916

Medals: 1914/15 Star, British War Medal, Victory Medal



Ernest Harold Goode was the first of the two brothers to enlist in 1915. He travelled to Sydney during winter in 1915 and enlisted at the Liverpool camp. He completed his "Application for Enrolment for Active Service" on 13 August 1915, and was subsequently placed in the 6th Reinforcements, 18th Battalion. After completion of initial training, and a short period of leave, Ernest embarked aboard the ship *Euripides* for the voyage to Egypt. It had reached Egypt by December, and so on 5th December 1915 Ernest was taken on strength with the 18th Battalion. He would remain with this unit throughout the rest of the war. His stay in Egypt was brief as the A. I. F., on completion of its re-organisation after the Gallipoli campaign, was on the verge of moving the infantry brigades to France in order to join allied forces on the Western Front. Just over a month after arriving in the Canal Zone in Egypt, the 18th Battalion, with Ernest, embarked at Alexandria for the voyage to Marseilles in France, where it arrived on 25 March 1916. After a route march through the streets of the town the battalion boarded a train at the Marseilles Station which would take them north to the fighting zone in the areas around the border with Belgium. It can be imagined that Ernest with other country recruits took a great interest in the French farms, with the countryside a fresh green with springtime growth.

On 29th March 1916 the train arrived at the Thiennes station where they were billeted and given gas helmets. The next day, the last day of March 1916, they marched to the village of Morbecque for training in the use of the new helmets. The 18th Battalion remained at Thiennes for a week, with the men being trained in trench mortar, gunnery, and continued gas instruction. On 6th April their kitbags were collected and the men marched out for their first entry to the front line south of Fromelles - the so-called "Nursery Sector." By 10 April they had moved into the Bois Grenier area, and were positioned in support trenches. It was fairly quiet but with some sniper and machine gun activity. After a couple of days in front line trenches the battalion was relieved and retired to rest positions near Bois Grenier. This became the pattern for the men for the next two months, during which they became used to the noise of artillery and the danger of shell fire. The spring warmth and the days of early summer, meant that trench life could be endured. During the last days of June, the battalion moved into new billets at "Fort Rompu." These were wooden army huts in the main street of the village of Erquinghem-Lys. A week was spent there with the men employed on fatigue duty, then on 7th July, orders were received that the battalion was to move out - their ultimate destination was Pozieres on the Somme battlefield. A four day march to the railway station at Arques followed, then a train journey to Amiens, where they disembarked and marched to Argoeuvres, east of Amiens, for a four day "rest" in billets. On 16th July the men were again enroute, this time to the village of Cardonette, north-east of Amiens. After two days it was on the road again, this time north to the village of Rubempré. Two days were spent training in bayonet fighting before the battalion moved

again, south east to the village of Warloy-Baillon, which was a staging area for troops bound for the conflict at Pozieres. On 22 July 1916 the battalion moved to the Brickfields near Albert. Here they bivouacked for three days. Some men were given fatigue duty, but the bulk of the time was spent in preparations for entering the front line area at Pozieres. Tin discs were made for identification purposes. Late on 23rd July, the battalion moved into trenches at Sausage Gully, south-east of Albert. Here they were engaged in trench work - deepening trenches and sapping. Due to its proximity to the front line, the work was dangerous, with German artillery constantly shelling the Australian positions. On 4th August, Ernest received a gun shot wound to the head when an enemy shell fell on their position. A number of other men were also wounded. Ernest received initial treatment at the Casualty Clearing Station before being transferred by the 4th Ambulance Train to the 11th General Hospital, and then finally transported by hospital ship to England (9th August 1916). Just over two weeks later, the *Orange Leader* newspaper reported that Ernest had been "slightly wounded" during fighting in France, then in October it reported that "Erne Goode, son of Mr. W. Goode, who was wounded in the head, is now fast recovering, and will soon be convalescent." Ernest himself wrote home during November, stating that he had recovered from his wound, During his time in England he had 14 days leave, and spent it in London. While there he saw one of the German Zeppelins hit with a shell while cruising over the city. .. *The warship caught fire, and came down a mass of flames. He says it was an awful spectacle, and the greatest sight he has ever witnessed* (Leader.)

By the time Ern's letter was published in the *Orange Leader*, the soldier was back with the 18th Battalion in France, which was completing a spell of rest and training at Ribemont, south west of Albert. It was the end of autumn and the weather was getting cold. On the last day of December 1916, the battalion returned to the village of Cardonette north-east of Amiens for training in musketry. The weather deteriorated and was wet and cold. There was time for rest and some leave to Amiens. A kit inspection was held on 7th December. Five days later it snowed. During these period at Cardonette the battalion also participated in its brigade training scheme, designed to improve co-operation between infantry and allied aircraft. Mid December, the battalion commenced its move to front line trenches on the old Pozieres battlefield. By this time, the rain and snow had turned the countryside into a sea of mud and water-filled shell holes. The men sank into the mud at each step, with constant rain adding to their misery. By the time the 18th Battalion had moved into the Needle and Switch Trenches at Delville Wood they were standing in water, and most of their time was spent trying to improve drainage in an effort to dry out the line. As the German troops were attempting to do the same in their own lines, there was little fighting. Ernest and the 18th battalion spent the second half of December 1916, including Christmas Day, and the first half of January in similar work around Delville Wood, then mid-January it retired to Dernancourt for bathing re-fitting, and training. Towards the end of January it participated in brigade field operations, before beginning the move back to positions near the front line at Bazentin, by then the last month of February. Fortunately the rain had stopped but though dry it was still cold, so cold that the ground had frozen hard. Ern and his army mates would have observed both enemy and allied aircraft active in the clear skies. The time spent in the front-line was generally quiet, although by mid- February, as spring approached, the ground was turning to mush due to the thawing of ice and snow. On 19th December, the battalion, moved off the line to engage in foot washing.

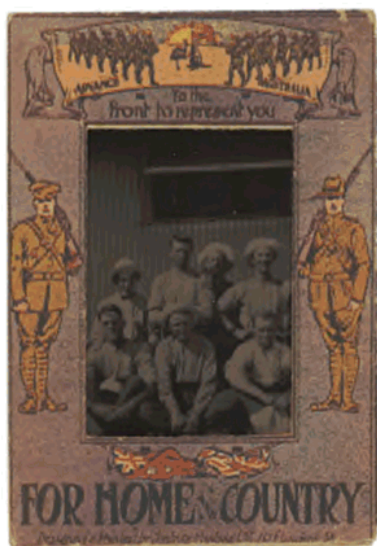
At about this time it was realised that the German army had begun withdrawing from positions near the Anzac's Line and was moving in the direction of the Hindenburg line. This meant that a number of enemy positions around Warlencourt were able to be taken by Australian troops. However, the remaining Germans in Malt Trench near Warlencourt had been able to hold their positions. The Australian 5th Brigade, which included Ern's 18th Battalion, and its sister 6th Brigade, were tasked by the divisional commander to "occupy" the German position. By 21st February 1917, Ern was standing yet again in muddy trenches to the right of the Butte de Warlencourt. (The Butte was an ancient burial mound off the Albert-Bapaume Road.) The battalion remained in position until orders were received to attack - the ground was sodden, and the morning foggy. While waiting more trench work was completed, and patrols reconnoitred enemy activity. In the early morning darkness of night and fog of 25th February the battalion, in tandem with other Australian brigades, began their assault. To attain Malt Trench, they had first to leave Thames Ditch, a dry watercourse, in which they had gone to ground, and then go up a slight slope of some 500 yards to reach the

German line, however, just as the two advanced companies of the 18th battalion left cover, several enemy machine guns strafed the troops who were by then in the open. There were heavy casualties, with the surviving men taking cover wherever they could find it. Ern Goode was just one of the casualties.

By then Ernest Goode had taken on the job of stretcher bearer for A Company, 3rd Platoon, 18th Battalion, and was well known for his excellent conduct and good service in that role. The battalion chaplain, later writing to William and Elizabeth Goode, explained that he had met his death after being shot by a German sniper, while tending to a wounded soldier. Others of his battalion, who provided information about the circumstances of his death to the Red Cross Wounded and Missing Bureau, stated that he had died from concussion, the result of a shell burst near Warlencourt, as he was attending to a wounded man. He was initially buried close to where he fell, but after the war he was re-interred into the Warlencourt British cemetery, seven kilometres from Pozieres, France.

The Orange *Leader* newspaper, when reporting his death on 18 May 1917, said ...

Pte. Goode was born locally, spent all his school days here, and enlisted here not very long after the beginning of the war. He bore an unblemished reputation, and an upright character, and was highly respected by all who knew him. The news of his death cast a gloom over his friends and relatives, but the news now to hand that he was suddenly cut off from this life whilst in the act of committing the noblest action that it is possible for a man to do, must dispel that gloom for a brighter realisation that his end could not have been better served.



Left - this framed photograph in the Australian War Memorial's collection includes Ernest Goode, back left, and Victor Bennett, back right.



Above: Warlencourt British Cemetery

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Acknowledgements:

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Private George Henry Goode
1887-1918
Regimental No.: 5020; 33rd Battalion, A.I.F.

Local Memorials: Blayney Memorial Gates; Millthorpe Memorial Gates; Millthorpe Public School Honour Roll; Millthorpe Methodist Church Honour Roll; Orange Methodist Church Honour Roll; West Macquarie Honour Roll December 1916

Medals: British War Medal, Victory Medal

George Henry Goode was the 7th child and 3rd son of William and Elizabeth Grace Goode of "Woodvilla" on the Blayney road, near Millthorpe. Like his siblings, George attended Millthorpe Public School and assisted his parents on their property. After leaving school he got work as a grocer in Millthorpe at the Trade Palace Stores of W. and E. Hayes in Millthorpe, where he became a "general favourite." Prior to WWI, however, he had moved to Cowra where he was listed in the 1913 Electoral Roll as a grocer in Macquarie Street. No doubt influenced by his older brother's decision to enlist, George, aged 28 years and 5 months, enlisted at Orange on 15 December 1915. The Examining Medical Officer, noted that George was 5 feet 8 inches tall; weighed 9 stone 2 pounds; had a maximum chest measurement of 36½ inches; a fair complexion, with blue eyes and light brown hair. He was a Methodist.

After completion of the necessary documents, George and some other Millthorpe volunteers were sent to the Depot Battalion training camp at Lithgow, entering camp there on 30 December 1915. After about three weeks the group was transferred to the Bathurst Depot Camp, where training continued. During their time at Lithgow, the boys wrote home to Millthorpe with positive descriptions of camp life - there was plenty of food to eat, and their officers were very popular with the soldiers. The last day at Bathurst was 9 March 1916. During January, George and other Millthorpe district boys were given a send-off at Blayney, as news had come through that they would soon be leaving for overseas service. The Millthorpe Recruiting Association also presented him with a wristlet watch, and the Methodist congregation, a pocket bible. During February 1916,

George was placed in the 13th Reinforcements for the 17th Battalion. While home on leave during April, he made out a will leaving his possessions to his mother, Elizabeth Grace Goode.

George and other 17th Battalion reinforcements embarked on the ship "Kyarra" at Sydney just over a month later, on 3 June 1916, and after a two months voyage, disembarked at Plymouth in England on 3 August 1916. The men then marched to the Australian training camp on the Salisbury Plains. The following month he was charged with being Absent Without Leave (13 September 1916), and was subsequently fined a total of 8 days pay. George wrote home during this period, saying that he was in good health and still in Salisbury Plains, though expecting to go to the front soon. In November, he was transferred to the 33rd Battalion, a unit principally made up of volunteers from the New England area of NSW. It was part of the 9th Brigade of the 3rd Australian Division and was a new battalion, having only been established in January 1916 at Armidale, so most of the men were novices to the battlefield. The 33rd left England from its Lark Hill Camp for France on 21 November 1916. The next day it arrived at Le Havre to begin its tour of duty. George would remain with the 33rd Battalion for nearly 18 months. At some point during his service he became attached to the Quarter-Master's stores being with D company. He carried rations to his mates on the line no matter where they were.

The 33rd Battalion first moved into the relative quiet of the trenches around Armentieres in France. Throughout the rest of November and for most of December it spent periods in the front line at Chappelle d'Armentieres. While not engaged in trench duty the men were in billets and attached to work parties. During this period they experienced sniper fire, night patrols and the beginning of winter. Continuous rain had turned many parts of the trenches into mud and insufficient fuel meant that keeping warm was an issue. Christmas Day in 1916 was spent in billets at Steenwerk - their discomfort relieved by presents from the Comfort Fund. For the first half of January 1917 they remained in billets with most days spent in work parties. As a former grocer, George probably was engaged in receiving and distributing food rations. The second half of January, throughout February and into March, the 33rd were either on trench duty at Houplines or in billets at Armentieres, training or with work parties. By this time heavy frosts had turned the mud to ice, making it easier for the men to move around. On 17th March 1917, the beginning of Spring, the 33rd Battalion moved to new positions on the line at L'EpINETTE. During April 1917 it moved to the village of Seninghem for an intensive period of training. Preparations were underway for an allied assault at Messines in Belgium. Towards the end of the month the men voted in the Australian Commonwealth elections. At the same time the battalion diarist noted the extremely poor condition of the men's boots, which were rotten due to the months spent in wet trenches.

Early in May 1917 the 33rd moved to the Le Touquet sector in the border area below Messines, and then on 20th May it moved into shelters in Ploegsteert Wood for three days before taking over trenches at St. Yves. By the end of May it had moved back to billets at Nieppe, east of Armentieres. Final training continued for the proposed action at Messines. On 6th June George and the men prepared for the battle- white patches were stitched to right sleeves; coloured bands attached denoting different roles of the wearers; haversacks and rations were organised, and sandbags collected. As the men prepared the Messines ridge a concentrated allied bombardment on the ridge and German supply lines had been carried out. The men began their approach march on the evening of 6th June. The next day it joined the battle, experiencing heated resistance by German troops. After the initial battle it remained in the field for much of June and July, ensuring that the ground taken from the Germans remained in allied hands. It was subjected to heavy enemy bombardment. For much of the time they were also engaged in draining trenches of water as rain had made many of them impassable. It was hard work for George and the other men tasked with carrying rations. At the end of July they left Messines for billets at Neuve Eglise, south-east of Messines, where they rested and bathed. The rest of summer was spent at rest or in training, first at Dranoutres, then at the village of Campagne-les-Boulonnais - well away from the front line, south-east of St. Omer. The battalion remained in camp - resting and training - until 30 September 1917, when it moved back to relieve battalions on the line at Winzeele in Belgium, east of Poperinge. Throughout October it followed the trench to billet pattern around positions near Ypres, in the Passchendaele area, before returning to Campagne-les-Boulonnais on 21 October 1917. The battlefield had been deluged by rain and mud was everywhere, even clogging weapons. Before

beginning their journey, a foot inspection was held. Damp autumn days were already a problem and the weather became duller during their stay in camp throughout early November. During the middle of the month the men rotated, to either familiar territory around Ploegsteert Wood - trenches at Le Touquet - or billets at Pont de Nieppe. The familiar pattern continued into December. On 16th December 1917 George and his unit moved this time to Meteren Camp, north-west of Bailleul, where they remained until the last day of January 1918. During this period they relieved other battalions in the L'EpINETTE sector. The weather was progressively getting colder with the first snow falls experienced on Christmas Day 1917, George's second with the battalion. Throughout early January heavy snow fell, limiting all outdoor activity. On the last day of January 1918, the battalion moved to Kortepyp, where it remained for most of February, engaged in work parties or occasional training sessions. On 26th February the 33rd Battalion moved back into the front line at St. Yves, near Messines-the trenches had become shell holes and the men were engaged in improving their positions. Fine weather made the life of the ration-bearers, like George, much easier, and he looked forward to promised leave.

On 4th March, over a year after arriving in France, George left his battalion for leave in England, where he remained for over a fortnight, returning on 20th March 1918. Three days later the battalion moved from its then base at Bellebrune, a village inland from the coastal city of Boulogne, for the journey south-east to Cachy, near the French village of Villers-Brettonneux. By this time the main centre of hostilities had moved back to the area around Amiens. On 30 March it was part of a counter-attack at Hangard Wood, before being sent into Villers- Bretonneux to hold a support line created by the 34th and 36th Battalions. The men moved into the village on the evening of 2nd April, where they remained until 18th April 1918. Many of the men found shelter in cellars. The weather was dull, and the days relatively quiet, until 17th April when German artillery began firing gas shells, first on the outskirts of the village and then on the 18th into its centre. The gas even found its way into some of the underground bunkers. There were many casualties. The battalion was relieved from its position and moved to Boves near Amiens. Three days later it moved to La Houssaye (Lahoussoye) north-east of Amiens where the gassed men were given time to recover and the battalion guarded ammunition dumps or participated in further training. Early May the men marched to trenches in the vicinity of Morlancourt, south of Albert, returning to Lahoussoye for a few days, then to Rivery, on the outskirts of Amiens. The 33rd battalion remained there for just over a week. For George and the rest of the battalion it was a short period of rest, with training balanced by swimming in the Somme River which ran by their camp. The days were fine and hot.

After this interlude, the battalion moved back into the front line at Villers-Brettonneux on 22 May 1918. The usual routine of trench work began with night patrols; enemy sniping continued and there was rifle fire, German shells were launched. One such shell exploded over the battalion's position early on 2 June 1918. For George the usual work of carrying rations to the troops had continued, no matter what was happening. Engaged, in what had for him become the normal work of war, the former Millthorpe grocer was hit in the head by a piece of shrapnel and was killed instantly. It was the early hours of the morning and he had been taking breakfast to the troops. He was carrying a dixie of tea. The dixie was later found next to his body. George Goode was buried in the 9th Brigade Cemetery near Villers-Brettonneux by some of the battalions medical corps. When the time came for a proper headstone to be erected over his grave, his parents, William and Grace Goode, chose the words: *Your memory is as sweet today as in the hour you went away -We will remember them.* ↵



Left: George Goode's grave in the Villers-Brettonneux Military Cemetery, France. The village of Villers-Brettonneux is located on the horizon behind the fence.

Right: Portion of the Villers-Brettoneux Military Cemetery with the Cross of Sacrifice and tower of the Australian National Memorial in the background.



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Cowriga Creek - Forest Reefs Road

**Private Ernest Richard Larkin (E) Baulch
1899 - 1918
Regimental No. 7205, 3rd Battalion AIF**

Local Memorials: Millthorpe Memorial Gates, Millthorpe School Honour Roll; Millthorpe Methodist Church Honour Roll

Medals: Victory Medal, British War Medal

Ernest Baulch's name appears on both the Millthorpe Memorial Gates and the Millthorpe Public School Honour Roll. Ernie's enrolment to the Millthorpe School is unknown, or even the time of his arrival to the district, as his birth and early life are a little obscure.

He was born as Ernest Richard Larkin in Corowa, NSW, in 1899, the a son of a single mother, Bridget Larkin, who, according to information given in his service papers, was a working girl with extremely limited means. When he was just a few weeks old he was adopted by a single woman, Ann Jane Baulch. Calling herself Jane, she gave the baby her own surname, but retained his birth name. Due to her own unmarried state, she described the child as her "adopted brother." Later descriptions of Ernest's appearance which appear on both enlistment forms and Red Cross cards emphasized his dark skin colour. This point combined with the fact that he also had brown eyes and brown hair, indicate that he may well have had Aboriginal ancestry.

Ann Jane Baulch came from Victoria, but had wider family connections with Corowa. She and Ernest moved to the Central West when other members of her family relocated to New South Wales. Her brother, John Enoch Baulch was connected to both Leeton and Bodangora near Wellington. He married Eva Melhuish whose family lived at Spring Hill. It was probably through them that Ann Jane Baulch later met, then married "Charles" Warburton in 1912, which brought her and Ernest to Millthorpe. Her sister, Selina, married to Harry Davison, also lived in Millthorpe. Both couples were listed on the 1913 electoral roll for Millthorpe.

Ernest's attestation form notes that after completing school he served a six year apprenticeship with a Thomas Bruce of Rose Hill, Clarence Town. Thomas Bruce was a farmer whose property "Rose Hill" was near the localities of Seaham and Clarence Town in the Hunter Valley area north-west of Raymond Terrace, NSW. As he was living and working as a farm labourer around Millthorpe when he enlisted. aged 18, his schooling may not have been lengthy.

By the time Ann Jane Warburton, as guardian, gave permission for Ernest to enlist on 15 February 1917, he was 18 years and five months old. Reinforcements were sorely needed, so when he attended the Enlistment centre in Orange, his application was readily accepted. The details of his medical examination, carried out by Capt. H. Sadler of the Army Medical Corps at Orange, indicated that Ernest was 5ft 8½ ins. tall; 8 stone 8 pounds in weight; and had an expanded chest measurement of 38 ins. His complexion was dark with brown hair and eyes and he was a Methodist by denomination.

With other recruits, Ernie travelled by train to Sydney, first to the AIF Showground camp, where he was placed in the 3rd Battalion, 24th Reinforcement. Subsequently he went on to the main NSW army training camp at Liverpool, where he was kitted out, drilled and trained in necessary combat routines, as well as the handling of weapons and ammunition. Route marches and army discipline were a feature of life. Such a restrictive environment led the young Ernie, twice, to be disciplined, first in March 1917 - "Absent from Duty" - and a month later for " Disobedience of Orders (travelling on paper train.") He was fined in both cases, and for the second offence also given weekend duty. By May the reinforcements were deemed ready to leave for England. The 3rd Battalion group were sent to Melbourne by train, where they embarked on the troopship *Clan Macgillivray* on 10 May 1917 for the voyage overseas. Ernie probably paid a final visit to Millthorpe before leaving for Melbourne.

The reinforcements disembarked at Plymouth, England, on 28 July 1917, during the English summer. The next day, Ernie and the other recruits marched into Parkhouse Camp on the Salisbury Plains in Wiltshire, England. For the next four months they received further training in England, before leaving for France on 4 December 1917. The next day the men marched into the Australian camp near Le Havre where further instructions were received and final allocations to units were given. Ernie was to remain with the 3rd Battalion, which he joined on 10 December that year. The battalion was away from the frontline resting at Halinghen a village situated close to the coast, east of the hostilities. The weather for this period was cold and windy as the northern winter had begun. Four days after joining the battalion, Ernie's initiation into life on the front began with the first of many route marches across country back towards the battle field. During the day seven inches of snow fell, driven by a strong wind, during which time their clothing and packs were saturated. It was a tortuous day. By 18 December the 3rd Battalion had arrived at the Ramilles Camp north/east of the French town of Bailleul, close to the Belgian border. Fortunately this camp was comfortable, but the weather awful - snow-storms and black frosts. The rest of 1917 was spent here with the men training everyday. On Christmas Eve it snowed. Three days later, temperatures had dropped to below zero and the snow was lying frozen on the ground. On Sunday, 30 December, after church parade, led by the 3rd Battalion chaplain Rev. B. C. Wilson, the 3rd battalion's move into the front line trenches in Belgium began. By the evening of the last day of 1917, Ernie's C Company moved into the support line, immediately behind trenches north/east of the town of Messines. Ernie, however was sent to unspecified duties in the forward area. Enemy planes were observed and there was occasional machine gun fire. The men of the battalion remained in these positions for two weeks, most of the time was spent on trench maintenance and improving communications between the various positions. According to the 3rd battalion history "

the front line in this area consisted of a series of unconnected posts in low-lying, muddy and marshy ground, and could only be reached with the greatest difficulty... for about 200 yards either side of it the country was a quagmire, 'pitted' by shell-holes full of water."

Snow fell again at the end of the first week in January. Despite the weather and the work, and nightly patrols, Ernie witnessed both allied and German planes in the air everyday, seeing at least one enemy plain shot down by allied artillery which was active everyday. On 15 January 1918, the 3rd battalion withdrew from the line. By then, continuous rain meant movement was made in ankle deep mud. Ernie, though, remained in the forward area. He did not rejoin the battalion until the 30 January, when it was preparing to leave the frontline after its second time in the trenches. For Ernie it had been a relatively quiet introduction to the front line, but an extremely uncomfortable one.

For most of February, Ernie and his battalion were billeted in farm sheds around Meteren in France, east of the front line, It was a time of rigorous training interspersed with football games and church parades. During the evening, picture shows and concert parties were held and there was time to explore the surrounding countryside. By the time the month finished the Battalion was in good health. However, for some, like Ernie, this would soon change, when the battalion moved back in readiness for returning to the line. This move began on Wednesday, 27th February and was completed the next day, when they relieved the 50th Battalion at the Ridge Wood Camp. This was a camp of hessian-huts, built up on the exterior with sand-bags for protection against bombs. It contained a large recreation hut. The ten days that Ernie spent here took their toll on his health. Each day was spent on fatigue parties, on salvage work. The weather was still cold with the first few days being exacerbated by wind, most and rain. On Sunday, 10th March, he reported to the field hospital, sick with fever, headache, and a generally sore body. It was possible that skin lesions were developing on his chest and back. Ernie was subsequently admitted to the 2nd Australian Field Ambulance and diagnosed with Trench Fever. This infectious disease was transmitted from soldier to soldier by body lice. Two days later, Ernie was transferred to the 1st Australian Casualty Clearing Station. After a fortnight there, and not recovered sufficiently to return to his unit, Ernie was moved to the 7th Canadian General Hospital at St. Omer, where he remained until 11 April when he was discharged to the 5th Rest Camp. He may not have completely recovered but he was deemed fit enough to rejoin his battalion, which he did on 4th May 1918, back at the old rest site of Meteren. By then the site was close to the front line, as the Germans had mounted an offensive while Ernie was in hospital and the front line had moved.

The 3rd battalion was in reserve positions having just left the front line. Five days later they were relieved by an English unit and eventually entered a rest camp at Wallon-Capel on 11 May. Ernie and the others received fresh clothing and rested in between sport or training sessions. Throughout the rest of the year, the familiar pattern of rest, to reserve trenches, to front line continued, with the weather gradually improving. The second half of May, Ernie would have been impressed by the crops around Strazeele in Belgium which by then had grown to some three feet in height. He may not have been so impressed with the daylight raids carried out by the battalion, especially when enemy planes were active. The last few days of May were spent in support at La Kreule near Hazebrouck. The men rested during the day but often worked at night. Perhaps this was just as well as a large gun, mounted on a railway truck was stationed there. Every morning it was fired, disturbing anyone who was trying to sleep. It was also a target for enemy bombs, making the place somewhat dangerous.

The next month (June) the battalion left the forward area for a rest camp at Sercus where life followed the now familiar pattern of sport and training. The weather was fine. Two weeks before the end of June the men were back on the front line in the Strazeele sector, with a more active and hostile enemy. The battalion had to fight off at least two major attacks on the line. The end of June was spent in reserve positions at La Kreule where it remained till 12th July, when it moved back to the deserted farm lands around Strazeele. After just a few days the 3rd moved back to the La Kreule camp for a well-earned bath and some rest. On 19th July Ernie was sent off to the 1st battalion training school, away from the line and remained there until the last day of July, returning to his unit on 1st August. It was summer, and his comrades were in billets at Racquinghem near

St. Omer. By this time Ernie would have been reasonably refreshed and ready for the next battalion engagement, which came a week later and became known as the Battle of Amiens.

On 6th August the 3rd left the rest camp and moved to Wizernes where the men boarded trains for the journey towards Amiens. The final part of the journey was by bus from Liercourt, to a position near Daours in the Amiens area. On 7th August all surplus gear and personal possessions were handed to the quartermaster, and the men received extra fighting stores. They were soon to join, for the first time, all the Australian Corps, under Sir John Monash. Their role was to follow the 4th Division and be ready if needed as a striking force. At 11 p.m. that night the battalion moved off in a column of platoons and marched to its assembly position - a hot breakfast was served. At dawn - 4.20 a.m. more than a thousand allied artillery guns opened fire on the German positions. The men would have been literally shaken with the force of the attack. The sky was full of flame from the guns. It was soon followed by a heavy fog, which, combined with the smoke from gunfire, made vision impossible. Ernie's C Company followed B Company to the left of the other two companies of the 3rd, as it moved towards its position south of the village of Villers-Brettoneux, between Corbie and Hamel. "This march was a severe test of training and discipline-deployment in the fog and smoke, marching forward in unknown and difficult country, across old trenches and wire-entanglements, skirting guns in action" (Wren, Eric.), By 8.30 am the battalion had reached the old German support position, Eric would have seen many German prisoners streaming back to the allied territory.

After the success of the day, and their stint as reserve troops, Eric and the 3rd Battalion, were sent to the south bank of the Somme River on special outpost duties for fear that the German army might try and cross the river to attack a flank of the Australian Corps. Two days later it was relieved by the 49th Battalion and moved to rejoin the rest of the 1st Division at Harbonnières south-west of Villers-Brettoneux. This was carried out during bombing by German aircraft. They arrived at their destination just before dawn on 10th August. After a short break they moved by foot along the Péronne railway line to Rosières and took up a defensive position in an old trench system near the village. Ernie and his mates must have been amazed to see the huge dumps of material collected by the German army at that place. One pile consisted of brass fittings and items, including door handles, that had been intended to be melted down and used in the manufacture of shell cases. Also at the village had been mounted a giant 11.2 inch "railway" gun which had been used by the Germans to shell Amiens. At 3 am on the 11th August, Ernie's C Company, along with the A Company moved further forward into another old trench system, preparatory to the battalion moving into the front line near Lihons which it did that evening. Ernie's day-time view was across an overgrown system of old trenches with barbed-wire entanglements in all directions. The battalion held this line for six days, despite being attack by two enemy patrols. The German artillery kept up a barrage of fire, but fortunately the shells fell harmlessly in unoccupied areas. During the early hours of 17th August, the battalion was relieved from the line, and by the end of the day were in billets at Vaux-Sur-Somme, some twelve miles north of Lihons. These three days of rest and cleaning up at this river-side village on the Somme River, were to be Ernie's last.

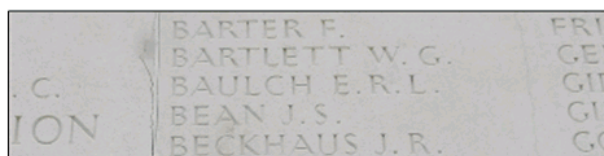
In order to prevent the German army from consolidating, and also to force its retreat across the Somme River, the battle of Proyart was launched on the 23rd August 1918. By this time, the 3rd battalion, with battle gear, was ready to assist in the clearance of enemy troops from the Chuignes valley south east of Villers-Brettoneux. Ernie's C Company was to be attached to the 1st Battalion taking a reserve position until the first objective had been gained. It moved off at 1.30 am on 23rd August, and two hours later reported to the 1st Battalion, positioned a short distance east of Proyart. By 6.15 am all troops were in position. The battle began with an intense artillery barrage then tanks moved to their positions in front of the infantry. When the barrage lifted, C Company launched an attack on the second objective which was taken an hour or so later, on the south-western outskirts of the village of Chuignes. " At Chuignes it fought with bull-dog tenacity, the individual bravery of the Diggers being quite outstanding" (Wren, Eric.) Ernie survived the advance and the strong opposition and the village was taken by the Australian troops. One of the last sights that he was ever to see would have been the huge ex- 500 ton naval gun that the Germans had placed in the area to shell Amiens. It had been captured during a bayonet charge by the 3rd

Battalion. Tragically for Ernie, his luck ran out the following day - a day of consolidation, according to the 3rd Battalion diarist.

Just after dawn on 24th August 1918, while C Company was hopping-over, 19 year old Ernie Baulch was struck in the chest by a machine gun bullet and died instantly. He was the first to be hit that morning. Of the men who later shared this information with the Red Cross staff, it was said that Ernie was well-liked by the men, although quiet and unassuming - "he was a really good boy." Ernie was buried by stretcher-bearers near to where he fell, alongside another Australian soldier. His rifle and hat were put on his grave. Back home in Millthorpe Jane was informed of Ernie's death during September by Rev. P. O. Davis. Captain Love of the Salvation Army conducted a memorial service for Ernie a few days later. A small package containing Ernie's wallet, some photos, 1 unit colour and 1 letter, was delivered to Jane care of the Millthorpe Post Office in March 1919. His name was later added to the Honour Roll of the Millthorpe school, and placed on the Millthorpe Memorial Gates. Jane Warburton also received Ernie's medals, Memorial Plaque and Scroll during 1923. According to a letter written to Jane Warburton after Ernie's death, the 3rd Battalion Chaplain, Rev. B. C. Wilson, stated that Ernie's grave was located near a small wood called Robert Wood between the villages of Proyard and Chuignes. He also said that he hoped to visit the spot, and make secure the marking of the grave in order that a battalion cross be placed in position as soon as possible. Whether the cross was ever placed or not, Ernie's body was never recovered after the war, and his name was later joined thousands of other Australian soldiers who shared the same fate and are listed on the Australian National Memorial at Villers-Brettoneux in France as missing.

A battalion friend of Ernie's, Charlie Andrews, also wrote a poignant letter to Jane after Ernie's death - *Dear Mrs. Warburton - Accept my deepest sympathy in the loss you sustained by the death of your dear brother, Ernie Baulch. Ern was a good mate of mine. He came across from Australia with me, and I always found him one of the best of mates. In the firing line he did his work fearlessly...*

Below: Australian National Memorial at Villers-Brettoneux, France and Ernest's name on the memorial.



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**Private John Thomas "Jack" Burrell
1897 - 1918
Regimental No. 7446, 3rd Battalion AIF**

Local Memorials: Millthorpe Memorial Gates, Millthorpe School Honour Roll, Rock Lodge U.A.O.D Honour Roll, Millthorpe Methodist Church Honour Roll, Blayney-Millthorpe Honour Roll

Medals: Victory Medal, British War Medal

Jack Burrell was the eldest son of John Burrell and his wife, Jane (nee Johnstone). The second born of their seven children, he was named after his father - John Thomas, but called Jack. He was born in Millthorpe in 1897, receiving his education at the Millthorpe Public School. Jack's father, John Burrell Sr. had lived and worked in the Spring Hill - Millthorpe district since the 1870s. After his marriage to Jane Johnstone in 1894 the couple had settled in Millthorpe where all of their children were born. Six were raised to adulthood, but a one year old daughter, Mary, died in 1902 in Millthorpe. John Burrell Sr. was a labourer and the family were living in Unwin Street, Millthorpe when he died in the Orange Hospital in June 1916 from typhoid fever. Widowed Jane Burrell was left to look after six children ranging in age from 21 to 3 years. Her son Jack's income as a labourer would have been very welcome.

Jack's education at the Millthorpe school would have covered the basic three R's. After finishing school he played tennis with the Millthorpe Methodist Tennis Club and rugby union with Millthorpe teams. Two months after his 20th birthday, Jack enlisted for AIF service at Orange on 20 April 1917 - perhaps the increased pay was a draw card or the efforts of local recruiting organisations. The medical officer at Orange noted that he was 20 years and 2 months old; was 5 foot 5 inches tall, weighed 120 lbs and had a chest measurement of 33½ inches. His complexion was fair and he had brown eyes and light brown hair, and there was a mole on his right hip. With a few weeks wait to enter camp, Jack had time to play a last game of football at the end of the first week in May 1917, against a neighbouring team from Forest Reefs. He and some other Millthorpe young men, left Millthorpe three weeks later to enter camp. Jack joined first at the Showground Camp in Sydney on 23 May 1917, then the Liverpool Camp on 26 May 1917. His rank, Private. At camp in Liverpool he was posted to the Trench Mortar Brigade, training from 14 - 23 May 1917 at Liverpool, then he was sent to Victoria until 17th September, being based first at the Seymour Camp and then at Broadmeadows. On his return to Sydney he spent the rest of his training period at the Liverpool Camp, where he was placed in the 3rd Battalion, 25th Reinforcements. During the last days of September he returned home for a few days final leave. Early in October he and another local soldier were farewelled at the Millthorpe Railway Station by a number of friends who

presented them with farewell gifts. According to a later report published in the *Orange Leader*, both had been ill while at camp, which prevented them sailing for England at an earlier date. By the time of their return to Millthorpe both had recovered, however, Jack had spent some time in the camp hospital for tonsillitis and later was treated for a scalp wound.

On return to camp at Liverpool, Jack made out a will, leaving all his possessions to his mother, Jane, before preparing for embarkation. He subsequently boarded ship on 31 October 1917 at Sydney. The ship HMAT Euripides and its passengers arrived at Devonport, England on Boxing Day that year.

It was winter in England, and Jack and other reinforcements would have had to acclimatise quickly to the English weather. Jack remained in England for nearly twelve months training at various military camps - Weymouth, Sutton Veny and Hurdcott. Early in the new year he took the opportunity to have a photograph taken of himself with an army mate, which he sent home to his mother in Millthorpe. He also caught up with other Millthorpe lads, like Garnet Bennett, who were working or training at the various Australian camps. During summer he went AWL for two days during June 1918, earning himself a week's punishment and forfeiting three days pay.

When news came through that he was to be drafted to France, Jack took the opportunity to write home to his widowed mother, Jane, who had recently married Arthur Matthews another Millthorpe resident. This letter did not arrive in Millthorpe until after news was received of Jack's death. Tragically for the young man, his time with the 3rd Battalion in France was brief. His passage across the English Channel was completed on 17 August 1918, on which day he arrived at the Australian camp at Le Havre in France. The following day he marched out to join his new unit, reaching it on 20th August 1918. The 3rd Battalion was then situated at Vaux sur Somme north of Villers Brettoneux, where it was completing a short a period of rest and training. Jack joined another former Millthorpe lad, Ernest Baulch, who was also in the 3rd Battalion.

Jack's induction into battalion life was short, as the next day, 21 August, the battalion was prepared for action. Mobilisation stores were issued; surplus gear was sent to storage. At 9.30 pm that evening Jack and the battalion moved by route march to Square Q 12 in readiness for a forthcoming attack south of the Somme. It was to take part in the Second Battle of Albert, and was to be involved in General Haig's plan to attack the German line east of Villers-Brettoneux. The 1st Australian Division, of which the 3rd Battalion was a part, was to attack a frontage of some 4,500 yards, under an artillery barrage with the assistance of tanks. Its goal was, according to the 3rd Battalion diarist, to "clear the enemy from the Chuignes Valley and from the bend of the Somme at Cappy." Jack made it through the 22nd August and had a glimpse of the small forests of trees clustered along a section of the valley which once harboured German troops. The next day, 23 August, in the vicinity of Chuignes, most likely during heavy machine gun fire, Jack Burrell fresh into the battalion was killed. Also dying the same day was former Millthorpe lad, Ernest Baulch. Only just 21 that year, Jack's body was retrieved by stretcher bearers and initially buried 1,800 yards east of Proyart; 2,400 yards north of Rainecourt. Unlike Ernest Baulch, his remains were later exhumed and re-buried in the Heath Cemetery at Harbonnieres, France.

Jack's mother, Jane Matthews, was conveyed the news of his death by Millthorpe Church of England rector, Rev. R. H. Kelly early in September. The news came as a great shock to Jane and Jack's brothers and sisters. Especially as an earlier letter from Jack had stated that he had not been too well, and he thought he would be kept in England to do war work. The letter in which he had advised them of his imminent departure for France arrived another ten days later.

Jack's mother and second husband, Arthur Matthews, eventually moved to Parkes where Jack's younger brothers, David and William were living. Jane received Jack's medals, memorial scroll and plaque. She died in Parkes in 1956. ☞

Below Left: Jack Burrell's headstone - Heath Cemetery, France.



Above: Heath Cemetery, Harbonnieres, France
August 2012

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Cemetery Photographs: Gwenda Stanbridge



**Private Walter Garnet Bennett
1895 - 1918
Regimental No.: 6706 - 1st Battalion AIF**

Local Memorials: Millthorpe Memorial Gates, Orange War Memorial, Millthorpe School Honor Roll, Blayney & Millthorpe Honor Roll, Millthorpe Methodist Honor Roll, Orange Methodist Honor Roll, Millthorpe MUIOOF Honor Roll

Medals: British War Medal, Victory Medal

Right: the Bennett brothers - Garnet and Vic.



Known by his middle name of Garnet, and Garn to his friends, Walter Garnet Bennett, was born in Orange in 1895. He was the second son, and second child of the five surviving children of Millthorpe shopkeeper, Walter James Bennett and his wife Ellen Selina (nee Barnes.) Walter Bennett Sr., operated the "Enterprise Stores" which were situated in Pym Street, Millthorpe. The family had moved to Millthorpe when Garnet was about two years of age, so he had grown up in the village, attending the Millthorpe Public School for his education. On leaving school he worked as a book keeper, probably in his father's grocery business. Apart from groceries, the shop also sold ironmongery, plateware and stationery alongside the operation of a newsagency. The experience working in this business was later utilised by Garnet for much of his short military career.

The Bennett family were closely aligned with the Millthorpe Methodist Church, and as a young man, Garnet taught Sunday School, was Treasurer of the Millthorpe Methodist Tennis Club, and a member of the Christian Endeavour group, which was much appreciated by members of the church body.

Garnet's older brother, Joseph Victor Bennett (Vic) , was already serving overseas with the AIF, so it is no surprise that Garnet, after being medically examined by Millthorpe's Dr. Cribb, enlisted for service on 2 August 1916 at the Royal Agricultural Society's Showground at Morse Park in Sydney. The young man who presented himself to army officials was 20 years old, with height -5 ft 9 ins; weight - 161 lbs; chest - 37 ins; complexion - fair; eyes - blue and hair- fair. He was later described by battalion companions as being of stout build with fair complexion and rosy cheeks. One even described him as a "fairly fat chap."

After completing initial training with the 1st Depot Battalion at the army's Liverpool Camp, Garnet was placed with the 1st Battalion, 22nd Reinforcement. On his final leave he returned to Millthorpe where he was accorded two farewells - from the Methodist Church people and the Millthorpe Recruiting Association. The Methodist Sunday School presented Garnet with a shaving outfit, and the Rev. Dyer on behalf of the congregation gave him a pocket Bible and spoke of his high character. From the Recruiting Association he received a wristlet watch. On returning to camp, Garnet prepared for embarkation, which procedure was carried out on 8 November 1916. The reinforcements travelled to England on board the S.S. Port Nicholson at Sydney. Garnet's father, W. J. Bennett travelled to Sydney to bid him farewell.

The ship docked at Devonport in England ten days into 1917. On the same day he marched into the 1st Depot Training Battalion on the Salisbury Plains in Wiltshire, where he remained for just over a year, training and working in the Orderly Room. For a period he was also employed on the recording staff of the Military Court. During June he was promoted to the position of Acting Corporal. While in England, Garnet met up with his older brother, Vic, who was recovering from wounds received in France. The two had a photograph taken together and sent it home to Millthorpe. Perhaps his skill with numbers made him more useful in England than in France. In letters home written from England during this period he commented on the numbers of Millthorpe and district boys whom he had met, noting that he was anxiously waiting to be sent to France. One

whom he was able to support, was Millthorpe boy, William Caldwell, who had returned to England from France to be at the bedside of his seriously ill brother, Robert. Garn stayed a week in London with the permission of army authorities to comfort his friend.

By 1918, more reinforcements were needed on the battle fields, so Garnet's turn eventually came. Reverted to the rank of Private, he left for France from Southampton on 1 March 1918. The next day he marched into the AIF camp at Le Havre. Garnet took the time to write home to Millthorpe, saying that he had arrived in France, and he was in the best of health. Just under a fortnight later he was taken on strength with the 1st Battalion on the front line in the Hollebeke sector in Belgium. It was autumn, the weather was cold and windy, and a little snow fell during the day. After 12 months in English camps, Garnet's entry into the reality of trench life would have been harsh. Fortunately at that time it was relatively quiet, without any direct shelling of the 1st Battalion position. After nine days on the line, the battalion moved back to the support area, bunking down in tunnels at Hill 60, or Larchwood, or Ravine Wood dugouts. The men were employed in working parties or fatigues. On 20th March the battalion moved to the Ridgwood Camp, south/east of Ypres where it remained until the end of March. Again the men were employed in work parties or fatigues duty. A highlight of this month were the fresh vegetables served by the battalion cooks on 22nd March. The days were typically autumn-some overcast and occasional rain periods. On the last day of March, Garnet and his company prepared yet again to move camp, this time to Reninghelst, south east of Poperinge in Belgium. Here the men were billeted in farmhouses on the edge of the village, some of which were in a filthy state. Three days were spent there, training, with an occasional route march, and much needed baths. On 5th April they marched out from the village east to Godewaersvelde where they entrained at 6.30 am for the journey to Amiens in France. Leaving the train here, they were billeted for the night in the Amiens hospital. The next day, 8th April, in heavy rain they marched to Allonville, north/east of the city, and the next day to billets at Moliens au Bois. A day was spent here with training and another route march., before the battalion moved back to Amiens, to entrain, back to Belgium again, where the German thrust into the border area between France and Belgium near Armentieres had slowed.

The battalion's train arrived at Hondeghem on 13th April, where it was bombed by German planes. Orders were received for the 1st Battalion to move into support lines at Pradelles, a French village east of Hazebrouck, which they did the next day - there was heavy shelling from German guns. During the following day, further instructions were received and hurried preparations made to move into battle at the front. The battalion was to restore a section of the line at Meteren that had been lost early in the morning, in company with the 133rd French Division and other units of the 1st Australian Brigade. As soon as the battalion was organised it marched out of Pradelles in artillery formation (diamond shape). "The 1st moved from Pradelles at 6.30, and, crossing the ridge at Strazeele as night fell, waited for the French between Nordelf and the Meteren Becque. The Germans laid a heavy barrage on Strazeele Spur, a shell bursting among the platoon of Lieutenant Humphreys, killing him and several others" (Bean,C.). In fact there were 18 men, out of the 25 who made up B Company, killed or badly wounded. The Millthorpe boy with the rosy cheeks, Garnet Bennett, only 22 years old was one of those who died. It was Friday, 16 April 1918. According to later information given to another former Millthorpe resident, and Red Cross worker, Mr. Samuel Whitmee, Garnet was decapitated by a shell. His remains were collected by two battalion stretcher-bearers and he was buried in the middle of an open field, north of Strazeele, close to where he fell. After the war, his body was re-buried in Le Grand Hasard Cemetery near the village of Morbecque in France. Even today it lies in the mid of a farmer's field. A month later the Orange *Leader* newspaper advised its reader that Garnet had been killed in action. The news added to the gloom already experienced by the village as he was the 29th young man from the district to have "made the supreme sacrifice." Rev. P. O Davis, Methodist minister, made "touching reference to his death" at the next Sunday's service.

Walter and Ellen Bennett, who had by then left Millthorpe to retire in Sydney, and were living at Brighton-Le-Sands, received a small package that had arrived in the ship "Barunga" on 20 June 1918. It contained Garnet's effects: 2 discs, 2 photos, Bible, Gospel of St. Mark, a broken mirror, 2 note books, a pair of spectacles in case, diary, and safety razor in case. In 1921, W. J. Bennett received the memorial scroll and plaque, grave photographs and Garnet's medals - Victory Medal and British War Medal. ❧

Right: Le Grand Hasard Military Cemetery, France



Left: Garnet Bennett's Headstone

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Corporal Robert Henry Caldwell
1881 - 1918
Regimental Number: 5649, 19th Battalion, A.I.F.

Local Memorials: Millthorpe School Honour Roll; Millthorpe Memorial Gates; St. Joseph's Church Honour Roll, Orange

Medals: Victory Medal, British War Medal

Private Robert Caldwell was the 9th child born to James Hamlin and Mildred Katherine (nee Keating, known as Katherine) Caldwell. Since his parent's marriage at Young, N.S.W. in 1881, the family had lived for about ten years in the Southern Highlands where his father, James, was publican at various hotels around Burrawang and Robertson. During this time four of the couples older children had died in infancy. By the time of Robert's birth in 1896 James Caldwell had moved his family to Sydney, where Robert's birth was registered at Glebe. After a short period at Rockley, c. 1901, where Katherine's brother, William Keating, was postmaster, the family moved to Millthorpe. Another brother for Robert arrived while they were living there. By this time Robert had turned eight, so he was enrolled in the Millthorpe Public School. Another brother, Edward, was born in Millthorpe in 1904. James Caldwell's occupation in the village is not known, however, after contracting typhoid fever early in February 1905, he died in the Orange Hospital. Robert had not yet turned 10. The loss of his father would have had a significant impact on the family, but Katherine made the decision to remain in Millthorpe and took up work as a dressmaker, along with her eldest surviving child, Jean. Katherine also later got some work as a newspaper correspondent for the village. They lived first in Pym Street, and then, Blake Street, Millthorpe.

Like other young boys in Millthorpe, as soon as he was old enough Robert played rugby union for the village team. However, he departed Millthorpe in 1913 to take up work with the Railway Department as a Junior Clerk in the Traffic Branch in Sydney. This eventually led him to other work. By the time of his enlistment for war service in January 1916, his employment was described as ships painter. His address was Glebe. Robert's volunteering was probably influenced by his younger brother William's previous enlistment (30 December 1915.) Robert's initial medical exam was carried out at the Board of Health in Sydney on 29 December 1915. He was 20 years old and 1 month of age; 5 feet 5½ inches tall; weighed 8 stone 10 pounds, had a maximum chest expansion of 34½ inches. He had a fresh complexion, grey eyes and fair hair. His religious denomination was Roman Catholic. On arrival at the Liverpool camp on 5 January 1916, Robert was placed in the 13th Battalion, however, this was short lived, as on 23 February that year he was transferred to the K Company at the A I F Bathurst's camp. In March he was moved to A Company, and then in April - C Company of the 19th Battalion. The *Orange Leader* (23 Feb 1916) newspaper said that "Private Robert Caldwell, son of Mrs. K. Caldwell, of Millthorpe, after several applications, has been transferred to the camp at Bathurst. Although advancement in the rank would have been a lot quicker at the Liverpool camp, he preferred to be in the same battalion as his brother, who is at Bathurst." On 4 June 1916 Robert Caldwell was promoted to the rank of Acting Corporal. The next month he moved to Victoria Barracks as Administrative Officer, of the Invalids Section, A.I.F. After a month in this position he was transferred back to his battalion - the 19th (15th Reinforcements) - to ready for embarkation for England. The *Leader* reported his visit home on final leave on 25 August 1916. Robert, however had already returned to camp, as a large number of townsfolk had gathered at the Millthorpe railway station on Wednesday, 23 August 1916 to bid him farewell. "The recruiting association took the opportunity to make him a presentation of a wristlet watch on behalf of the townspeople." Early in September he sent his mother a telegram advising her that he would be shortly leaving Sydney on the ship Euripides. He also penned a letter to the members of Millthorpe's Roman Catholic community, thanking them for their presentation which he had received by post. The transport ship left Sydney Harbour on 9 September 1916. Not quite two months later it arrived at Plymouth in England. Robert and the other reinforcements disembarked during an English autumn on 26 October 1916.

The remainder of that autumn Robert spent in the Australian military camps on the Salisbury Plains, preparing to join his unit on the battlefield. By the time notice was received of his

embarkation date, the northern winter had arrived. Two weeks before Christmas, on his 21st birthday, 15th December 1916, he and other men destined for France left their English barracks to proceed to Folkestone where they boarded the steam ship "Princess Henriette" for the journey across the channel. The ship, a channel ferry (paddle steamer) was English built for the Belgium government and was the last ship to leave Belgium before war was declared by England. It ferried troops from the port at Folkestone to France, and return. Exactly a week before Christmas Day, Robert was taken on strength with the battalion, which was located in billets at Dernancourt in France, south-west of Albert. He had little time to settle, as the next day, by route march the battalion left for the front line area, north-east at Guedecourt. On arrival they took over the intermediate line in trenches including the Switch & Needle Trenches at 1.30 pm, on 21 December. Robert was entering the trenches in the Somme battlefield for the first time, on what was admittedly " the worst sector of the sodden front" (Bean, C. - 1916.) The scene he was confronted by was one of a "bare brown wilderness of formless mud ... with here and there a derelict tank ... Most of the trenches, mere ditches in the slime, were invisible except from a few yards. " The Australian troops were keeping secure the sunken road north of Guedecourt - it was cold but quiet. Fortunately, Robert had missed the worst of the winter and conditions were improving- duckboards had been laid over mud, and the troops had received sheepskin vests from Australia, as well as waistcoats and gloves as supplied to British troops. Hot food containers were now used to transport hot food to the troops. Christmas Day 1916 was spent in the front line Rose Trench. Robert and the 19th Battalion remained in that area until mid January 1917, either in trenches or in a support camp at Delville. Mid January they moved back to billets at Dernancourt, spending the rest of January training. On the last day of January the battalion moved again, this time to Le Sars, on the main road north of Pozieres. The rest of the winter was spent either in front line trenches at Le Sars or in support or reserve trenches behind the line.

As spring began Robert and the 19th Battalion had been moved to a new reserve position at Eaucourt, a short distance to the east, where some forest attack training was carried out. The first two weeks of March followed a similar pattern, from front line relief to reserve positions. Robert's first real experience of fighting came during the middle of March, when the battalion advanced on the village of Biefvillers, north-west of Bapaume. After this action it was withdrawn to billets at Grevillers , where the men repaired their accommodation and surrounding roads. At the end of March the battalion moved back south to C Camp at Fricourt, where it remained until 11th April. The men were engaged in repair work and re-equipping. On the receipt of orders, the 19th moved over two days to support positions at Favreuil, immediately north of Bapaume, then, on 13th March, their companies were split between positions either side of the village of Noreuil, a short distance from Bullecourt and the German Hindenburg Line.

Soon after the men were in place, some 200-300 German soldiers were observed approaching allied positions. Their attempt was foiled by the alert men of the 19th Battalion who immediately engaged Lewis guns and rifles. A further barrage of allied artillery caused the enemy to retire followed by companies of the 19th through the village. The rest of April was spent in support and then back from the line in camps at Vaulx Vraucourt and Favreuil where they practised daily for a planned assault on the Hindenburg Line. Enemy defences of Bullecourt had been recreated, so that each man would know the positions of trenches, wire and machine gun emplacements. On 1st May 1917, the battalion began its move to its positions for the offensive. The next day, Robert and the battalion were in the sunken road near the village of Noreuil. In the darkness of the early hours of 3rd May, Robert and the men were moving forward to jumping off positions out of Noreuil with other battalions of the Australian 5th Brigade. All the men, including Robert, carried six grenades in their tunic pockets, as well as six sandbags for use after reaching their objective. The Second Battle of Bullecourt was soon to begin. It started when German searchlights were played across the entire front. It was followed by a German bombardment of gas shells. At 3.45 am Australian guns opened fire, which was the signal for both the 5th and 6th Australian brigades to attack. Fighting was ferocious, with heavy enemy retaliating fire, both artillery and machine guns. German snipers were active. The 6th Brigade, positioned to the immediate left of the 5th Brigade, suffered enormous casualties. The 5th became engaged in ferocious hand-to-hand combat once it reached on of the main German trenches. Some headway was gained during the day but while holding the line that night, some of the men, who had been sheltering in shell holes were forced to

retreat under a heavy German barrage of shell fire. The remnants of the brigade, including Robert, were relieved by a new battalion, and left its position the next day. By the 5th May they were in billets at Biefvillers north-east of Bapaume, where they rested and re-organised. Three days later the men marched into Bapaume Railway Station where they entrained for the short journey south-east to Albert. From Albert they marched to C Camp near the village of Fricourt where they were to stay for just over a week, occupied in training. Not surprisingly, considering the strain of events near Bullecourt, during this period Robert was hospitalised for an unspecified illness at the 7th Australian Field Ambulance. By the time he rejoined the battalion on 18th May 1917, it had moved to billets at Contay, north-east of Albert. The 19th Battalion remained there until 13th June, the men engaged in training. On 4th June, Robert was promoted to the rank of Corporal.

The battalion's next position was as brigade reserve in lines between Bullecourt and Queant. Accommodation was in tents at Biefvillers - training continued. This period was relatively peaceful, church parades were held on Sundays. Now into July the summer weather would have been appreciated. At the end of July their camp was dismantled and the battalion was back on the move, this time in the direction of Belgium. Their first stop was the village of Alquines, situated between the French port of Boulogne and the town of St. Omer. After a week there, which included drill, training and a number of route marches, the 19th moved east to the village of Arques, south-east of St. Omer. Here it remained until the middle of September, when another move was made, north-east to the town of Steenvorde, then to the Dickebusch (Dikkebus) Camp, a Pioneer Camp under canvas, a short distance from Ypres (Belgium.) Their four month "holiday" was nearly over. Apart from training there had been sports and even time off to indulge in fishing in the streams. While the men rested, their superior officers were involved in planning for the next major assault - to capture high ground south of Ypres north-east of the Menin Road. During these days, Robert would have overseen his company employed in carrying and working parties, receiving further training as well as enjoying recreational activities. His health, along with the other men improved.

On 17th September 1917 the 19th Battalion moved to new positions at Bellewarde Ridge, in the front line area east of Ypres. Allied bombardment of German lines had begun two days previously. It was autumn and the weather was cooler, but dry. The next day the men relieved the 22nd Battalion in support on Westhoek Ridge. On 20th September - the battle of Menin Road - the 19th was still on Westhoek Ridge acting as reserve battalion. As artillery and machine gun fire on both sides was constant, there were many casualties. The day after the main assault, Robert and his men were tasked to clear wounded mates from the battleground. Two days later, the battalion was relieved from the frontline and retired to camp for a week's re-organisation and drill. On 1st October it moved back to frontline positions on the Anzac Spur on Westhoek Ridge in preparation for an attack at Broodseinde. The Spring weather had turned and light rain was falling. By the early hours of 4th October 1917 the whole of the Australian attacking force was crowded about the front line. It was eerily quiet. However, at about 5.20 am a yellow flare went up on the German side, which was followed by many more. Some seven minutes later a heavy German barrage commenced. It fell intensely on both Anzac Divisions. For Robert, sheltering with some of his men in a shell hole, this day was to be his last with the battalion. The News was later published at home in the *Leader*, stating that a German shell had landed close to his position. Robert "was blown up and buried in the earth, and when recovered it was found he had sustained injuries to the neck and heart, and was also suffering from shock." With other wounded he was carried from the field and eventually taken to the 11th General Hospital until his condition was stable enough for him to be transported to England for further treatment. On 10th October, he was transferred to the passenger steamer, *Pieter de Coninck*, for the voyage to Plymouth. He was subsequently admitted to a military hospital in Plymouth, where he remained till 2 November 1917, then on that day he was transferred to the 3rd Army Hospital at Dartford. On 24 November he was deemed to be recovered enough to be discharged to the Australian Camp at Hurdcott on the Salisbury Plains.

After spending a few weeks at Hurdcott, on 16th December, Robert was transferred to Australian Headquarters staff in London. After leaving hospital, Robert had been granted some furlough, which he spent at Leeds. He wrote home to his mother, telling her that he had "quite recovered." Unfortunately, that was not the case. On Boxing Day that year (1917) he was taken to the Royal Herbert Hospital at Woolwich with a suspected case of acute peritonitis. It turned out to be an

acute attack of appendicitis. As Robert was still not recovered fully from the injuries received at Broodseinde in Belgium, his body did not have the stamina to cope with his illness. As he was critically ill, army officials organised for his brother, William of the 7th Field Company Engineers to travel to England from France to see him. Supporting William was his Millthorpe friend, Garnett Bennett. Tragically, Robert died on New Years Day 1918 at the Royal Herbert Hospital. Four days later he was buried with military honours at the Brookwood Military Cemetery near Woking in Surrey.

Just over a week later, the news was relayed to readers of the *Orange Leader*. The paper noted that " Deceased was 22 years of age and a native of Glebe, but had resided for years in Millthorpe, where his upright character and exemplary conduct at all times won for him the respect and admiration of a host of friends... The death of this brave young soldier will be sincerely deplored by a wide circle of friends at Millthorpe and much sympathy will go out to the mother in her hour of trial."

In March that year, Katherine Caldwell received a letter from her son, William, written after he had returned to France... *I know what a shock this news must have been to you, but I know you will be brave like the dear one we have lost. He gave his life willingly. "Greater love hath no man than he gives his life for another."*

During April, Katherine opened a letter from the Officer in charge of Base Records, with a concise description of the funeral accorded to Robert in England during January. . "The coffin- good polished elm with brass fittings, was draped with the Australian Flag." The letter also noted the presence at the funeral of Mr. W. A. Caldwell, brother of the deceased. The attending Roman Catholic Chaplain was Father The Rev. McAuliffe of A. I. F. Headquarters in London.

Mid year, Mrs. K. Caldwell of "Nareen," Blake Street, Millthorpe, received a package containing Robert's effects of grooming items and clothing, amongst which were 4 badges. During 1922 & 1923, Robert's mother signed the required receipt for his medals and memorial plaque. ↻



Below: Brookwood Military cemetery, England

Left: Robert Caldwell's headstone



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**Private John Harold "Jack" Davis (Millthorpe)
1883 - 1915**

Regimental Number: 18790; 1st Battalion, Canadian Infantry.



Local Memorials: Millthorpe Memorial Gates; Millthorpe School Honour Roll

Medals: 1914-15 star, Victory Medal, British War Medal

John Harold Davis, "Jack," was only an infant when he arrived in Millthorpe with his parents, John and Elizabeth (nee Moore) Davis, and siblings, about 1884. They had previously lived at Peel in the Bathurst district, where John and his older brothers and sister were born. Prior to their move to Millthorpe, the family consisted of Henry Flavel Davis, b. 1874; Bethel Norman Davis, b. 1877; Albert Patrick Davis, b. 1879, Florence Fanny Davis, b. 1881. According to NSW Birth indexes, John Harold was born in 1883 at Bathurst. However, on listing for service in 1914, he gave his date of birth as 27 July 1880. Another brother would follow soon after their move to Millthorpe - George Herbert, born 1885. John's father was a typical working man of the period described as a miner, farmer, or labourer, while his mother restricted herself to domestic affairs and supporting local causes. On the family's arrival in Millthorpe, John (Sr) worked on the property called "Fairfield" (now "Gleneagles") on the Pretty Plains Road.

After the family settled near Millthorpe, John attended the Millthorpe Public School, and on completing his education, he got work at the Great Western Milling Company in Millthorpe, where he remained for several years. However, as he later admitted in a letter home during 1915, John was a "dissatisfied sort of cuss, roaming around to fresh places, and not being satisfied with any of them." He changed jobs regularly, and his wandering eventually led him to Canada, where he found work as a bridgeman. Prior to the outbreak of World War I he had also joined a militia unit.

Like Australia, Canada was completely unprepared for war, having only some 3,110 permanent troops. Once Great Britain had declared war, the Canadian government, as a member of the British Empire, was obliged to follow suit. On 6 August 1914, the Canadian Minister for Militia, advised all Militia commanding officers that a Canadian Expeditionary Force would be mobilised at Camp Valcartier in Quebec. Less than three weeks later it was ready for occupation, with the men accommodated in bell tents. Fortunately it was the height of the Canadian summer.

Jack's restless spirit led him to enlist on 14 August 1914 at Edmonton in Alberta. His medical examination was subsequently completed at the Valcartier Camp, on 22 September 1914, with his personal statistics recorded as, age-34 yrs 3 mths; height, 5ft 7 ins; complexion, dark; eyes, hazel; hair, dark; distinctive marks, scar across bridge of nose and large birth mark. During organisation of the forces, Jack was initially placed in the Edmonton Fusiliers, before a brief stay with the 9th Battalion, with which units he completed his basic training, until 25 September when the first deployment of Canadian troops began. Jack embarked on the S.S. Zealand which joined a flotilla of other boats concentrated in Gaspé Bay. The 31 ships departed Canada for the voyage to England on 3 October 1914. The transports were joined by a convoy of British warships for the voyage across the Atlantic Ocean. Two weeks later it arrived, at Devonport, Plymouth, England. Jack disembarked on 18 October 1914 for the train trip to Wiltshire, where the Canadians went into camp on the Salisbury Plains. Home for the 1st Brigade was the Bustard Camp near the village of Amesbury in Wiltshire. This camp, initially in tents, was home from 20 October 1914 to 26 February 1915. During this time Jack and the rest of the Canadian forces were drilled, and trained for future operations in France and Belgium. The conditions started well, but the autumn soon turned into winter and the inclement English weather made camp life difficult. The winter of 1914-15 became one of the worst on record in England. It rained nearly everyday, with roads becoming impassable and all equipment damp with the incessant moisture. Ironically, it prepared the Canadians for life in the trenches of the Western Front. By then most of the men were accommodated in huts. Jack must have survived this period without any major illness, but no doubt welcomed the news when it came, that the Canadians were to be sent to the front. On 26 February 1915 he was transferred to the 1st (Western Ontario) Battalion, The next day he left camp for the short March to Amesbury station, and the first stage of his journey to France, where he joined as a reinforcement for his new unit on 12 April 1915.

Like most new units to the fighting in France, the Canadians were first sent to a station in a "quiet" or "nursery" sector of the front line. By the time Jack joined his unit it had moved to an area near Ypres in Belgium. Here Jack was introduced to trench warfare. On 22 April 1915, the Second Battle of Ypres began as the Germans tried to break the deadlock of trench warfare. The assault began with the first use of gas on the Western Front, initially on French Algerian troops, who were stationed next to the Canadians on the line. Without protection from the deadly chlorine gas, many of these troops fled the line, leaving a five mile gap in the frontline, to the left of the Canadians' position. Two days later on 24 April after a violent bombardment, gas was released on the Canadians at St. Julien, who were determined to stand fast in their positions, despite the waves of German infantry who followed the shelling. Using improvised gas protection, the Canadians withstood the shrapnel and machine gun fire, all the while struggling with rifles that frequently jammed. (These were Ross rifles.) On 25 April 1915, after ceaseless fighting the Canadian troops were withdrawn from the line, having lost large numbers of men, but they had saved the line.

Throughout the remaining days of April and for much of May, Jack was in billets behind the line, resting and meeting the new reinforcements who came over from England. On 14 May he wrote to his sister, Florence, married to the Millthorpe chemist F.W. Hockey.

Just a few lines to let you know that I am OK... We started into some hard fighting on the 23rd of last month, and for ten days there was barely time to eat some bully beef and biscuits, and we had to forget that there was such a thing as sleep. We had to keep on the move all the time as the Canadians were in the thick of (things) and were greatly outnumbered by the Germans till the British reinforcements came up. We are billeted in farms behind the firing line at present, having a rest, and we sure needed it, as it plays hell with your nerves. There were about 20,000 in action, and we had 6000 casualties; but there was only a small percentage killed, most of them being wounded. I guess that we will shortly be moving out again - looking for trouble in this country - don't need a telescope to find it. We don't mind the bullets so much as we do the gas. It is a case of get back when you see that coming, until it thins our in the air and then take the trenches back from the Germans who sneaked up behind the gas and got into ours. They say the devil helps his own, well, he is sure backing up the Germans as they have had the wind in their favor for about four weeks. But I guess that our luck will change some days, and we will be able to give them

some of their own dope, or, perhaps, something worse... We are having fine weather here, and a good job too; because we live in holes dug in the ground, and rain makes them uncomfortable quarters. It is nothing to be lying in six inches of water all night, and the worst of it is we are never in one place long enough to make it comfortable. We have to dig ourselves in fresh every night. This country is nothing but a huge rabbit warren. We always carry a little hoe with us, and next to the rifle it is the best tool in the world. It is only about 4 inches square, but the amount of dirt we can shift with it is marvellous especially when the bullets are flying.

Just a day or so after writing, Jack and the rest of the 1st Canadian Division were sent into battle at Festubert, along with English, Scotch and Indian troops who were already in the line, attacking the Aubers ridge, north/east of the French town of Bethune. The attack followed a grim pattern - frontal assault through barbed wire against a powerful enemy under constant artillery fire. Just a few kilometres were gained for terrible casualties. Somehow, Jack survived against the odds.

After a few short weeks of rest and re-organisation, the Western Ontario battalion, were in action in the Battle of Givenchy, a village, a short distance south/east of Festubert. Their task was to take two German strong points. Plans were made to address the issues of barbed wire and machine gun posts. Fortunately for the Canadians, while at rest, their faulty Ross rifles had been replaced with the more reliable Lee-Enfields. After four days of allied artillery fire on German trenches, Jack and his companions marched into their jumping off position at 2 pm on 15 June 1915. The detonation of a huge mine, tunnelled under the German positions, heralded the start of their advance, with nearly all the troops getting over at the same time. Unfortunately for the Canadian 1st Battalion, two important machine gun positions failed to be taken by British troops, and these contributed to the extremely high casualty figures (perhaps up to 50%) at the end of the action. Like Festubert, only a small area of ground was gained. Two days later the battalion left the line moving to a rest area, again Jack's luck held out. One of the first things he did this time was to write a will, leaving his possessions and some money to his mother, Elizabeth, and brother, Henry F. Davis. The war was now all to real! He then wrote again, this time to an old friend, Millthorpe blacksmith, Edward Francis Murphy.

Well, here is a deuce of a surprise for you, getting a letter from a Canadian soldier. I have been going to write to you a dozen times, but chances do not come too often for doing any writing in this country for us fellows. It is rough in the trenches. We sometimes do without a wash for seven or eight days, and when we get relieved we feel like sleeping for a week, and, just as we are waking up, back we go to the trenches. I don't know how the war strikes you by the accounts in the papers; but to come down to the practical business, it is as near as hell as I want to be. I was always a dissatisfied sort of a cuss, roaming round to fresh places, and not being satisfied with any of them; but I sure have got into a tough place at last. Whether I will ever get out of it God knows, but the chances are very slim. I have been lucky enough so far, the 100 to 1 chance might come off, and I like to take a gamble on a long shot now and again. I have been scratched and shot in about a dozen places, but only enough to draw blood. The shrapnel is the worst, as it is in all shapes, chunks with sharp jagged edges. Just fancy connecting with one of those pieces. It sure does play hell with a man. It takes an arm or a leg off as clean as a whistle. I sure have seen some awful sights since I joined this outfit. War is supposed to be grand, but awful. Well, I call it just pure barbarism. ... It is not much good me trying to describe a battle. A man has just got to go mad and shoot and bayonet as many as possible. He just gets that way he does not think about being shot himself, but just goes in and does his hardest to get as many Germans over as possible; but, when the scrap is over and he cools down and begins to think over what has happened, and sees things in his proper sense, he comes to the conclusion that he does not want to think about it at all, or he sure will go to the bughouse. The battalion that I am in (the 1st) has been cut up twice. The battle of Ypres was the 1st time, but we got reinforced up to about 800 men before we went into action again, which was at Guinchy (sic), near La Basse, where we made a charge and took three trenches from the Germans, We could not hold them, as we ran out of bombs, and owing to the failure of the 7th division to our left, who never got to the first German trench, so we had to retreat, and that was when we lost most of our men. We mustered up about 200 strong the first count up after coming out of the trenches, and I managed to be one of the lucky ones. The worst part of it was having to leave most of our wounded men behind in the German trenches. We got some of

them back but it was impossible to get them all as the bullets were flying like rain, and it was sure suicide to go out after them. Talk about getting the V.C. Well, if every man gets one who deserves it there are going to be V.C.'s by the thousands by the time this war is over. The most of the brave acts are never seen, or if they are they are not taken any particular notice of.

By now Jack understood the pointlessness of much of the job that the Allied troops were required to do. Little though he know it, Givenchy was to be his last major battle. Most of the rest of the year was spent with the battalion in trenches at Wulvergem, south-east of Ypres and just west of Messines in Belgium. Conditions were mostly quiet, but wet. Continuous rain in November (autumn) damaged trenches. Fortunately for Jack he was given leave to England, which he spent in London, by all accounts having a fine time. The day after his return to the battalion (6 December 1915), Jack wrote to Millthorpe again, this time to his older brother, Harry (Henry Flavell), expressing his feelings about the situation.

Just a few lines to let you know that I am o.k., and in the best of health. Hoping this letter reaches yourself & family the same. Well Harry this old war stunt is getting very monotonous. I often wish that I could quit her and hike on to the next job, as I think that I have been constantly employed for about 18 months and that is long enough in one job for me in fact I think that it is a record for me. I don't think that I will ever take on a job as a miner after this as I have had enough of this digging in the mud and making a home there and are getting more like rabbits every day. We are having plenty of rain here just at present in fact it is just one shower and I hear that I don't stop till next March. So you can see that we are in for a swell time. We are a fairly quite time on our front, so far as the infantry is concerned but we have the usual bombardments almost every day. We have got shells at present and we letting the Germans know about it. I guess that we send two shells for everyone that they send and I guess that is the way that it will go all winter. Well if I get through this one o.k. I never want to see another winter in this country, in fact I am going to keep away from any country where there is likely to be war. That will give you an idea what I think of war.

After referring to family and friends, Jack signed off with the words -

Well Harry this letter won't reach you by Xmas, but I wish you the merriest one you ever had and a happier New Year. This all at present. I conclude with best wishes to all at home.

*With best love, Jack.
The same old address, wish I could change it but nothing doing.*

*18790 Pte J H Davis
4 Coy 1st Btn
1st Canadian Contingent
B.E.F.France.*

For Jack himself, Christmas would never come, while on messenger duty for his unit on Christmas Eve (1915), and walking through the village of Wulverghem, he was killed instantly, having been hit by fragments of a shell. The Orange (NSW) *Leader* in reporting the news of his death to its readers on 10 January 1916, said - *He was a great favourite of all who knew him, and the news of his death was received with great sorrow. He was a single man and enlisted from Canada.*

Jack was buried in the cemetery at the rear of a former inn, St. Quentin Cabaret, now known as the St. Quentin Cabaret Military Cemetery, Wulverghem, Belgium. Five years later, in Millthorpe, his father, Jack Davis received Jack's medals (1914-15 Star, Victory Medal & British War Medal), plaque and scroll, and his mother, Elizabeth a silver memorial cross with purple ribbon, presented to mothers or widows who were next of kin of Canadian soldiers.

Jack's death was also noted in the Canadian newspaper, *Winnipeg Free Press*, and later, listed on the Millthorpe Memorial Gates and the Millthorpe School Honour Roll. His headstone bears the inscription "Death Cannot Divide Us."☞



Above: St. Quentin Cabaret Cemetery, France
Left: John Davis headstone

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Sergeant Lancelot Douglas Nicol
1892-1917
Regimental No: 2064; 14th Field Artillery Brigade



Local Memorials: Millthorpe Memorial Gates, Millthorpe School Honour Roll, Millthorpe Methodist Church Honour Roll, Millthorpe Manchester Unity Independent Order of Oddfellows (MUIOOF) Honour Roll, Spring Hill Public School Old Boys Honour Roll, Orange Methodist Church Honour Roll.

Medals: British War Medal, Victory Medal

At the time of enlisting for service in WWI, Lancelot Douglas Nicol (Lance) was working in his father's butcher's shop at Forest Reefs, and had been in charge of its operation since it was established in about 1912. As his family lived in Pym Street, Millthorpe, where his father owned the Millthorpe butchery, Lance would have made many trips by cart or horseback between the two places.

The Nicol family had arrived in Millthorpe about 1904, when John Coventry Nicol established the Pym Street butchery. He had married Florence Emma Stark at Bombala in 1891, and then

moved with his wife to the West Wyalong district. Gold had been discovered in the area in 1893, which may have led to the Nicol's move to the district (Australian Encyclopaedia Vol. 9).

The birth of their eldest child, Lancelot (Lance) was registered at Temora in 1892, and the birth of their third child, a daughter, Gladys was registered at Wyalong. Their second child, another son, Reginald, was born in Sydney in 1894. During this period the Nicol family was living in Blyth-street, Wyalong. Giving this address, John signed a petition requesting the creation of a municipality for Wyalong in 1896 (NSW Govt Gazette, 23.9.1896.) During the next few years the family moved a short distance west to Yalgogrin. John Nicol was on the Yalgogrin Progress Committee and Secretary of the Yalgogrin Race Club. Their third child, a daughter, Gladys, was born at Yalgogrin in 1900. The next year the 1901 NSW census taker noted that John C. Nicol was recorded as living in Gibson Street, Yalgogrin - the household contained 3 males and 2 females.

The Nicol family left Yalgogrin soon after the census, and by 1903 John was operating a butcher's shop in Spring Hill (between Millthorpe and Orange on the Great Western Rail Line.) Aged about 10 and 8 respectively Lance and Reginald Nicol were enrolled in the Spring Hill Public School. After a short period in the village, John Nicol established his butchery in Millthorpe. After the family's move to Millthorpe c. 1904, two more children were born - Heather in 1905 and James in 1907. Sadly, Heather died the year of her birth at Millthorpe, and was probably buried in the Millthorpe Cemetery, but without a headstone. The surviving Nicol children attended the Millthorpe Public school, with the eldest, Lance also later attending the Bathurst Superior Public School to complete his education.

After the family settled in Millthorpe John Nicol continued his interest in horse racing, principally harness racing, and later entered in races organised by the Bathurst Trotting Club, and participated in various horse categories at local shows - Millthorpe, Blayney, Orange and Bathurst. His wife, Florence, supported the Millthorpe Methodist Church, and became a valued member of its congregation. After being joined by his son, Lance, in the butchery business, John Nicol opened another butcher's shop at nearby Forest Reefs (c.1911- 1912). Twenty year-old Lance was put in charge of the new shop. Apart from butchery training with his father, Lance had also completed some education in book-keeping which would have enabled him to carry on the day-to-day business of the Forest Reefs shop. During 1912, while walking along Pym Street in Millthorpe, Lance slipped on the footpath and dislocated his knee joint. He subsequently was operated on by the Millthorpe doctor. As a result he was incapacitated for a considerable time. This injury would

cause problems after his enlistment. During these years, Lance also belonged to the Millthorpe band, joined the local lodge of the Manchester Unity Independent Order of Odd Fellows and had some training with a militia group.

By the time Lance Nicol made the decision to enlist for service in WWI the need for A.I.F. reinforcements was great. His initial details, as well as vital statistics during a medical examination, were taken by recruitment staff at Orange on 22 September 1915. He was placed in 14th Reinforcement for the 6th Light Horse Regiment, with the rank of Trooper. A Millthorpe friend, Thomas Vaughan, also joined this group after his enlistment the next month (Thomas Vaughan's father had operated a bakery in Millthorpe.) During October, the two young men, who were then in camp at Lithgow spent a weekend's leave in Millthorpe - they were "having the time of their lives" in camp. Both Lance and his friend were soon promoted to the rank of corporal. By the end of the year they were in the main army camp at Liverpool. Towards the end of November, during a disturbance at the camp, Lance, received another knee injury while helping to control some of the volunteers. It may well have been the knee which he had previously dislocated, and by news accounts of the time, it delayed his departure overseas. After recovery and the completion of training, Lance returned to Millthorpe for a final leave during January 1916. He was accompanied by Tom Vaughan. Before returning to Sydney, the Millthorpe band presented Tom with a sheepskin vest. The two recruits were farewelled at the Millthorpe railway station by a large number of townspeople. " As the train drew out the people sang 'They are Jolly Good Fellows,' and several cheers were given for the two popular soldiers" (*Leader*, 5.01.1916).

Lance and Tom embarked aboard the ship *Wandilla* during the early hours of Thursday, 3 February 1916. Their ultimate destination was Egypt, where the ship arrived at Alexandria early in March. Lance joined the Light Horse regiment for about 3 weeks until it was disbanded, then he was transferred to an artillery unit - the 25th Howitzer Brigade, 115th Battery. His rank would have been down-graded on this transfer, however, while his new unit was stationed at Ferry Post, a bridgehead on the Suez Canal, he was promoted again first to Temporary Corporal (1 Apr 1916) and then Corporal (20 May 1916.) According to one of his letter's home, Lance did not like Egypt at all. He would have been quite relieved to board the transport ship "Georgia" at Alexandria on 18 June 1916. The men were bound for Marseilles in France where the ship docked nine days later. After disembarking the recruits boarded a train at the local railway station for the journey north to the Western Front. On arrival at their destination, Corporal Lance Nicol, was transferred again, this time to the 114th Howitzer Battery of the 14th Field Artillery Brigade. This brigade supported the 5th A.I.F. Infantry Division and was drawn mainly from N.S.W. Lance's Millthorpe mate, Tom Vaughan, also joined him as a bombardier in the same brigade. The 5th Division was the last Anzac division to leave Egypt for France.

Lance joined his new unit on 9 July 1916. It was situated at Blaringhem, a village south-east of St. Omer in northern France. His introduction to front line activities was almost immediate. The day after joining the brigade, it left its billets by road for a new position in the area of Steenwerck, east of Armentieres. He soon discovered that being an artilleryman was not only an arduous occupation, but it was also extremely dangerous. The howitzer brigade was responsible for twelve 4.5 inch howitzer guns. As the war had become bogged down in the trench systems created by both armies, the artillery had become an integral part of the fighting. Its shells were used to destroy barbed wire, trench systems, and other fortifications, as well as the field gun positions of enemy artillery. It was also employed in creating creeping barrages in front of an infantry advance. The guns and ammunition were moved around the war zone by horse-drawn vehicles, often in pieces which meant that each time they were in a new position the gun had to be re-assembled. Each wagon was drawn by six horses with three drivers, who rode and drove each pair. Just getting a gun to its destination was hard work, particularly during the winter months. Cobblestone roadways were difficult to traverse. Once in their positions (fixed, behind the front line), the units remained for weeks at a time, enduring the noise and discomfort of their work, and the daily apprehension of enemy shelling. Due to the nature of their equipment sudden mobilisation or movement was impossible.

The 114th Battery moved into their position on 12 July 1916, relieving 4th Division batteries, which had been called to the Somme battlefield. (The 4th's order was changed soon after and they were recalled for attachment to the batteries of the 5th.) Few of the Australian artillerymen were experienced or well trained, yet they were to join a joint English/Australian force of infantry and artillery for a planned attack on German positions around the village of Fromelles. This was to be part of a diversionary action planned by British General Richard Haking on the Sugarloaf Salient. The Australian batteries included 24 each of 4.5 and 6 inch howitzers as well as four 9.2 inch howitzers. The action was to begin with an intense bombardment of enemy trenches designed to cut wire and destroy defences, as well as counter enemy barrages. Their range was to be lengthened or shortened depending on instructions from army headquarters. Lance's initiation began on 14th July 1916 when the batteries began to intermittently bombard German positions - a prelude to the main infantry attack, planned for the 19th July. On that day, Wednesday, the artillery units commenced to bombard the Germans front line and communications system at 11 am - a day which would bring great loss of life and injury for Australian troops. Due to the preparedness of German soldiers it became a catastrophe. Lance and his battery remained in their positions for all that day and through the rest of July and part of August. The howitzers were kept busy bombarding enemy positions; firing retaliatory rounds at German positions; wire-cutting or registering the guns ie. checking range by firing on specific targets and making required adjustments for accuracy. The work was intense, especially in the unloading and stacking of ammunition in order to feed the guns.

On 16 August 1916, Lance reported sick to the 1st Australian Casualty Clearing Station. The constant lifting and loading of shells had been physically too stressful. He was diagnosed with a hernia and subsequently transferred to the Ambulance Train (21 August) for the journey to the 1st Convalescent Depot at Boulogne, and then, after his condition had stabilised, to Base Details in Etaples, France, having been deemed unfit for return to his unit. Lance spent 12 days on light duties before having to report to hospital sick again, with further problems caused by the hernia. Medical staff deemed it necessary for him to be sent to England for an operation. He was transferred to the Hospital Ship *Newhaven* on 4 September 1916 for the channel crossing to England. He was admitted the same day to the Middlesex War Hospital, where he was operated on. After initial recovery he was sent to the Monte Video Camp, Weymouth to convalesce in order to return to duties with his unit. During this period he wrote long letters home to his parents in Millthorpe giving vivid descriptions of a soldier's first experience under shell fire. While convalescent he was attached to the staff of the camp. Lance had also applied for transfer to the flying corps and was waiting for approval. While at Weymouth, he was able to catch up with a number of old Millthorpe friends who were in camp for various reasons. By the time Lance had recovered sufficiently to return to action, his flying application had been declined, and 6 months of 1917 had passed. On 29th June 1917 he left the Convalescent Depot to enter the Overseas Training Depot at Perham Downs, where he remained till 30 July when he proceeded back to France via Southampton. During this period, probably influenced by his experience at Fromelles, Lance Nicol wrote a will, leaving his estate to his mother Florence in Millthorpe. About a month later he rejoined the 14th Field Artillery Brigade in the field, and "in the best of health," on 6 August 1917. The brigade was then situated in Belgium and engaged in the 3rd Battle of Ypres, in firing range of Zonnebeke. Their wagon lines were drawn up around the remnants of the village of Dickiebusch, south-west of Ypres. Corporal Nicol was immediately back into frontline conditions. During this action the artillery brigade was involved in the daily firing of its guns depending on overall battle requirements, including the firing of gas on enemy positions. It remained in the field until 8th September, when it was relieved from its position and moved to a rest area at Nieurlet, north of St. Omer in France. A little over two weeks was spent in recuperating and further training, and maintenance of their weapons. During this rest period, Lance was promoted to the rank of Temporary Sergeant, in replace for another sergeant who was sick. On 27 September 1917 Lance and his unit prepared their guns and wagons for return to the Ypres battlefield. Two days later they were unloading weapons and installing their howitzers on Anzac Ridge at Westhoek, to assist a planned assault on the Broodseinde Ridge. On the second last day of September, Lance was promoted to the rank of Sergeant replacing another officer who had been killed in action. The weather was initially fine, despite it being mid-autumn, but on 19th October there was a change which brought poor visibility and rain showers. Despite the weather conditions the guns were

active everyday firing on enemy positions. As was expected the battery received its fair share of enemy retaliatory shelling.

Five days later during a period of heavy bombardment, 25 year old Sergeant Nicol and six of his men took shelter in a dug-out which had been constructed next to a pill-box on the ridge. All but one, including Lance, were killed when a shell landed on their position. The dug-out's roof was blown to pieces. Their bodies of Lance and his soldier mates were buried by members of the battery in an area west of the line of pill boxes on the ridge, and north-east of the village of Westhoek. It was known as Pill Box Cemetery. Each of the dead men were placed in a separate grave headed by a cross. After the war, early in 1920, John & Florence Nicol were advised by Base Records in Australia that Lance's remains had been removed to the newly established Hooze Crater Cemetery, two miles due east of Ypres in Belgium. They were asked to contribute a text for Lance's new headstone. The Nicol's chose the words - " When the day dawns and the shadows flee away."

As had become the custom, Red Cross workers interviewed some men from Lance's brigade to ascertain the circumstances of his death. Two comments gave a positive insight into Lance's character:- from Gunner W. C. Cooke - Lance had a "most cheerful disposition" and from Sergeant-Major J. Cullen of the 114th Howitzer Battery - " Nicol was very much appreciated by officers and men and was a very promising N.C.O."

Lance's Millthorpe friend and artillery mate, Tom Vaughan, wrote home to John and Florence Nicol just days after Lance's death, the letter being dated 3 November 1917. In it he expressed his grief at losing a dear friend and the esteem of the men among whom Lance had served ...

Dear Mr. and Mrs. Nicol,

You will no doubt have been notified of Lance's death ere this letter reaches you. It is useless for me to try and express in writing my feelings for you, and for myself - you for the loss of a son and myself for the loss of a pal, having known him so long - 14 years - and being pals for that time without once having a disagreement. It is hard to realise we are parted. We were like brothers. His death was felt very keenly among the men of his battery, who are never tired of eulogising the excellent qualities and principles of their Sergeant. He was without doubt a universal favorite of the battery-both officers and men - and I can assure you if sympathy will tend to cheer you in your bereavement, you have it most sincerely from them. The battery Lance belonged to has for some time past been having a very severe time, and has lost quite a number of excellent fellows, with whom I was personally acquainted. One becomes very callous seeing men in the prime of life falling before your eyes everyday, but the death of Lance seems to have made a gap in my life which it is impossible to repair. We were brothers, not in blood but in friendship. The only consolation I can offer you is that he died fighting for his country - very small consolation in your bereavement - but kindly accept from me the sympathy I feel at your loss of a son, a soldier and a man.

*Your sympathetic friend,
T. Vaughan*

Among the items of Sergeant Lance Nicol's that were eventually returned to his mother, twelve months after her son's death, was a whistle and lanyard - a small token of the young man's rank, and recognition of his leadership in the field of battle. The same year (1918) Florence Nicol, in conjunction with a Miss Isaacs, donated a second Roll of Honour Board to the Millthorpe Methodist Church, as the first roll was already full of the names of Millthorpe young Methodists who had volunteered to serve their country. The first two names to be recorded were Lancelot D. Nicol and Thomas Vaughan. At the dedication of the new board in June, 1918, Rev. P. O. Davis, said that " such rolls were erected to perpetuate the memory of those who went forth to do their duty. Unfortunately, their rolls contained the names of some who have fallen. He challenged the congregation with the question - " Look at those Honor Rolls and ask ourselves, "Are we proving worthy of those men who thought nothing of life, who gave their best?"

During 1920, John Nicol sold the Pym Street butchery and the family moved to Sydney, living first at Hurlstone Park, and finally settling in Ashfield. John Nicol found work as a factory manager. Exactly six years after his son's death, the family placed a memoriam notice in the *Sydney Morning Herald* with the following words...

NICOL - In fond and loving memory of our dear son and brother, (2064) Sergeant Lancelot Douglas (Lance) Nicol, killed in action at Westhoek Ridge, Ypres, October 24, 1917. Until the day dawns. Inserted by his loving father, mother, sister, Gladys, and brothers Reg and Keith.

Lance's father, John Coventry Nicol died six years later in 1929. Florence Emma Nicol outlived her husband by almost 30 years. She died at Burwood in Sydney during 1958.↵

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Above: Hoge Crater Cemetery, Belgium

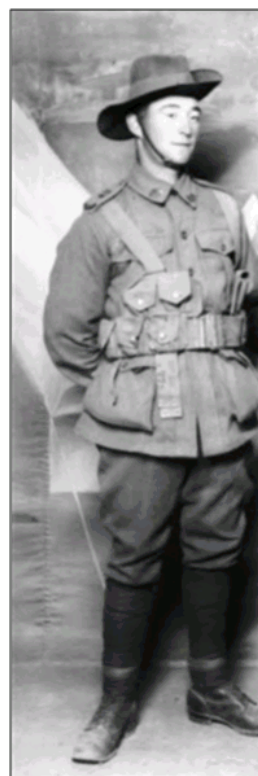


Private Gilbert Pearce
1885 - 1917
Regimental No.: 6293; 1st Battalion, A.I.F.

Local Memorials: Millthorpe Memorial Gates, Millthorpe Public School Honour Roll, Millthorpe Methodist Church Honour Roll, Blayney-Millthorpe Honour Roll

Medals: British War Medal, Victory Medal

The recruiting officer on duty at the Sydney showground on 20 March 1916, may have been slightly bemused by the mature aged recruit standing before him, especially when he gave his occupation as farmer. Just turned 30 years of age, Gilbert Pearce, was 6 feet 1/2 inch tall, and a bit older than many of the other recruits. It would later be said that "he was a man of splendid physique" (*Young Witness*). The medical officer who next took his specifics at the Sydney Town Hall also noted that he weighed 165 pounds. His chest could expand from 36 to 38 1/2 inches, and like most farmers he had a florid complexion. His eyes were blue and his hair fair. When later leaving for overseas he gave as his address, 3 Leichhardt Street, Leichhardt. This address was in fact that of an older brother, William, a tramway conductor in Sydney. It is highly likely that Gilbert only stayed with his brother while completing the required formalities of enlistment.



Gilbert Pearce, mostly called Bert, had not had much to do with Sydney or military life. He was born at "Wattle Farm", Millthorpe in 1885, the 6th of seven children born to John Pearce and his wife, Martha (nee Moad). His father was a farmer, and worked on a small block, on the Spring Hill side of Millthorpe, originally purchased by his grandfather, Arthur Moad. Along with his brothers and sisters, Gilbert attended the Millthorpe Public School and the Millthorpe Methodist Church. The Pearce family were stalwart members.

After leaving school, around 1900, he went farming with his brothers, Arthur and Jonathan, taking up some land at Reedy Creek, on the western side of Murga, between Eugowra and Cudal. Their farm was called "Sunrise." While living at Reedy Creek, the Pearce Brothers were instrumental in having a Methodist Church built in the locality. A year before the outbreak of war in 1914 Bert

branched out on his own, purchasing a 500 acre block at Carumbi, between Temora and Young. He joined the local Farmers and Settlers Association and took a keen interest in local affairs. Bert may have been reluctant to enlist at first, especially as news began to filter through on casualties at Gallipoli, but as three of his cousins had enlisted, he made the decision to travel to Sydney to join the army. He leased out his block of land at Carumbi, no doubt intending to farm on his return home.

Once Bert's enlistment was finalised, the army placed him in the reinforcement for the 2nd battalion. With that group he spent about a month in camp at Cootamundra. Then, in April 1916 he was posted to the 20th Reinforcement of the 1st Battalion at the Liverpool Camp where he completed his initial training. Bert received final leave during August 1916, when he returned to Millthorpe to bid farewell to his parents. At a lecture evening held at the Millthorpe Methodist Church he was presented with a Bible by Rev. W. T. Dyer, on behalf of his Methodist friends. The reverend spoke very highly of him as a church member, and wished him every success and a safe return. The next month, on 9 September 1916, Private Bert Pearce boarded the transport ship "Euripides" for the voyage to England. By the time the ship docked at Plymouth on 26 October 1916 it was autumn, and the days were getting cooler and shorter.

Bert and the other reinforcements remained in England at training camps on the Salisbury Plains including Lark Hill and Fovant. He would experience the coldest winter on record while in England. The camps were ill-sited and exposed to inclement weather. Only the fittest could survive. Bert's hard farming life gave him the fortitude to cope with the tough conditions - he was not recorded as being sick at all during that period. At the beginning of the last month of winter (2 February 1917) he boarded the steam ship "Victoria" at Folkestone for the channel crossing to France. After arriving at the Australian base at Etaples, France, he and other recruits proceeded to join their battalion. Ten days later they arrived at Fricourt, on the old Somme battle ground, south of Pozieres. Here the 1st Battalion were engaged in work parties and roadwork. Three days after arriving, Bert and his unit moved by route march north-west to a training camp at the village of Bresle. He had his first real experience of the dangers to come when a Mills bomb exploded prematurely during training killing one soldier instantly and wounding a number of others. Two others died later from their injuries. After five days at Bresle the battalion marched back to their Fricourt camp, and work details. During the last two days of February the battalion moved to support lines at Eaucourt south-west of Bapaume where they were engaged in fatigue work, carrying supplies to forward positions. After a week the 1st was relieved by other battalions and moved back to their camp at Fricourt. The first three weeks of March 1917 were spent there either training or resting. Church parades were held on Sundays. The routine was relieved by the music of a fife and drum band which had been organised and practised regularly. On 22 March, the battalion marched to new billets at Ribemont on the Ancre River south-east of Albert. Here they were treated to more training and baths at either Heilly or Buire.

Possibly during this time, Bert wrote home or to friends, such as Samuel Whitmee, former Millthorpe resident who was working with the Red Cross in England. In news that the latter shared with friends and relatives back at Canowindra, he noted that he had received cards and letters from Bert Pearce, who said that "he was well at the time - of course he is at the front and cannot tell much news." Bert's time for writing was soon cut short, as on 1st April, the battalion received orders to proceed first to Haplincourt, south-east of Bapaume, and thence to Doignies in preparation for relieving 59th Battalion in the frontline trenches at Demcourt. On 7th April 1917, Bert was experiencing the front line for the first time and the noise and danger of enemy shelling. Along with his company he was kept busy improving the lines. After three days in the line the 1st Battalion was relieved by the 4th and the men retired to Doignies for a short rest. Despite it being mid spring, the weather was cold, wet and snowy. The men were engaged in work parties filling road craters and clearing debris from the streets of the village. Orders were received again on 14th April instructing the battalion to move to front line positions near by at Boursies. This time it spent eight days in position, however it was relatively quiet with only occasional artillery fire, but it was wet and cold, and the men were engaged with their shovels clearing, maintaining and lengthening trenches. Finally, the men left Boursies first for Beugny, where they were treated to a foot

inspection, and then a training camp at Vaulx Vraucourt where they remained till the end of April. The ordinary infantrymen had no idea what they would have to endure in the coming days.

Early in the last month of the northern spring of 1917 - 3rd May, the 1st Battalion A.I.F. began their move to join what would be called the Second Battle of Bullecourt. Many Australian lives had already been expended in the effort to break the German Hindenburg line at the village of Bullecourt in France. Part of the German line to the east of the village were two parallel trenches, called O.G.1 and O.G.2 - being the German front line and the German support line. During the first attempt to break the German lines just a couple of weeks earlier (First Battle of Bullecourt) these trenches had been taken by the 6th Brigade. When the 1st Battalion were called into the fighting they were given the job to hold the O.G.1 trench. According to Charles Bean " O.G.1 was a very wide, deep trench, with earthen walls, well cut regular bays, massive traverses, a few deep dugouts of the ordinary type, and numerous shafts of varying depth where the entrances to dugouts had just been started."

The battalion moved into O.G.1 at 3.30 am on 4th May 1917. The Germans were on both flanks and the trenches had been badly knocked about by shell fire. Almost immediately they were attacked by German troops who used a flammenwerfer (flame thrower) on the Australians. The men including, Bert who was in C company, positioned on the front line, retaliated by throwing bombs. Over the next two days the battalion had to repel successive German attempts to take their position. Both sides bombed one another. Each time the Germans were driven back by the Australian soldiers.

In the early hours of 6th May another attempt was made by the Germans on both trenches. This time they used a new type of bomb, shaped like a stick bomb, but filled with inflammable material. The Australian artillery followed with a heavy barrage, with some shells falling short of their target. During the chaos of these days, Bert Pearce aged 31 years and 7 months was killed. His date of death was not identified, but it was later said by two 1st Battalion servicemen that he had been killed when "one of our own shells dropped short into our trench and blew him to pieces." Bert's remains were buried in the trench where he fell, along with three other Australians.

Due to the continued fighting over the rest of the year and into 1918, the position of Bert's grave, and probably that of other men killed during the battalion's three days defending O.G.1, were never located after the war. The date of his death could not be confirmed. His father in Millthorpe was notified that he died between 5th-8th April 1917. His name was later included in the list of 1st Battalion men missing in action inscribed on the Australian Memorial at Villers-Brettonneux. When news reached the people of Carumbi, general sorrow was felt at the news that Bert Pearce had died in action. A cross identifying his death in action was added to the honour rolls at the Millthorpe School and the Millthorpe Methodist Church.

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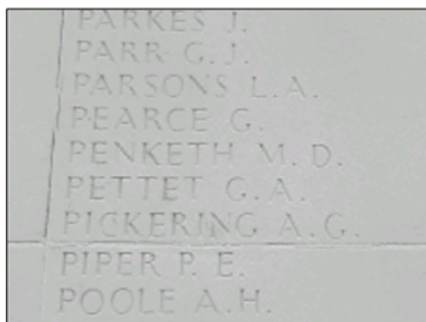
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Australian National Memorial Photographs - Gwenda Stanbridge



Above: Australian National Memorial, Villers-Brettonneux, France.
The 1st Battalion names are inscribed along the wall on the left arm of the monument.





**Lance Corporal Alpheus Eric (Eric) Wenban
1896 - 1918
Regimental No:5106, 33rd Battalion A.I.F.**

Local Memorials: Millthorpe Memorial Gates, Millthorpe Public School Honour Roll, Millthorpe Methodist Church Honour Roll, Family headstone, Millthorpe Cemetery, Delungra Honour Roll, Delungra War Memorial Panels

Medals: British War Medal, Victory Medal

Above: Eric Wenban on left in photo, with his brother, Bert, taken in England during WWI

Known to all his Millthorpe friends as Eric, Alpheus Eric Wenban was the 4th child and second son of Millthorpe coach builder, Alpheus Wenban and his wife, Elizabeth Jane (nee Buttworth). The Wenban coach works were situated on the corner of the road to Blayney, and Elliott Street, close to the railway line. The business had operated since about 1885 and included blacksmithing and farrier enterprises as well as coach construction. The business operated under the name of Wenban Bros., which included Alpheus (Sr) and his brother, David. They and their families lived in Crowson Street, Millthorpe. The partnership between the two men came to an end in 1911, when David left Millthorpe. Alpheus continued in the Millthorpe works, with other men to assist.

Young Eric was born in Millthorpe in 1896 and attended the Millthorpe Public School where he joined the junior cadets for a period of 4 years. During this period he gained an understanding of weaponry, and after completing school joined the Millthorpe Rifle Club, becoming a competent marksman. During 1910 he gained a prize in the Kitchener Aggregate section at the Western Rifle Association meeting in Bathurst. As well as belonging to the rifle club, Eric, like other members of his family was very musical. At a young age he learnt to play the violin and often performed at local social occasions or events. During 1912 he was a violin soloist for a concert held in the Oddfellows' Hall, Orange featuring other talented district musicians. A journalist for the "Leader" newspaper of Orange, recommended the concert as "a vocal and musical treat of a high order." Eric also played tennis for the Millthorpe Methodist Club.

After completing school, Eric joined the staff of the Millthorpe Post Office and in 1912 successfully passed the postal and telegraphic examination, securing high honours. He worked as a telegraphist as well as assisting with other postal matters. He also gained a reputation for being a courteous and obliging officer, being held in high esteem. In April 1914, Eric received a promotion to Delungra, a small town north-west of Inverell. He was farewelled by the Methodist Tennis Club after a Saturday game at the end of June and presented with a gentleman's travelling companion. He left Millthorpe station on the same evening by the mail train, bound for his new position at Delungra with many of his friends gathering on the station platform at Millthorpe to say goodbye. Eric's time in Delungra was to be relatively short lived, however, as on 5th August 1914, Australia joined the British declaration of war on Germany. Like many ex-cadets and rifle club members, Eric would have been keen to do his bit, but he was still only 18 and too young. Upon reaching his nineteenth birthday, Eric had made up his mind to join, possibly as his older brother, Bert had also made that decision. His parents, Alpheus and Elizabeth, signed the consent section on the attestation paper which he presented to the recruiting officers in Orange on 16 December 1915. Along with his brother, Bert, he was accepted for service. The two Wenban young men remained together in the same sections and throughout the war, until Bert Wenban was wounded and later repatriated to Australia.

Eric was initially placed in A Company of the training camp at Bathurst for a brief period, then sent to the camp at Lithgow as Private on 30 December 1915. About three weeks later he was transferred to the Bathurst Depot Camp, and given the position as Acting Corporal. He remained at Bathurst till midway in March 1916, being promoted again to Acting Sergeant while there. He was next transferred to the Liverpool Camp in Sydney for final training. Along with his brother he was placed in the 17th Battalion, 13th Reinforcements, and reverted to the rank of Private. During April 1916 he travelled home on final leave and was presented with a wristlet watch by the Millthorpe Recruiting Association and a pocket Bible by the members of the Methodist Church. Eric's designated religion on official papers was given as Church of England, which reflected his father's allegiance, however, his mother was well known in Millthorpe for her work with the Methodist congregation.

The Wenban brothers embarked on the troopship "Kyarra" on 5 June 1916 for the voyage to England. Also with the same reinforcements was another familiar Millthorpe face, George Goode, grocer. Although older, he would remain longer in service than either of the Wenban boys. The "Kyarra" arrived at Plymouth in England on 3 August 1916. It was the last month of summer which made life at the Lark Hill camp on the Salisbury Plains endurable, however, the next month Eric lost a week's pay after going AWL from camp on 11 September. At the end of the same month in 1916 he and his brother, Bert, as well as George Goode, was transferred to the 33rd Battalion A.I.F. Eric may have seen some familiar faces in this new battalion, as it consisted primarily of recruits from the New England area of New South Wales. Like the Millthorpe boys, they were raw young men, greatly inexperienced in matters of war. This all changed after the battalion moved to France on 21 November 1916. Their first introduction as to the reality of the Western Front came with deployment to what was known as the nursery sector around Armentieres in France. All of December was spent either in frontline trenches at Chappelle d'Armentieres, or in work parties based at Armentieres. They were introduced to the harsh reality of artillery bombardments and gas shelling, as well as life in the trenches. In between time they spent much time marching from one place to the other, carrying kit bags and entrenching tools, along with their weapons. Days turned into nights, and sleeping patterns were disturbed, as front line movements and relief were carried out in the dark. Later described as a "small chap," these realities may not have been to Eric's liking. On his recruitment, the medical examination at Orange revealed that Eric was 5 feet, 7 & 1/4 inches tall; weighed 122 pounds and had a chest expansion of 32.5 - 34.5 inches. His complexion was fair with blue eyes complemented by dark brown hair. Apart from learning military ways, Eric was also learning to respond to a new name - his army mates dubbed him "Dick."

Three days before Christmas 1916, the 33rd battalion moved slightly north-west to the village of Steenwerck, where it remained into the new year of 1917. The men were engaged in work parties. The previous two months of winter had been some of the worst on record, with rain, snow and heavy frosts which turned trenches into drains and muddy thoroughfares. Much work was required in maintaining systems of communication and transport of stores, let alone trenches. On the 18th January they moved into trenches in the Houplines sector, working in trench repair and general maintenance as well as routine operations. The first half of 1917 was spent rotating from billets, training or attached to work parties, or to trench duty throughout other areas around Armentieres including L'EpINETTE, Pont Nieppe and Le Touquet. Eric may have been just old enough to vote in his first Australian Commonwealth election when ballot papers were distributed to the men on 24 April 1917. He would have also been pre-occupied with the state of his boots, as by this time, most of the soldiers' boots were rotten owing to standing and working in wet trenches and mud for much of the time. Towards the end of May intensive training began for planned operations around Messines in France and the 33rd's first experience of a major battle. On 7th June 1917 the men prepared for entry into the battle of Messines. Rifles and bayonets were readied; 48 hours of rations issued, 2 Mills grenades each collected, and coloured patches sewn on the reverse of sleeves, as well as a white patch on the back of their tunics. The 3rd Australian Division, of which the 33rd Battalion was a part were to form the main Australian attack force on the Messines ridge.

Shortly after 11 p.m. on June 6th, the men of the 33rd left their billets at Pont de Nieppe to move by four well-marked routes to Ploegsteert Wood, in the valley at the bottom of the ridge that led to

Messines. As they entered the wood the men would have heard German gas shells falling through the remaining stumps of trees in the wood. Preparatory bombing by allied guns had alerted the Germans to a possible attack. During the early hours of 7th June Eric, his brother Bert, and George Goode would have felt the shock waves and heard the tremendous noise as some 19 allied mines were exploded around the villages of Wyschaete and Messines. The 33rd Battalion took up a position on extreme right flanks of the line south of Messines. It was at this point that the most resistance by German troops was felt. During the fighting that day, Bert Wenban was badly injured when a shell was dropped on his position in the line. It can be imagined that Eric was greatly distressed at his brother's injury. He would not see his Bert again until the following year.

After the initial assault on Messines, the 33rd Battalion remained in the line for several days holding their position. It was relieved on 11th June 1917, and moved out for rest and light work until the beginning of July. Throughout that month it was either in support lines at Messines, involved in clearing the battlefield, with work parties on fortifications, or in billets at Neuve Eglise. Finally on 2nd August it moved well away from the area for a lengthy period of rest, or training, with Church parades on Sunday, and occasional games afternoons. With access to fresh vegetables and improved menus, their overall health improved. Eric was promoted to the position of Lance-Corporal on 10 August, which was a further highlight during this period. By the time of their next time in the trenches, Eric would have got used to his new roll. On the last day of September the men returned to front line duty. This time near Ypres in Belgium in the Passchendaele sector. The ground was wet and boggy and it rained. For much of the two weeks spent in the area they were engaged in carrying ammunition and other support work. The mud made the going very hard for the men, so by the time they left the trenches they were needing a clean-up and foot inspection. Throughout November and December of 1917 they moved back to the Armentieres area, alternating between trench line duty at Le Touquet or in billets at Pont de Nieppe or Steenwerck, engaged in work parties. At the end of the the first week of January 1918, Eric left the battalion for England on leave. During this period he was able to visit his brother, Bert, who had been recuperating in England after having an arm amputated as a result of the injuries he received at Messines. The two brothers had a photograph taken, and Eric posted it back to Millthorpe, with a letter describing how he had been able to see his brother off and that it was hard to stay behind and see his brother go home by himself.

Eric returned to France before Bert's departure in February, rejoining his unit on 21 January 1918 which was in billets at Meteren in France. It was mid winter, and the weather very cold, with snow lying about the camp. The day he arrived a regimental band contest was held. The battalion remained at Meteren until the last day of January, and then moved back to the old Messines area in Belgium to the Koretepy Camp near Ploegsteert Wood. All of February was spent in work parties behind the front line and the last week spent in preparing to go back into the line near Messines. The men spent a miserable week in trenches at St. Yves, with rain, snow and under fire by German forces. On the 8th March they were relieved from the line and moved back east to new billets at Bellebrune, well away from the fighting. A fortnight was spent training, with a football game one afternoon and church parades on Sundays. When orders came through that the battalion was to move, with less than a day's notice, Eric and the other men were kept busy packing kit and loading lorries with battalion gear and equipment before leaving camp after 7 pm that night. They moved over 6 days to Corbie on the Somme River, east of Amiens. This included train and foot movements. At Corbie they entered defensive operations along with other battalions of their brigade which had begun to halt a German advance towards Amiens. Their job was to hold bridges around Corbie. The day after arriving, on 29 March 1918, at 7.15 pm, orders were received that the battalion was to move off to Cachy at 8.30 pm. It was reached at 11 pm. Cachy was a village between Villers-Bretonneux and Hangard wood on the west.

The German army had succeeded in forcing back the flank of the Fifth British Army and were approaching Hangard Wood. While the battalion's commanders were being instructed on the advance to the German positions, an officer of a British cavalry unit rode up. He explained that two brigades of the 12th Lancers had been ordered to assist the Australian 9th Brigade in the action. So, when the 33rd Battalion had formed up and begun their forward march, the horses and men of the British mounted units joined in on its right. For Lance-Corporal Eric Wenban of Millthorpe,

N.S.W., it must have been a sight to behold. As the columns began to march across the former French farm lands, the cavalry soon began to draw ahead. The 33rd Battalion diarist later wrote of that day " The battalion started off in great spirits for the scene of action. The battalion had the support of 4 squadrons of cavalry who moved up with them, and it was a " never to be forgotten sight to see the long column of infantry with the cavalry on their right moving up together." The only other troops they encountered were retreating, with news of the overwhelming strength of the German army.

When the cavalry units reached an unnamed wood west of Cachy at about 4 pm, they encountered the first parties of German soldiers. From then it was called Lancer Wood. They succeeded in driving them out of the wood, but it resulted in a concentration of German artillery fire on the area. The 33rd battalion soon after reached Hangard Wood, where the men spread out, and rested, waiting for orders to advance. At 5 o'clock the attack began, being made by three companies of the battalion- about 400 men. Lancer Wood was on their left and Hangard Wood to the right. The men's advance was very fast, but within 200 yards they were able to see the German line which had been established on the summit of a spur in front of them. German machine-guns were mounted on the southern end and they began immediately firing on the advancing Australians. Fifty percent of the men fell, among them 22 year old Lance Corporal Eric Wenban. Eric was killed instantly by a machine gun bullet. It was 30th March 1918. Later, his body was buried at the foot of a hill between the villages of Cachy and Villers- Bretonneux, but sadly not able to be found after the war was over. His name was added to the list of other 33rd Battalion men on the Australian National Memorial near Villers-Bretonneux.

Eric's letter sent from England arrived at Millthorpe a few days later. The next week, on Monday 15th April, Millthorpe's Church of England minister, Rev. R. H. Kelly called on Alpheus Wenban with the cable advising him of Eric's death. As Elizabeth Wenban, Eric's mother, had already travelled to Sydney to meet their son Bert, who was to arrive in port, Alpheus boarded a night train from Millthorpe to Sydney, where he had to deliver the sad news to both Elizabeth and Bert. Without a grave in France, the Wenban's added a small remembrance of Eric's death to the headstone of an infant son who had died in 1899 and was buried in Millthorpe cemetery. Another name was added to the Honor Rolls in Millthorpe. Alpheus Wenban soon after, wrote to the *Glen Innes Examiner* telling the people at Delungra of Eric's death. His name was subsequently added to the Honour Roll hanging in Delungra, and since then on new panels erected in the Delungra Anzac Park, to commemorate the centenary of Gallipoli. The name A. E. Wenban was included after the war on the gates down the road from his old workplace at the Millthorpe Post Office.

In reporting Eric's death to its readers the Orange *Leader* said "He was a great favourite of all who knew him and was highly musical, showing great promise as a violinist. All of his letters from the front were full of hope... The sad news has cast a gloom over the town and it is all the more sad as his brother is expected to land any day." ↵

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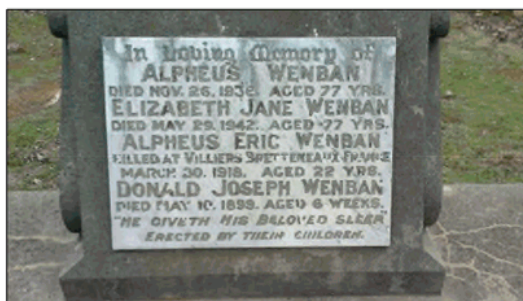
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Left: Inscription on the Australian National Memorial in France... To the Glory of God and in Memory of the Australian Imperial Force in France and Flanders 1916-1918 and of eleven thousand who fell in France and have no known Grave.



Above: Family Headstone Millthorpe Cemetery

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**Private Frederick William Bernard Gainsford**  
**1891 - 1917**  
**Regimental Number: 2159; 54th Battalion, A.I.F.**

**Local Memorials:** Millthorpe Memorial Gates

**Medals:** Victory Medal, British War Medal

Private Frederick William Bernard Gainsford, was the third Frederick William Gainsford to have been associated with Forest Reefs. His grandfather, Frederick William Walter, had arrived in the district around the late 1850s, and by 1872 was established as a butcher, servicing the surrounding mining community. His eldest son, born in Bathurst in 1856, was subsequently named Frederick William John Gainsford. This Frederick later worked as a miner around the wider district, being at Gallymont after his marriage to Elizabeth Hazzard in Orange in 1888. The couple's first child, a daughter, was born in that mining community. These Gainsfords had returned to the Forest Reefs area, by the time of the birth of their second child and first son in 1891. Following family tradition the baby was called Frederick William Bernard Gainsford. This third Frederick was later called either Fred, or probably more often by his nickname "Bun."

Fred was the second of the large family (10 children) born to F W J Gainsford and his wife, Elizabeth - 5 boys and 5 girls. All but one, a daughter, had survived to adulthood. The baby, Mary, had died when Fred was four years old and was buried in Millthorpe Cemetery (Roman Catholic section.) All the Gainsford children attended the Forest Reefs, St. Patrick's Roman Catholic Church and the Convent school which had been established in 1882 just a short distance from the Forest Reefs Hotel. When Fred was about 12 years old when his mother, Elizabeth died in 1903. His widowed grandmother, Lois Gainsford, would have assisted to raise the younger children (the youngest was only 1 year old.) Fred himself would have gained extra responsibility looking after his younger siblings. He later worked as a labourer, possibly with his father as a miner.

Perhaps it was the forthcoming first commemoration of the A. I. F. landing at Gallipoli that gave Fred the incentive to enlist, or the persistence of local recruitment organisations. Whatever the reason he booked his first medical examination with local Millthorpe G.P., Doctor Cribbs on 28 March 1916. The good doctor noted the following details:- Appearance: height: 5 feet 9 1/2 inches; weight: 10 stone 6 pounds; chest-36 inches; complexion - dark; eyes-grey; hair-dark; Distinctive marks: tattoo mark - left forearm; left 2nd finger amputated 12 months ago for sepsis.

It was most likely Dr. Cribbs who had amputated the finger. During February in 1915, a bottle which Fred was uncorking burst in his hand and caused serious injury to two of his fingers partially severing them. It seems that Dr. Cribbs had made an effort to repair the damage but blood poisoning had set in, and in order to prevent the spread of the infection, he amputated the infected finger.

As the need for volunteers was great, and the injury was to his left hand, Fred was later accepted for service when he presented to the A. I. F. Camp, Dubbo, on 17th April to complete formal enlistment procedures. He remained at the Dubbo Camp for a week. He was placed in the 4th Reinforcement of the 54th Battalion and then sent to its training camp at Bathurst, arriving on 26th April 1916, where he remained until shortly before leaving for overseas service. During early July he had final leave at Forest Reefs, and was treated to a send-off given for him and another Forest Reefs local. Michael Madden. The latter was with the 53rd Battalion reinforcements, also training at Bathurst. The send-off took place at Mr. Bendall's Hotel, and was chaired by Mr. W. F. Webster.

Presentations were made and several citizens spoke highly of both soldiers. They were wished every success. Soon after returning to camp in Bathurst, 11-14 July 1916, Fred was admitted to hospital for mild influenza. Just a fortnight before embarking, Fred wrote a letter to his younger sister, Vera (6 Aug 1916), in which he noted that the reinforcements were to go to the Liverpool camp the following week. Also that the weather at Bathurst was cold and that the town and camp had received snow -there was a lot of sickness in camp and nine soldiers had died. The Bathurst camp was later abandoned as its location in the Bathurst Showground with its close proximity to the Macquarie River, meant that it was flooded during heavy rains.

The men probably hoped for drier conditions as they made the trip to the Liverpool camp. After a week at Liverpool, Fred and other 54th battalion reinforcements embarked on the troopship "Boorara" in Sydney Harbour on 19 August 1916. The warmer weather as the ship travelled north of Australia was no doubt appreciated. With so many men aboard the ship, Fred picked up another infection, this time a persistent sore throat, so by the time the "Boorara" arrived at Plymouth in England on 13 October 1916, he may not have been in the best of health. By then the English climate, mid-spring, was already cooling down. The 54th reinforcements had just two months in A.I.F. training camps on the Salisbury Plains before proceeding to France from Folkestone, England on 14 December 1916. By now it was the start of the northern winter, which would have an extremely negative impact on all troops, whether enemy or allied, during the coming months. A day after arriving, Fred and other 54th Reinforcements arrived at the AIF camp at Etaples, France, for further instructions. A week later, 23 December 1916, they marched out to join their unit in the field. Their destination, the 54th Battalion camp at Buire in France. Fred's personnel notes indicated that he arrived on Christmas Eve, 1916, but the battalion's diarist gave Boxing Day as the day. Buire was in the Somme area of France, north-east of the town of Amiens. The battalion diarist noted that the reinforcements, though partially trained were a " fine stamp of men and fully equipped."

After joining the unit, Fred and the others were placed with various companies and platoons, and immediately commenced further drill and training. The rest of December and the first two weeks of January were spent either at Buire or the village of Flesselles (north of Amiens) engaged in training, mostly involving rifles. On 17th January the battalion moved to the Adelaide Camp at Montauban, a village west of Pozieres to prepare for movement towards the front line. After dusk the next day the 54th moved into the Intermediate line in the vicinity of Trones Wood. Once a copse of fine trees it had been reduced to a ruin of stumps. During these six days Fred was introduced to the reality of life in the trenches. The rains of winter had turned most of the western front into a sea of mud, however shortly before the 54th's move to Montauban, the wet weather gave way to bitter frosts. On the day of their move to the line, snow fell, which soon froze, lying on the ground for another month. In the trenches, the ground and trench walls were frozen solid so Fred and the others could at least walk without being sucked into the mud. They were engaged in improving shelters. After dusk on 20th January the battalion moved into the front line where it remained for four days. Tommy cookers were issued - one for each group of four men, so hot food was supplied. Due to the weather there was little hostile activity. The battalion moved back into the intermediate line on 25th January, and the following day marched to camp in Trones Wood, for a brief rest before moving back to camp at Montauban. The rest of January was spent at the Adelaide Camp, at first resting, and then in fatigue parties. Everyday a foot inspection was held, and Fred, with his new mates was soon rubbing whale oil into his feet. The 2nd February the 54th moved back to the transit camp at Trones Wood, to follow the previous routine again. On 7th February it was back on the front line. Enemy machine guns were active and patrols out. The men were stood-to, which involved standing on the fire-step of a trench with rifle at the ready for a possible attack. While in the intermediate line on 16th February, the frost ended and the rains began again. Thick fog kept visibility low and made camps and trenches damp. Cleaning up was hard work. On 22 February 1917, a day of thick fog and light rain, Fred and his battalion were moving back for a short "rest" at the Trones Wood Camp, before returning to Montauban during the afternoon of 24th February. The men once back at camp were engaged on cleaning up the camp and improving the sanitation. For Fred, he was probably already beginning to feel sick, with pain in his abdomen. By the next day, he was seriously unwell and sent to the Field Ambulance, where he remained for a day before being sent on to a Casualty Clearing Station. He was diagnosed with

nephritis. As his condition did not improve, Fred was sent by Ambulance Train on 28 February 1917 for the journey to Boulogne on the French coast where he was admitted on 1st March to the 13th General Hospital. The hospital consisted of a collection of wooden huts that faced the ocean whose patients were admitted for specialist treatment.

Fred was not the only soldier to have been admitted for an illness caused by conditions on the western front. Mud is an agent for bacteria and bacteria caused nephritis, a kidney infection in many soldiers. Trench nephritis had first been diagnosed by army doctors during the spring of 1915. They recognised the link between the disease and conditions of trench life. Sick soldiers experienced abdominal pain, swelling of face or legs, headaches, sore throat and blood in their urine. Despite its diagnosis, no real treatment was forthcoming for the condition, because no agreement could be reached by medical authorities as to its cause. The focus was on the damaged organ, not the bacteria that was responsible. The condition was treated with bed rest, a milk diet, and administration of weak diuretics. This response was generally ineffective, and sadly proved true for Private Frederick Gainsford. Initial treatment promised well and he sent a postcard home (6 March 1917) to his sister Angela after receiving a package of mail. He wrote "as this leaves me getting on quite well I have been in the hospital about a week." Towards the end of the note he added "I have been in the trenches four times." Sadly, Fred's immune system had not been able to cope with those four times in the trenches - perhaps the seeds had already been sown during training in the Bathurst Camp the previous year. Almost a year to the day since enlisting, Fred "Bun" Gainsford, almost 26, died in the 13th General Hospital at Boulogne in France on 13 April 1917- cause of death - disease. He was buried in the Boulogne East Cemetery by Rev. A. J. Adams A.A.C.

When news of Fred's death reached Forest Reefs details were sketchy as to its cause, The *Leader* wrote " Great sympathy is expressed, as the young man was widely known and respected." Fred's father later received a package of Fred's belongings, among which was a wristlet watch and rosary, perhaps both gifts by members of the Forest Reefs community given at his send-off just over a year previously.

Soon after receiving news of his death, the Gainsford family arranged to have some verse included in the Roll of Honour column of the Sydney Morning Herald published on 24 April 1917. In three sections the verse read:

*Somewhere in France he is lying,  
My dear son, so young and so brave,  
Far away from the land of his birth,  
With no loved ones to weep o'er his grave.*

*-  
You answered the call of your country,  
But the voice of the cable tells  
That a dauntless lad in a khaki suit  
Has died for us all in France.  
We mourn your loss, but your actions  
Sweet balm to your loved ones bring,  
For he's ever a hero -  
The man who dies for country, God, and king.*

*-  
Oh, why was he taken, so young and so fair,  
When this world held far more it could better spare.  
God bless the grave where our dear boy lives,  
Far away from his home,  
"neath French foreign skies.*

Towards the end of the year, Vera Gainsford, one of Fred's sisters gave to the Forest Reefs St. Patrick's church, a life size marble statue of the Virgin Mary - a memorial statue to the memory of her brother, Private Frederick "Bun" William Bernard Gainsford.

Fred's father, Frederick William John Gainsford, remained at Forest Reefs till shortly before his death when he moved to Sydney to live with his eldest daughter, Emily McKenzie at Lidcombe. He

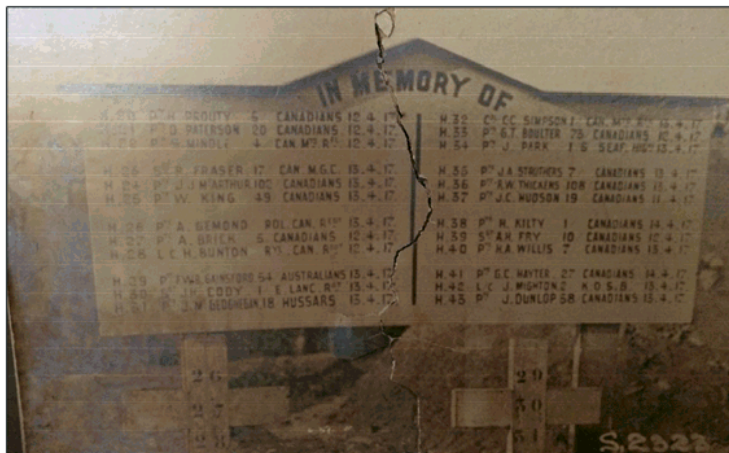


died there on 20 October 1922 and was subsequently buried in Millthorpe Cemetery with his wife, Elizabeth, and child, Mary Dorothy.☹



Left: Boulogne Eastern Cemetery. Headstones lay flat due to the sandy nature of the soil.

Below: Photo of an early memorial board listing Frederick Gainsford's name below left. A similar photo was sent to his family at Forest Reefs.



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**Richard Oswald Rapley**

**1897 - 1916**

**Ordinary Seaman  
on HMAS Encounter  
and  
as Private William Stevens  
Regimental Number: 114;  
8th Machine Gun Company A.I.F.**

**Local Memorial:** Millthorpe War Memorial, Redmond Oval

**Medals:** Victory Medal, British War Medal

The Rapley family had been living around the Forest Reefs area for some 25 years, when Richard Oswald Rapley was born on 15 May 1897 at his parents' property, "Fairview," Forest Reefs. The infant was the third son, and third child of Henry James and Elizabeth Rapley (nee Steven). Eventually

the couple had another 6 children, with the youngest being born in 1916. By the time of Richard's birth an older brother had already died, at the age of 9 months.

Richard attended school at Forest Reefs, and after completing school at the age of 14, he spent about a year working on the family farm. About this time newspaper advertisements began to appear in both Sydney and local papers giving information on "How to Join the Australian Navy." The Orange *Leader* newspaper received a brochure including photographs of navy ships and also incidents in the life of navy trainees. It gave information on rates of pay, as well as praising the advantages to be received by joining the navy. It is likely that one such notice was read by Richard, who may have thought an adventurous life at sea would have been better than farm work at home. With three brother, the teenager probably saw more opportunity by enlisting in the navy. So Richard, after first passing a strict medical examination, enlisted in the navy. Date of entry was recorded as 27 March 1913. It was noted that he was 5 feet 3 & 3/8 inches tall, had brown hair and light brown eyes, with a medium complexion. Once enlisted Richard was expected to serve for a period of 7 years. On boarding the navy training ship "H.M.A. S. Tingira" moored at Rose Bay in Sydney, he was just two months short of his 16th birthday.

The "Tingira" was originally built as a clipper sailing ship in Scotland, originally called the "Sobraon," and had sailed for 24 years between England and Australia as a passenger vessel before being purchased by the NSW Government in 1891 to be used as a floating reformatory for boys. After Federation in 1901, the naval forces were transferred to the control of the Commonwealth Government. In 1910 the Naval Defence Act was passed which established the "Royal Australian Navy." During this year the government purchased the "Sobraon" and after an extensive re-fit it was re-named "Tingira." It became the training ship for the Australian Navy.

Richard spent 15 months aboard the "Tingira," first, with the lowly rank of Boy II and then from May, 1914, he was promoted to Boy I. He learnt the basics of navy rules, regulations and discipline, as well as ship routine and maintenance. Much of the work was menial, far from the glamour promised by newspaper advertisements. However, occasionally routine was offset by

participating in events off shore, or sights on the Sydney Harbour. On Saturday, 4 October 1913, the first "fleet unit" of the Australian navy steamed into Sydney Harbour, with many sightseers boating out to meet them. No doubt the "Tingira" boys were lined up along its rails eagerly watching the proceedings. Early in April 1914 the "Tingira" boys held their annual athletics meeting at Lyne Park, situated on the foreshore at Rose Bay. The event was attended by the State Governor Lord Strickland and his wife, with a number of Government House staff. The Royal Australian Navy chief, Admiral Patey, was also there with his wife. The band from the navy ship "Australia" entertained during the day. Refreshments were served in marquees, while various races and athletic events were held. Richard was later noted as coming third in the "throwing cricket ball" competition.

Shortly before Richard had boarded the "Tingira" in 1913, an outbreak of the infectious disease diphtheria among the trainees, had caused some concern. The disease presented itself again shortly before Richard completed his training with the other recruits. Early in May 1914 some of the boys were hospitalised, and some officers, detected as "carriers," sent home. It is not known whether Richard was affected. The *Evening News* (6 May 1914) reported " About 20 boys have completed their initial training, and in a few days will be due for distribution among the ships of the fleet ... The majority of the boys are being sent to the cruiser Encounter. The captain of that ship is known to have shown concern over the matter, and has stipulated that he will not feel justified in receiving any boy on board his ship from the Tingira who has not been specially tested and treated before or after leaving the ship."

Despite the disease, Boy I, Richard Oswald Rapley, boarded the H. M. A. S. Encounter on 11 May 1914, to continue his naval career. His reports from the "Tingira" had been positive, noting his very good character and satisfactory ability. His new ship, the "Encounter" was a Challenger Class light cruiser, and was powered by steam, using coal to heat the boilers. The month after joining its ranks, Richard helped to dress the cruiser for the King's Birthday celebrations, flags and coloured bunting were attached to various points of the deck. The following month, Australia's first two submarines, AE 1 and AE 2, arrived in Sydney Harbour - no doubt the boys were allowed to view their passage down the harbour. During these early days, the new members of the crew, including Richard, would also have been vaccinated for various diseases, including small pox. These left large marks on the skin of his left arm.

During mid-July, the Encounter left Sydney Harbour with the Australian Squadron for its routine winter cruise to Queensland waters. Richard and his ex-Tingira companions were just settling into life at sea, when news was received of the imminent declaration of war against Germany. All ships were ordered to return to their bases, so the Encounter sailed back to Sydney as quickly as possible for repairs and maintenance, so that it would be ready for whatever situation arose. War was declared against Germany on 4 August 1914. The Encounter sailed two days later, bound for the waters around New Guinea, and the islands that were part of the German colony, known as German New Guinea. It was to link up with other Australian navy vessels. On arrival it began patrolling near the German island of New Britain looking for enemy warships - two German warships were known to have been operating in the area. On 12 August, the ship's lookout reported smoke on the horizon, and the crew was ordered to action stations. By this time Richard had been promoted to the rank of Ordinary Seaman II, and was concerned with deck duties, including operation of the ship's guns. His mother, when writing to military officials on 9 November 1916, stated that while serving on the Encounter, he was "taking the light of the guns."

The reported smoke turned out to be a British steamer, "Zambesi," which had been commandeered by the German Administrator of Nauru. An "Encounter" boarding party brought the ship back under allied control. Soon after this action, the "Encounter" sailed to Port Moresby for coaling. Most likely this job was not to Richard's taste. All hands were employed bringing coal on board in baskets, which was then tipped down the hatches on the upper deck. The ship and men became covered in coal dust in the process. It took several days of cleaning to restore body and ship to pre-coaling standards. Towards the end of August the ship had moved to a position off Palm Island to meet up with HMAS Sydney and the troopships "Berrima" and "Kanowna" which were carrying Australian military units charged with taking over German New Guinea. By this time

it was late August. The "Australia" was sent away on escort duty, with the "Encounter" remaining as protection for the troopships. After the return of HMAS Australia, on 2nd September, all of the ships were sent to Port Moresby to replenish coal and oil supplies. There they were joined by HMAS Australia, the two submarines AE1 & 2, and the navy ships, "Warrego" and "Yarra." Five days later the navy convoy sailed on to the island of New Britain. Encounter remained there with the submarines and two colliers, while the "Australia" and "Berrima" went on to Rabaul. On 11 September it joined these two ships near Cape Gazelle, and all three then moved to a position south of Rabaul where naval reservists and soldiers of the expeditionary force were landed to seize the German wireless station. "Encounter" remained on protection duty. The next day its seamen landed a 12 pounder gun and machine gun with crews to assist with the occupation of Rabaul. Two days later, the ship, which had been tasked to support the Australian troops, began shelling ridges behind the town, to "encourage" German surrender. This was Richard's first real initiation into war. After the surrender of German colonists and troops, the "Encounter" was then employed in searching for the missing submarine, AE 1, which had failed to return from a patrol. The search failed to locate the vessel. (Its wreck was eventually found over 100 year later, in December 2017, off the Duke of York island group, east of Rabaul.)

After this mission HMAS Encounter spent the remainder of September 1914 and the first couple of days of October in assisting troops to seize other German settlements on the New Guinea coast. On 3rd October it returned to Rabaul. After refuelling it then sailed as escort to a convoy of navy and merchant ships, as well as the submarine, AE 2, bound for Suva in the Fiji islands, where they were to seize other German colonies in the South Pacific. The convoy arrived on 15th October, with the "Encounter" towing the AE 2, which had experienced engine problems during the voyage. While in Suva, the crew captured a German schooner, and took possession of a German residency on an outlying island. After completing its task, the "Encounter" returned to its Sydney base. For the rest of 1914, and the first half of 1915, it remained moored at Garden Island where it was stripped and re-fitted for future service.

Ordinary Seaman Richard Rapley soon found this shore-bound life to be sadly lacking in excitement, as did some other young men from the Encounter's crew. According to his navy file, Richard Oswald Rapley of Forest Reefs, N.S.W., "ran" on Friday, 28 June 1915. In other words he deserted. The next month, the NSW Police Gazette carried descriptions of "Deserters from His Majesty's Service." Richard's name was included with that of five other young men, ranging in age from 18 - 22 years, who had left the ship on the same day. No doubt the local police visited the Rapley property at Forest Reefs, seeking to apprehend the young men. Whether the family knew of his intentions at the time is not certain, however, they may have been aware of his restlessness. Just a month after the ship had returned to Sydney, the Orange *Leader* reported on a send-off at Forest Reefs for Sgt. Tom Sevier who was leaving to join the A.I.F. One of Richard's brothers, in speaking to the gathering, was quoted - "I have a brother serving in the Encounter now doing duty in the Pacific, and I glory in it, feeling proud as well to witness this befitting occasion." These sentiments were endorsed by others in attendance. With such patriotic sentiment, it can be imagined that the Rapleys were quite upset by their son's desertion.

According to Elizabeth Rapley's later testimony, Richard "wished to go to the war and of course the vessel that he was on could not go so far as that so he left it with some more boys." The same day that he "ran," 28 June 1915, under the assumed name of "William Stevens" (Stevens was his mother's maiden name) Richard turned up at the Liverpool Army Camp. With a new identity, the young man signed the oath promising to serve in the A.I.F. The next day it was approved by an army lieutenant. The medical exam was completed, with "William" giving his age as 21 years and 6 months. His measurements taken by army doctor, noted some changes in his appearance - height: 5 feet 4 3/4 inches; weight: 133 lbs; chest 31-34 1/2 inches; fresh complexion; brown eyes; fair hair; and he was Church of England. Perhaps it was the vaccination marks that aroused suspicion, or the list of navy deserters being circulated amongst army authorities that found him out, but on 9th July 1915, Richard was discharged from the army as a deserter. Not to be deterred, the teenager boarded a train bound for Queensland, and three days later joined the enlistment queue in Brisbane, where, after passing another medical, he was accepted into the A.I.F. As William Stevens he was placed with the 31st Battalion Machine Gun Section training first at its Enoggera

Camp and then sent to the Broadmeadows Camp in Victoria. On 9th November 1915, with the other recruits he boarded the troopship "Wandilla" at Melbourne for the voyage to Egypt. Having already spent seven months at sea on the "Encounter," sea-sickness would not have been a problem for the young man.

The men disembarked at Suez on 7 December 1915 and moved to their base at Ferry Post on the Suez Canal. Here more training was carried out, and Private William Stevens became proficient with the operation and maintenance of the unit's weapon - the Vickers Medium Machine Gun. A crew of three was assigned to each gun, and it was sited in a prepared fixed position, as it was not easily moved around. On 9th March 1916, Richard was transferred to the 8th Machine Gun Company. From then on he and the other gunners were attached to the 8th Brigade, 5th Division, A.I.F. Just over a month later, on 16 June 1916, the men embarked at Alexandria on the ship "Tunisian" for the journey to France, where they disembarked at Marseilles on 23 June. The next day they entrained for the frontline area near the border with Belgium. Two days later their trip ended on the very wet platform at Steenbecque, where it was raining heavily. By the time the company had marched to billets at Morbecque, the men were soaked. After drying out and resting, two days later the brigade was inspected by General Birdwood. The men remained in billets for the first week of July and were trained in the use of gas masks, and introduced to the French countryside. On 8th July the brigade moved to billets at Estaires, and the next day to Erquinghem, west of Armentieres. The next day the 5th brigade moved into trenches at Bois Grenier to relieve the 4th Aust. Brigade. The machine gunners were split up - 6 guns in the front line, 4 in support and 6 in reserve. After four days on the line, the brigade was relieved and moved west back to billets at Fleurbaix. About this time plans were being finalised for a diversionary assault on German lines near the village of Fromelles. On 17th July 1916 the machine gun company moved into support lines at a position known as Eaton Hall. As part of the 5th Australian Division the machine gun company was to play a role as reserve battalion in the planned assault. A heavy bombardment of German lines on 19th July 1916 signified the beginning of the action, however, the German troops were prepared, and stationed with their own machine guns waiting in strong defensive positions. Many Australians died or were taken prisoner. Despite reaching German lines, they were cut down by German machine guns. Richard's own 8th Machine Gun Company was successful in reaching the German 2nd line, but had to be withdrawn. It was later reported that many of the men of the 8th Brigade were so totally unnerved by operation that they were unfitted for any future resistance. However, their machine gunners had been able to cover the retreat of many of the men. By the end of the second day the men were being organised to collect as many dead and injured fellow Australians as possible from the countryside near Fromelles. Charles Bean later writes that "the 5th Australian brigade was crippled by the fight at Fromelles." For Richard Rapley the rest of his war was spent in positions around Fromelles, strafing German positions as required or supporting raids on enemy trenches. The focus was on maintaining the allied line. There were only brief spells in billets during this period. By the end of August, however, the 8th Machine Gun Company had moved back for some rest to Fleurbaix, where on 3rd September all the men were presented with a ribbon for their action at Fromelles on 19/20 July.

The next day, 4th September 1916, some of the gun crews were back in either front line or support line positions, to be employed in strafing enemy posts or working parties, or in support of an occasional raid on enemy positions. The front line was now much quieter since the failure of the Fromelles offensive, so much so that on 8th September the construction of concrete dugouts in the support trenches was begun under the guidance of engineers. A week later, on Saturday, 16th September 1916, their machine guns were used in support of a 30th Battalion raid. Charles Bean described the action as follows ... *Sept. 16. A party of the 30th Battalion (8th Brigade) entered the German trenches near The Tadpole, drove the enemy back by bombing, and captured two men of the 20th Bavarian R.I.R. One Australian was killed and three were wounded; twelve German dead were counted. At 11 p.m. that evening, the diarist of the 8th Machine Gun Company wrote ... 30th Battalion Raid on enemy trenches, 2 live prisoners taken, our casualties, 1 machine gunner killed.*

The dead machine gunner was Private William Stevens, only 19 years old, known to his Forest Reefs family as Richard Oswald Rapley, former Ordinary Seaman on HMAS Encounter. As William Stevens, the former machine gunner was buried in the Eaton Hall Cemetery by Rev. S. W.

Beveridge. The cemetery was attached to a dressing station, which had been given the grand title of Eaton Hall. When news was received at home in Forest Reefs, Elizabeth Rapley had to convince army officials that Private William Stevens was in reality, Richard Oswald Rapley, so on Monday, 30th October she travelled into Blayney to see Blayney jeweller, and J.P., W. J. Barratt to make a Statutory Declaration as to his identity. Eventually after sending in the declaration and two letter, the military officials begrudgingly wrote back on 20th November, stating that the army would therefore amend its records to state " No. 114 Private W. Stevens (stated to be Richard Oswald RAPLEY." When a headstone was eventually placed above his grave in the cemetery near Fleurbaix, later re-named as Rue Petillon Military Cemetery, it was under the name of *R.O Rapley Served as 114 Private W. Stevens*. No inscription was ever recorded on the headstone. Back home in Millthorpe his name was not listed on the memorial gates, or recorded in any other way until a new memorial was unveiled in the grounds of Redmond Oval on 8th November 2008. Though his family was deeply distressed by Richard's death, perhaps the stigma of his earlier desertion could not be overcome, even by his death.

Twelve months later, the family placed a memorial in the Orange *Leader* under the heading "Roll of Honor". It read...

*RAPLEY, - Killed in action in France, September 16, 1916, Private Richard Oswald Rapley, in his 19th year, dearly beloved son of Mr. and Mrs. H. J. Rapley of Forest Reefs. Also his comrade James Victor Winchington, killed July 20th, 1917.*

*They fought like heroes in deadly strife  
For King and country they gave their young lives,  
Somewhere in France they now lie those heroes brave.  
Little we thought when we parted last it was our last farewell.  
- Inserted by sorrowing mother, father, sisters and brothers.*

*May they rest in peace.☞*

NB. James Victor Winchington has not been identified.



Left: Entrance to Rue Petillon Cemetery, Fleurbaix, France



Right: Richard Rapley's grave in Rue Petillon Cemetery.

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**Acknowledgements:**

- Golden Memories Museum, Millthorpe
- Millthorpe Public School
- Rue Petillon Cemetery photographs - Gwenda Stanbridge





## **Strategic Recycling Plan (2018 – 2023)**

*Comprising an Action Plan underpinned by a Technical Strategy*

**VISION: “To deliver on-going, sustainable dry recycling services for our region”**



**Wright Corporate Strategy September 2018**



| <b>DATE</b>                                              | <b>VERSION</b> | <b>REVIEWED BY:</b>                 | <b>PREPARED BY:</b>   |
|----------------------------------------------------------|----------------|-------------------------------------|-----------------------|
| 27 <sup>th</sup> August                                  | Draft 1        |                                     | Jonathan Beckett, WCS |
| 28 <sup>th</sup> August – 3 <sup>rd</sup> September 2018 | Draft 1        | NetWaste Executive and Project Team |                       |
| 4 <sup>th</sup> September 2018                           | Final          |                                     | Jonathan Beckett, WCS |

## **ACRONYMS**

AA: Action Areas (of the Strategic Recycling Plan)

BAU: Business-as-usual (in relation to current regional dry recycling services)

CDS: Container Deposit Scheme (of NSW)

CRC: Community Recycling Centre (of a Council)

CSP: Community Strategic Plan (of a Council)

DWMC: Domestic Waste Management Charge (of a Council)

DRY RECYCLING: Post- consumer packaging and materials such as paperboards, plastic containers and aluminium cans which are collected from the kerbside and at self-haul centres, and then sorted at a Material Recovery/Recycling Facility (MRF)

EPA: Environment Protection Authority (of NSW)

EfW: Energy from Waste

HDPE: High Density Polyethylene

LGA: Local Government Area

LGNSW: Local Government NSW

MRF: Materials Recovery/Recycling Facility

MCA: Multi Criteria Analysis (of Options to create Actions)

OLG: Office of Local Government (NSW)

RENEW: Regional Network for Effective Waste management (of NSW)

RRF: Recycling Relief Fund (of NSW)

RVM: Reverse Vending Machines (of the CDS)

WTO: World Trade Organisation

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## **Project Executive Summary**

Participating NetWaste Councils requested a Strategic Recycling Plan to both provide guidance for sustainability of regional dry recycling services and access state financial assistance due to recent market increases in contracted processing services. The Plan's development process was both a cooperative and integrated one, with participating Councils meeting twice in workshops to discuss concepts and provide guiding feedback into the Plan's development. The perspective taken was one of working through the current downturn associated with *China Sword*; taking action over a five year period to become more resilient and adaptable to future change by becoming less of a "price taker" for recycling services.

This Strategic Recycling Plan document (*the Plan*) was developed with close, active cooperation from the NetWaste Project Team, taking into account prevailing policy and market conditions, as well as feedback from broader stakeholder groups. It essentially comprises an Action Plan followed by a Technical Strategy document setting both the context and providing the content for the Plan. It is recommended that the Strategic Recycling Plan now be integrated within the existing Regional Waste Strategy.

The Action Plan is provided immediately following the Executive Summary. It was developed from the content of the technical document which immediately follows. It provides five areas for NetWaste to take action (Action Areas), each comprising a number of specific Actions with details. A timeline for each Action within the five year project period was created on the basis of outcomes from a multi-criteria analysis.

The Project Team's appetite within this project was for positive change to dry recycling services, thinking laterally, and as far as possible, moving away from the conventional linear approach to resource recovery within the Waste Hierarchy towards a Circular Economy approach where resources are retained within a higher-order use. This approach encourages further organic development of "regional recycling hubs" on the basis of competitive advantages within the region, also developing niche processing capabilities and reuse markets for recyclates built on quality and reliability of supply.

While Local Government has a very specific role to play in delivering the Plan, much is contingent on the actions and support provided by both State and Federal Governments.



## Action Plan

**VISION: "To deliver on-going, sustainable dry recycling services for our region"**



Wright Corporate Strategy September 2018

Timelines for delivery of Actions were developed from the following:

- Short-term (<12 months)
- Medium-term (between 1 and 3 years)
- Long-term (between 3 and 5 years)

| <b>ACTION AREA 1</b>                                         |                               | <b><i>Achieve greater regional independence and adaptability through a more unified approach</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Action</b>                                                | <b>Timeframe for delivery</b> | <b>Action In Detail</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| A) <i>Strengthen regional collaboration</i>                  | Short Term                    | <p>A1. Facilitate involvement of all NetWaste Councils with the Strategic Recycling Plan</p> <p>A2. Seek written support for Strategic Recycling Plan from regional Joint Organisations, advocating its intention for NetWaste Councils to become more strategic and less reactive, turning their current position into one of future greater market leverage rather than being “price takers”</p> <p>A3. Integrate the Strategic Recycling Plan into the existing Regional Waste Strategy</p>                                                                                                                                                                                                                                                                                                                                                                |
| B) <i>Review options for innovative services contracting</i> | Short Term                    | <p>B1. Maintain a close watching brief on changes to the EPA’s model contracts</p> <p>B2. Seek market appetite for greater flexibility in future contracts to better manage within the contract period: changing commercial markets for recyclates, changing domestic preferences for materials to be recycled, successes of local recycling programs and on-going initiatives to increase diversion of waste from landfill</p> <p>B3. Assess Councils’ appetite for split future contracts for collection and processing services</p> <p>B4. Assess options for future short-term processing contracts</p> <p>B5. Develop specifications for regional contracts to facilitate greater transparency of markets for recyclates and prices paid</p> <p>B6. Seek legal opinion to detach collections from processing within existing commercial arrangements</p> |
| C) <i>Review successes of other RENEW waste group</i>        | Medium Term                   | <p>C1. Review successful programs within regions of RENEW members, seeking to utilise existing resource material where freely available</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

| <b>ACTION AREA 1 Continued</b>                                         |                               |                                                                                                                                                                                                                                                                 |
|------------------------------------------------------------------------|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Action</b>                                                          | <b>Timeframe for delivery</b> | <b>Action In Detail</b>                                                                                                                                                                                                                                         |
| D) <i>Ensure long-term resourcing for the Strategic Recycling Plan</i> | Short Term                    | D1. Investigate options and seek regional agreement on preferred method to raise capital and provide human resources to deliver Actions within the Strategic Recycling Plan, including possible grant funding and policy support from state government agencies |



| <b>ACTION AREA 2</b>                                                          |                               | <b><i>Assist and support development of greater regional processing capabilities and product reuse</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Action</b>                                                                 | <b>Timeframe for delivery</b> | <b>Action In Detail</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| A) <i>Identify and strengthen regional processing hubs</i>                    | Short Term                    | <p>A1. Encourage development of new trading relationships for local recyclates built on trust, quality and local processing innovation, using this as leverage for strengthening regional MRFs and developing their capacity as appropriate</p> <p>A2. Review regional predominance of problem wastes, seeking to develop local processing solutions</p> <p>A3. Review options for regional hubs in line with existing competitive advantage: such as existing infrastructure, size and scale supported by adjacent Councils, local experience and capability, transport networks within and out of the region</p>                                                                                                                                                        |
| B) <i>Encourage and support development of innovative regional processing</i> | Short Term                    | <p>B1. Develop and encourage sub-regional processing capabilities to manage low value and/or problematic recycling streams (such as soiled paper/cardboard for composting and glass crushing for engineering applications)</p> <p>B2. Make application to the EPA to revise downwards analytical requirements for the Recovered Glass Sand RRO and RRE, or prepare application for own Specific regional RRO and RRE to support substantially greater regional reuse of collected glass</p> <p>B3. Develop a Regional Infrastructure Plan to support concerted regional development in areas of a local competitive advantage</p> <p>B4. Encourage and support development of innovative processing to strengthen niche markets for recyclates and secondary products</p> |
| C) <i>Develop Council purchasing policies</i>                                 | Medium Term                   | <p>C1. Develop local purchasing policy for NetWaste member Councils supporting purchase of recycled materials and products with higher recycled content</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

| <b>ACTION AREA 3</b>                                                               |                               | <b><i>Ensure financial viability of dry recycling services</i></b>                                                                                                                                                                      |
|------------------------------------------------------------------------------------|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Action</b>                                                                      | <b>Timeframe for delivery</b> | <b>Action In Detail</b>                                                                                                                                                                                                                 |
| A) <i>Review and redefine regional “dry recycling” and “contamination”</i>         | Short Term                    | A1. Review and redefine regional “dry recycling” and “contamination”, assessing the cost/benefit of both widening and narrowing the range of materials/packaging collected under scenario modelling on the basis of kerbside audit data |
| B) <i>Review collection methods for recyclables</i>                                | Short Term                    | B1. Review collection methods for recyclables outside of the EPA’s preferred systems, concentrating on options to increase source separation and reduce breakage/destruction of materials during collection                             |
| C) <i>Review practical options to sort and reuse low-value recyclables locally</i> | Short Term                    | C1. Review practical, sustainable options within current arrangements to separate low-value and/or heavy materials locally from processing streams destined for out-of-region                                                           |
| D) <i>Develop a regional brand for collected recycling</i>                         | Long Term                     | D1. Support the region’s reputation for clean recycling, developing a regional brand for collected recycling and becoming a supplier of choice to processors and markets                                                                |
| E) <i>Review impact of Return and Earn CDS program</i>                             | Full Term*                    | E1. Seek continual update of data from Return and Earn, assessing impact on dry recycling collections                                                                                                                                   |
| F) <i>Review DWMCs</i>                                                             | Medium Term                   | F1. Review Domestic Waste Management Charges and sustainability to adsorb further processing fee increases in light of long-term delivery of financially sustainable services                                                           |
| G) <i>Analyse regional service agreements</i>                                      | Short Term                    | G1. Review and assess relative merits of the 4 regional collection and processing arrangements, encouraging greater development of preferred model for future agreements                                                                |

*\*Immediate and ongoing Action over the full five year term of the Strategic Recycling Plan*

| <b>ACTION AREA 4</b>                                                          |                               | <b><i>Provide higher quality, less contaminated products and materials for recycling</i></b>                                                                                                                                           |
|-------------------------------------------------------------------------------|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Action</b>                                                                 | <b>Timeframe for delivery</b> | <b>Action In Detail</b>                                                                                                                                                                                                                |
| A) <i>Evaluate the quality of public place and event recycling regionally</i> | Long Term                     | A1. Audit the quality of public and event recycling, taking action to protect and improve the quality of domestic and drop-off collections (the quality of materials in the recycling bin is considered to be a principle opportunity) |
| B) <i>Review regional kerbside audit data</i>                                 | Full Term*                    | B1. Analyse the wide variation in kerbside audit data for dry recycling across the region, taking steps to undertake further investigations to guide future contracting services                                                       |

*\*Immediate and ongoing Action over the full five year term of the Strategic Recycling Plan*

| <b>ACTION AREA 5</b>                                                                       |                               | <b><i>Develop greater community ownership and understanding of sustainable dry recycling</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Action</b>                                                                              | <b>Timeframe for delivery</b> | <b>Action In Detail</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| A) <i>Further develop community awareness and education</i>                                | Full Term*                    | <p>A1. Assist the NetWaste Education Officer and Envirocom develop and align the 2019/20 regional Education Plan with the Strategic Recycling Plan</p> <p>A2. Actively engage communities to improve both the quantity and quality of dry recycling presented at the kerbside, minimising “leakage” and “contamination” issues</p> <p>A3. Develop education initiatives to counter-act negative community perception of current recycling situation and possible reduction in supply of clean recyclables</p> <p>A4. Agree on regional branding for kerbside bins, making clearer the fate of the contents of each, also providing specific guidance for materials and packaging types to be recycled</p> |
| B) <i>Encourage greater Council support and involvement in local education initiatives</i> | Long Term                     | B1. Encourage Councils to support “grassroots” Education Plan initiatives                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| C) <i>Encourage greater consumer consideration of purchasing decisions</i>                 | Long Term                     | C1. Develop the Education Plan to provide the community with a much better understanding of the impacts of packaging on dry recycling quality, particularly those which are grouped as “low quality mixed plastics”                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

*\*Immediate and ongoing Action over the full five year term of the Strategic Recycling Plan*



## Technical Strategy

**VISION: "To deliver on-going, sustainable dry recycling services for our region"**



**Wright Corporate Strategy September 2018**

## 1. Introduction

Dry recycling in NSW is threatened by the recent collapse of markets for collected materials<sup>1</sup>. Essentially this has been the result of very significant reductions in importation quotas of mixed recyclables for processing by the world's largest processor of such materials, China, causing local market issues of local oversupply and price collapse. The result has been a reduction in commodity prices for all grades of recyclates, not just the lower grades.

The genesis of this collapse goes back to February 2013, when China launched a broader customs program, *Operation Green Fence*, cracking down on importation of materials and products into the country. China is considered to have imported around half of the world's recovered paper and fibre and plastic scrap for recycling, totalling an estimated US\$18 Billion in 2016. Four years later *National Sword (China Sword)* was announced, including:

- A reduction in import quotas for "recycling scrap"<sup>2</sup>
- Additional enforcement on polluting facilities in China<sup>3</sup>
- An intent filed to the World Trade Organisation (WTO) in July 2017 to ban twenty four varieties of solid waste and recyclables or "foreign garbage"<sup>4</sup>

Since July 2017, recycling commodity prices have plummeted as a result of market over-supply of recyclates unable to meet the "unattainable" contamination limits in place by China. The short time frame between announcement of the policy and its action has compounded issues of lack of alternative markets, current contamination rates and limited reprocessing options within Australia. Materials Recovery/Recycling Facilities (MRFs) are now considered to be facing extreme financial pressure at current commodity and gate fees. Reports exist of some inter-state collection contractors being forced to landfill recycling because of the financial impacts of *China Sword*<sup>5</sup>. The current situation clearly demonstrates the inherent issues of heavily relying on off-shore processing and markets.

To compound issues further, the market for recycled glass in Australia has also fallen with the importation of much cheaper finished glass products. The recent introduction in NSW of the Container Deposit Scheme (CDS) has been claimed to have also impacted the financial model of MRFs by removing some of the higher value materials, such as high density polyethylene (HDPE) plastics and aluminium cans, from source collection material.

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<sup>1</sup> Dry recycling refers to recyclable materials received via kerbside collection and drop-off under current contract or practice. Material types include paper, cardboard, glass, metal and plastic materials, including product packaging that is compatible with existing recycling facilities and systems

<sup>2</sup> An initial reduction in permissible scrap contamination levels to 0.3% in July 2017 was softened to 0.5% in November

<sup>3</sup> 65% of 1,700 enterprises were reported as non-compliant within recent government investigations (ISRI-CPIA China Sword Workshop October 2017). Information regarding the fate of plastic scrap received in China has been described as "sketchy", with very considerable proportions recycled under hazardous conditions, diverted to low-tech incinerators or ending up in the ocean (Will China's crackdown on 'foreign garbage' force wealthy countries to recycle more of their own waste? University of California, December 2017)

<sup>4</sup> Including various types of post-consumer plastic, unsorted paper and complex metals

<sup>5</sup> The Age, June 15 2018

The NSW EPA has identified a number of risks<sup>6</sup> for NSW, including:

- Economic (loss of employment within the recycling industry and a likely increase in Council domestic waste management charges to ratepayers to meet increased processing costs)
- Environmental (more rapidly filling landfills as markets for mixed paper and plastics disappear, as well as concerns for possible illegal dumping)
- Social (a loss in ratepayer confidence and support of long-established kerbside recycling practices)

The NSW Government has established a number of Working Groups<sup>7</sup> to combat the issues now facing public and private sectors of the industry alike. These include an Inter-Governmental Taskforce, comprising the NSW Environment Protection Authority (EPA) and 10 other state government agencies, to progress long-term responses to China's *National Sword* policy and strengthen recycling in NSW. The EPA has made available a \$2.5 Million Recycling Relief Fund (RRF) providing temporary relief to NSW local Councils outside the waste levy paying area to "offset increased recycling costs associated with China's *National Sword* policy and to support the ongoing delivery of recycling services". Indeed, NetWaste reports its Councils supplying the Visy MRF in Smithfield are on the point of signing an agreement to pay an extra \$60/T for processing dry recycling as a result of the market downturn, back-dated to March 15<sup>th</sup> 2018. The term for this increase is not fixed, but on-going month by month.

The objectives of the relief funding are to:

- Temporarily off-set some of the extra costs associated with recycling services
- Support ongoing kerbside and drop-off recycling services
- Support development/transitioning of recycling collection contracts towards increased transparency of price/market sensitivity and risk sharing
- Support development of strategy to both improve the quality and volume of recyclable materials collected, and their reuse

The RRF however is temporary only, and to secure funding, eligible Councils and voluntary waste groups need to prepare a Strategic Plan for dry recycling by 30 September 2018. Plans are to demonstrate strategic actions at the voluntary waste group and Council level to assist continued delivery of dry recycling services during the downturn in commodity market prices and increases in MRF processing charges.

While Local Government has a very specific role to play in delivering individual Strategic Plans, much is contingent on the actions and support provided by both State and Federal Governments.

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<sup>6</sup> China National Sword: Working towards a more resilient recycling industry, NSW EPA 2018

<sup>7</sup> Other working groups include a Procurement, Circular Economy and Inter-jurisdictional Engagement, Recycling Facilities Approval Streamlining, Long-Term Solution and Business Case and Model Contracts and Negotiation Support groups. These inform Industry and Local Council Reference Groups, of which NetWaste participates and updates its member Councils

## 2. Dry Recycling Services Review

The first stage in development of the Strategic Recycling Plan involved a review of available data, policies and strategic actions already in play, as well as consultation with contracted stakeholders of dry recycling services delivery.

Councils initially provided data and information electronically before participating within 2 workshops. The first workshop scoped the project's range and depth, using a SWOT analysis to also provide crucial input into establishing a business-as-usual (BAU) position and where the Councils would like to be. The second workshop was used to assess feedback to draft constructs of the Plan.

Following the first workshop contracted service providers and NetWaste were consulted. This included JR Richards (the kerbside collection/processing agent common to many Councils), Visy Smithfield (MRF used by a number of Councils), NetWaste Executive, NetWaste Education Officer and Envirocom (contracted waste education providers).

The Project Team are defined as the 13 Councils participating in this project, namely Bathurst Regional Council, Blayney Shire Council, Bogan Shire Council, Cabonne Council, Dubbo Regional Council, Forbes Shire Council, Gilgandra Shire Council, Lachlan Shire Council, Lithgow City Council, Mid-Western Regional Council, Narromine Shire Council, Orange City Council and Parkes Shire Council.

**2.1 Council information/data review:** collected data was used to guide development of the Plan's Vision and Action Areas. *A separate, summary XCEL data file has been provided to NetWaste separately.* The Review provided:

- An assessment of current population and estimated population changes within each local government area (LGA)
- A description of regional kerbside services provided
- A description of regional services catering for self-haul dry recycling, and how this is managed by Councils
- A summary of regional kerbside collection delivery arrangements
- A summary of material collected, including household contributions and kerbside recycling contamination<sup>8</sup> and leakage rates<sup>9</sup>
- A summary of each Council's support for recycling within its Community Strategic Plan (CSP), Waste Strategy and Purchasing Policies
- A summary of current financial initiatives undertaken to counter increased recycling processing charges
- A summary of current waste awareness and education within the region

**2.2 Stakeholder consultation:** stakeholder consultation comprised two aspects. Firstly, the first workshop was convened with the Project Team and NetWaste Executive before broader consultation with contracted service providers was undertaken.

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<sup>8</sup> Waste materials disposed within kerbside recycling bins

<sup>9</sup> Dry recycling disposed into kerbside residual waste bins



**2.2.1 Project Team Workshops:** within the first workshop, current service delivery arrangements were evaluated. A SWOT analysis provided significant input for structuring the Plan's Vision and future Action Areas from the perspective of the current operating environment. Within the second workshop, draft critical constructs of the Plan were discussed and finalised.

A summary of outcomes from the SWOT analysis may be found below. A number of discussion points were both Strengths/Weaknesses or Opportunities/Threats, depending how they were viewed within the context of the current situation. Some matters were not considered to be directly strengths, weaknesses, opportunities or threats, but are issues for consideration within development of the Plan. These are presented last.

#### **Strengths**

- Current service delivery contracts: their long-term nature provide service security although they are not immune to financial downfall in commodities markets and also hinder reactive measures by the Councils to change (*a Weakness*). Councils felt they have a long-term and reliable relationship with their current kerbside collection agent
- Resource sharing: the NetWaste group of Councils support resource sharing at the voluntary waste group level and prefer to cooperatively work together for the greater regional good
- Regional waste assets: the Councils together own/manage a number of licensed and unlicensed waste sites with capacity and possible suitability for on-site development of recycling processing options (*also an Opportunity*)
- Regional experience and capability: together the Councils have significant experience and capability in operating facilities (such as landfills, transfer stations, CRCs, MRFs, and organics processing sites) (*also an Opportunity*)
- Quality of dry recycling collected: anecdotal comments from kerbside collection agents suggest the region has less contaminated product for processing than many other LGAs

#### **Weaknesses**

- Council influence: individually or even as groups, it was the opinion of the Project Team that Councils generally have little to no influence over the service structure and pricing of commercial MRF facilities
- Regional waste education: delivery and content of the current education program is "traditional"
- Centralised education resources: it was felt that whilst the NSW EPA had released an Education Strategy there were still no centralised resources for general use by Councils (which was considered disappointing given the extensive range of education resources used by Councils and voluntary waste groups within the RENEW network)
- Freight costs: the cost of freight to deliver collected recyclables to the Sydney region is very high in relation to their general commercial value
- Regional processing: the size and scale required to make regional processing infrastructure viable is not really known
- Council-owned initiatives: it was the opinion of the Project Team that generally Councils move slowly through agreement, appraisal and development of new regional initiatives
- Unable to influence BAU decisions and operations of MRFs when markets change

**Opportunities**

- Quality of collected product: the quality of materials collected can be improved
- Consumer choice: it is possible to minimise the purchase of goods within low-value or non-recyclable packaging
- Re-think dry recycling: opportunity now exists to “look outside the square” and regionally redefine recycling, contamination and how kerbside bin systems can be used. For example:
  - Which materials could/should be collected at the kerbside (valuable HDPE milk bottles v low-value glass bottles)?
  - What options exist to change convention?
  - Should clean paper/cardboard be collected separately?
  - Can soiled paper/cardboard be managed within the Garden Organics (GO) or combined Food and Garden Organics (FOGO) bin or what other alternate uses exist (such as heat pellets for specialised pellet heaters, briquettes)?
- Review commercial opportunities: the current situation provides opportunity to also review operations such as collection methods (bin sizes and collection frequencies, kerbside collection and/or other methods), Councils’ role in CDS (with possible opportunity to become Collection Agents and compete with RVMs, although information available from the EPA on regional tonnages collected is scarce)
- Encourage the development of new regional services/technologies: development of new strategy presents great opportunity to encourage development of new services/technologies within the region (such as processing low-grade paper with organics and/or processing into heat bead/briquettes)
- Existing regional MRFs: there are three Council MRFs already operating within the region at Cowra (not within the Project Team but managing sorting of collected regional CDS recycling from regional Reverse Vending Machines - RVMs), Gilgandra and Mudgee, which could feasibly be developed to process either a modified range or greater component of collected of dry recycling materials. Mid-Western Council has some capital it may be able to bring forward to the current financial year to upgrade its MRF, whilst Gilgandra has no upgrades planned
- Circular economy: opportunity now exists to review opportunities to support and/or develop opportunities for local more circular than linear approaches to recycling
- Regional waste education: time exists to review collection services and commence consideration of next year’s Education Plan. With more Councils using the same MRFs, greater sharing of messages and media is possible. Councils believe a significant degree of “wishcycling” (residents hoping whatever they place in the recycling bin is recyclable) is occurring. Certainly though, greater guidance around recycling of food residues within those LGAs with a FOGO service and greater sorting of dry recyclables would benefit quantity and quality of materials collected
- Self-sufficiency: opportunity and motive exists for Councils to collaboratively “look outside the square” for options as to how they can become less reliant on services from outside the region by encouraging new services to develop locally (such as developed and/or new regional MRFs). Gilgandra (500TPA) and Mid-Western (5,000TPA) Council MRFs work cooperatively marketing recyclates, making sales both directly to end-users and indirectly through commodity traders. Councils wish to generally become more “Masters of their own destiny” as a result of *China Sword*, and believe that as a cohesive group they can influence supply of materials to the MRFs and therefore demand and prices charged/paid for material

- Value-adding: opportunity also exists to review opportunity to also add value to recycling materials locally
- Existing rail network: the north/south and western networks provide options for transport of raw and/or processed materials
- Sovereignty of waste: local processing of recyclables offers significant regional benefits such as retained knowledge and skills, skills training, employment and retention of earnings within the region
- WARR recycling Targets: collection of cleaner recycling offers benefits of increasing recycling rate targets for domestic waste (MSW)
- Commercial returns from recycling: certain recyclables are still returning significant income such as HDPE (reported at \$700/T), Aluminium Cans (reported at \$1,400/T), PET and clean cardboard. The opportunity now exists to review MRF function, concentrating more heavily on greater regional processing of higher value recyclates
- Combined Council influence: opportunity now exists to review opportunities for greater Council aggregation and combined strength in the market place

#### **Threats**

- Financial viability of service provision: the sudden and catastrophic collapse of the market has forced Councils to accept increases of \$60/T for processing (for up to 10% contamination - additional rates apply for more contaminated material). Each Council has varying ability to increase Council Fees and Charges to combat this sudden price rise, particularly those without a well-established Waste Reserve and long-term financial plan (LTFP)
- Sustainability to adsorb price increases within each Council's LTFP (some Councils have already imposed modest increases within their annual charges for domestic waste services to offset the increased \$60/T recycling processing charge)
- Industry reliance on overseas processing: the current reliance on China and emerging Asian countries for processing/disposal of residual mixed paper and plastics is not sustainable for either party
- Current recycling practices: separation of waste streams at the kerbside may be threatened by perception of international or inter-state events where some Council recycling collections have been reported as being landfilled, undoing years of hard work and reducing available landfill void space. This may lead to a loss of community trust, appetite for recycling and engagement with education programs
- Security of markets: market specifications, demand and prices paid for recyclates lines have varied greatly over the past six months and there is almost equal uncertainty of the future
- Market dominance: only a few larger MRFs with capacity are thought to exist, exercising significant market control
- Lack of leadership: although the Project Team is aware of the existence of the inter-governmental task force, it was felt that there is generally a lack of leadership and cohesion between the various federal and state-based agencies with influence
- Waste Levy: it was the Opinion of the Project Team that the s88 Waste Levy (mostly unpopular in regional and rural areas) may in the future be delivered state-wide in a bid to support the ailing recycling industry
- Waste policy: it was felt that waste policy is at times poorly linked to market forces (particularly in the current situation with regards to EfW and transport of waste for recycling inter-state)

### **General Issues**

- Councils wish to become strategic and less reactive, turning their position into one of greater market leverage rather than being “price takers”
- NetWaste collaboration: the recent change from Regional to Joint Organisations of Councils (ROCs, JOCs), including mergers of some Councils, makes confidence in unilateral action less clear and certain, although NetWaste reports it has good political support from member Councils

Two ROCs have been replaced by two new JOs (Central West and Orana) and the Western Division, with political boundaries not aligned with geographical boundaries of the NetWaste voluntary waste group. Councils can affect market supply, and hence prices received, through a more unified approach

Councils made clear they wish to become more adaptable to change, also bringing together inputs and guidance from other working groups

- Broader stakeholder collaboration: it was the opinion of the Project Team that whilst many organisations are involved in trying to support dry recycling within the wake of *China Sword*, much greater integration and collaboration between the parties and government agencies, and between these and commercial service providers, is required for markets to be developed and services to remain viable long-term. For example, the recently-formed EPA Local Government Reference Groups have a role to play within NetWaste’s Strategic Recycling Plan, whilst the Office of Local Government (OLG) and Local Government NSW (LGNSW) are well placed to take on greater leadership roles
- Processing and transport infrastructure: generally private ownership of transport (road and rail) and waste processing infrastructure leaves Councils as more price-takers, particularly in the short-term. Recently, Councils felt they have been forced to accept processing price increases without any real supporting information or understanding of mechanics behind them. It is unknown how much further price increases can be borne by communities
- Recycling collection guidance material: current kerbside services are considered to be based on the EPA’s Best Bin Systems<sup>10</sup> and consideration should now be given as to whether they now need to be reviewed in light of *China Sword*
- Impact of the CDS: the scheme is anecdotally reported as having significant impact on tonnages of higher value recyclables collected, such as HDPE plastic and aluminium drink containers, putting greater pressure on the quality of mixed plastics derived ex MRF. Mid-Western Council stated that with respect of its own MRF that the downturn in returns associated with *China Sword* will hopefully be equalised by earnings (not previously available) through the CDS
- Supply of material for recycling: guarantee of supply and quality greatly impact the viability of new initiatives, with Councils feeling they have limited influence over either
- Council sustainability policies: it was generally recognised that these were poorly developed amongst the Councils; particularly purchasing policies requiring greater recycled content and/or recycled materials. Engineering specifications exist to support reuse of materials within engineering applications such as crushed glass with road construction, although this material remains generally unpopular with Councils and purchasers alike
- Kerbside contract specifications: future possible contract specifications favouring greater market transparency and risk-sharing are now being considered. Changes might also consider other contributing factors to the quality of recyclables delivered to the MRF, such

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<sup>10</sup> Preferred resource recovery practices by local councils – best bin systems (2012). NSW EPA

as collection vehicle compaction rates and if these significantly impact glass shards within paper/cardboard and clumping of paper/cardboard<sup>11</sup>

**2.2.2 Broader Consultation:** JR Richards (the kerbside collection/processing agent common to many Councils), Visy Smithfield (MRF used by a number of Councils), NetWaste Executive, NetWaste Education Officer and Envirocom (contracted waste education providers) were consulted. A summary of their combined feedback is provided below, although Visy did not respond to an invitation to participate.

- Commodities markets for processed MRF recyclates have fallen dramatically – the market price for clean cardboard managed through the collection contract has fallen from ~\$240/T to ~\$100/T, with some markets closer to \$70-\$80/T and “commons” nearer \$10/T. In addition, specifications for cleaner cardboard have tightened substantially 80/20 cardboard/paper to 95/5. Council MRFs have reported earnings for similar product has fallen from \$370/T to \$170/T, with commons falling from \$100/T to \$0/T.

The impact for some locally owned/operated MRFs was initially significant. Generally, demand for recyclates suddenly fell away, whilst others disappeared totally. Processors and market brokers were not readily available to discuss markets, whilst extended “open air” storage on site because of excessive volumes on hand led to some product deterioration as well

With an immediate fall in income there was also a clarity as to what the future held and processing decisions to make. Some product lines became almost “unacceptable” overnight, whilst some baled material had to be broken apart, resorted and re-blended with new, tighter quality requirements. Mixed plastics bales came under intense scrutiny with plastic product other than PETE (1), HDPE (2) and PP (5) difficult to find markets for. It was reported that markets for mixed plastics, soft plastics and glass have become very difficult although some mixed plastics are able to be accepted by Australian Recycled Plastics, Narrabri. It has also been reported that “hand sorted” mixed plastics from smaller MRFs rather than large mechanical ones have some marketing edge based on quality, and that success in selling low-value MRF recyclates is more about guarantee of consistent quality of supply than ever before

- Impact of the CDS - commercial, co-mingled recycling is becoming much less attractive due to the low value of a greater proportion of materials collected. In effect, the reduced relative availability of higher-value PET and HDPE packaging is reported to have changed typical kerbside content from 40 PET/40 HDPE/20 Residual Fraction to 10 PET/30 HDPE/60 Residual Fraction, which is both of lower commercial value and harder to find contracts for. It was also noted that reduced recycling collected has put pressure on the per tonne infrastructure charges to provide aggregation and bulk transfer of recycling to Sydney. In addition, the CDS has also removed some quantity of higher-value aluminium cans (~\$1,400/T) whilst MRF processors are struggling to provide sufficient materials of value within residual mixed plastics, further worsening the plight of this recyclates fraction
- Impact of Energy from Waste (EfW) policy<sup>12</sup> - current policy excludes recycling material although it is reported that a significant proportion of materials collected are burned

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<sup>11</sup> Recycling-collection contracts in South Australia (or where a deposit–refund scheme for beverage containers operates) could specify a standard compaction setting of 200kg/m<sup>3</sup> with an upper limit of 225kg/m<sup>3</sup> without compromising resource-recovery efforts (Optimum Compaction Rate for Kerbside Recyclables for Zero Waste SA and Local Government Research and Development Scheme, APC, 2012)

<sup>12</sup> Policy underlying recovery of energy from waste (EfW), or thermal treatment of waste, is set out by the NSW EPA within its 2015 Statement. It is felt by some parts of industry that EfW embodies a “linear” use of

(presumably for energy recovery) overseas. The issue reported here is that is Australia better served by deriving energy from waste under market value and more stringent processing conditions than by exporting materials to countries with lower enforced environmental pollution standards?

- MRFs - the capacity and financial viability for the sorting recycling market is not clear. The postulated timeframe for market recovery varies between sources, whilst the introduction of other Asian countries<sup>13</sup> to take up processing void left by China is uncertain long-term. Some MRFs report increasing staffing and shifts to remove greater amounts of low-grade or contaminated materials, and/or processing paper and cardboard twice, although the cost of this significantly outweighs some of the residual products such as “commons” (lower quality product)

One commercial services provider, VISY, is reported as being able to process a very significant percentage of total kerbside recycling collected for NSW Councils. It was also reported the company is making significant technology changes to reduce waste to landfill, moving towards closed-loop recycling, as well as being more integrated with managing ex-MRF residuals in Australia
- Impact of current contractual arrangements – service providers are generally less able to change contracted services during a contract period as the commercial payback period shortens
- Transport of recycling to Queensland - low-grade recyclables are being transported to Queensland for <\$100/T. The amount of processing to recover resources was not able to be specified
- Quality of recycling collected – the quality of materials in the recycling bin was viewed as a key opportunity, and that it is more productive to lead residents towards improvement rather than impose punitive measures. It was indicated that the quality of recycling within the Bathurst-Parkes-Forbes collections is a good indication of quality bin region-wide
- Support for recycled materials locally – it was stated that support for local crushed glass, in particular, as an engineering substitute for virgin sand, and supported by appropriate Resource Recovery Order/Exemption is still poorly supported by communities and Councils. This is problematic given the relatively high weight of glass in recycling and its current very low commercial value and expense to transport out of the region, as local options to manage glass present logical benefits
- Regional waste awareness and education – recognising the focus of this Strategy on dry recycling, it was generally considered that the Plan would benefit from greater cohesion, consistency and support, giving it greater direction and impact. Some were of the opinion that whilst waste education is a priority it is essentially viewed as “what someone else does” and that education programs fail when they deteriorate to “providing information” rather than “engagement”
- It was generally agreed that greater resources underpinned by a greater commitment by Councils are required to make a significant change in community recycling behaviours. It was recognised that using a broad service provider for education is an “easy solution” but some felt Councils should get more involved to deliver consistent messages and support their communities

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materials (or value chain) as opposed to a growing interest in a circular economy (keeping the value of materials recirculating in the economy)

<sup>13</sup> Malaysia and India

- Many described current education as “too traditional”, implying it has lost some of its effectiveness. One observation was that current education is focussed primarily on performance standards within contracted collection services and that greater focus on reducing the generation of waste is still not given sufficient resources. In effect, waste education has become too closely linked to waste operations, rather than measures to reduce the generation of waste. Within the latter approach, communities would be encouraged far more to make better decisions about choice of packaging, in particular, before purchase, based on greater education of reasons to change current behaviours
- Some feedback suggested waste education should support a greater Circular Economy approach, and that it won't really be until consumers force this approach that a more circular, rather than linear, approach to resource conservation and avoidance of waste generation (especially low value mixed-recycling materials) will really develop within Australia. Short videos of MRF operations, and the challenges they face, would show clearly and graphically the issues and fate of residuals involved, and provide a very powerful message to consumers currently missing
- Current Waste Education Plan – Envirocom meets annually with NetWaste and its Councils and listens to current issues before creating an Annual Plan. Preparation of each Annual Plan commences in March each year, with this year's Plan focussing on getting more food waste in the Food and Garden Organics (FOGO) bin for those Councils with a recently introduced service. It was reported that currently there is little increased diversion of food organics from landfill by the new collection. Envirocom works closely with Crossing Media to deliver programs such as Pop-Up stalls and a local, independent consultant who reports to Envirocom, delivering a majority of the Education Plan

**2.3 Summary of existing collection and processing services:** A summary of participating Council's dry recycling and collection services is provided below within Table 2.1. *A high-resolution file has been provided to NetWaste separately.*

Whilst Council dry recycling collections and processing arrangements vary across the region, there are some notable strategic relationships. Of the 13 participating Councils, kerbside collections are provided as:

- 6 Councils are jointly contracted to JR Richards within a common agreement (Parkes, Forbes, Cabonne, Orange, Blayney, Bathurst)
- 2 Councils have a joint collection contract with JR Richards (Narromine, Dubbo)
- 3 Councils have independent collection contracts with JR Richards (Lachlan, Gilgandra, Lithgow)
- 2 Councils provide their own collection services (Mid-Western, Bogan)

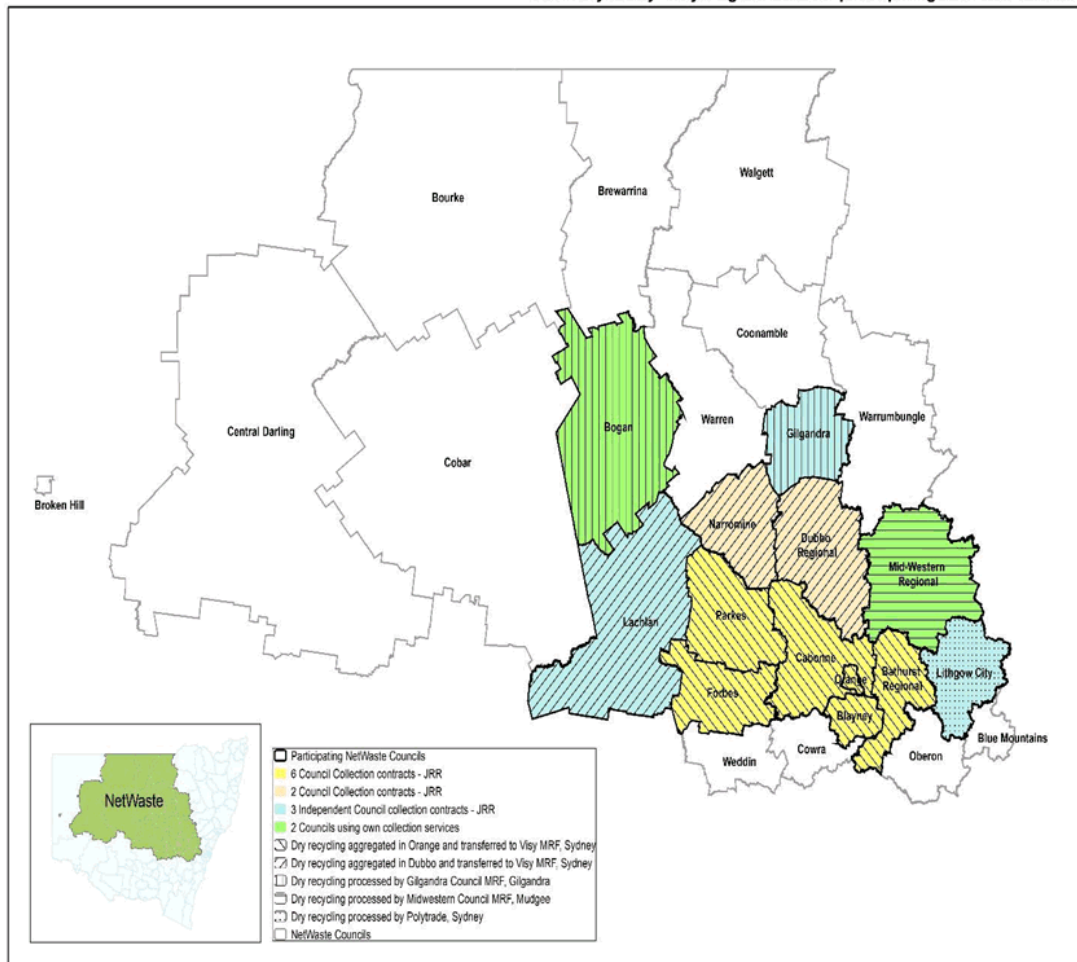
Processing of dry recyclables are managed as:

- 6 Councils have their recycling aggregated in Orange and transported to Visy, Sydney
- 2 Councils have their recycling aggregated in Dubbo and transported to Visy, Sydney
- 3 Councils participate within a variety of agreements for processing
- 2 Councils manage/operate their own MRFs

This combination of collection and processing arrangements provides interesting information for a regional study of the assessed benefits of each, encouraging further development of those scenarios with a commercial and/or competitive advantage.

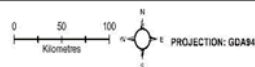
**Table 2.1.** Participating Council collection and processing arrangements

**Summary of Dry Recycling Services for participating NetWaste Councils**



Source: NetWaste  
Date: 15-09-2018  
Path: 180613 netwaste

Disclaimer: Dimensions and locations are approximate. Liability is disclaimed for any errors, omissions or inaccuracies contained within or arising from information on this map.



Source: NetWaste 2018



Table 2.2 Regional populations and expected growth rates

| Council     | Current Population | Predicted population changes (2036) |
|-------------|--------------------|-------------------------------------|
| Bathurst    | 43,640             | +22%                                |
| Blayney     | 7,500              | +13%                                |
| Bogan       | 2,950              | +5%                                 |
| Cabonne     | 13,386             | +<1%/yr                             |
| Dubbo       | 51,249             | +17%                                |
| Forbes      | 9,844              | +<1%/yr                             |
| Gilgandra   | 4,256              | -<1%/yr                             |
| Lachlan     | 7,849              | -<1% yr                             |
| Lithgow     | 21,596             | +<1%/yr                             |
| Mid-Western | 24,826             | +20%                                |
| Narromine   | 6,600              | -<1% yr                             |
| Orange      | 41,636             | 17%                                 |
| Parkes      | 14,920             | -<1% yr                             |

SOURCE: Independent data reviewed by NetWaste Councils 2018

The relative influence of the larger Councils, Bathurst, Dubbo and Orange, on successes of the Strategic Recycling Plan cannot be ignored, given both their significantly higher populations (rate of waste generation) and higher expected population growth. Substantial regional growth rates within the region clearly require a strategic approach to sustainability of services long-term, and actions today to ensure Councils do all they can as a unified group to avoid the financial pressures they have been suddenly confronted with.

Table 2.3 Summary of regional dry recycling kerbside collections

| Council                        | Av. Kerbside Recycling Yield (kg/hh/fortnight) | Av. Contamination in Recycling Collected (% by weight) | Av. Recycling Leakage (% by weight of Recyclables collected) |
|--------------------------------|------------------------------------------------|--------------------------------------------------------|--------------------------------------------------------------|
| Bathurst                       | 6.9                                            | 8                                                      | 44                                                           |
| Blayney                        | 8.6                                            | 6                                                      | N/A                                                          |
| Bogan                          | 3.8                                            | 35                                                     | N/A                                                          |
| Cabonne                        | 6.9                                            | N/A                                                    | N/A                                                          |
| Dubbo                          | 7.5                                            | 9                                                      | 39                                                           |
| Forbes                         | 7.3                                            | 13                                                     | 53                                                           |
| Gilgandra                      | 11.3                                           | 8.6                                                    | N/A                                                          |
| Lachlan                        | 1.7                                            | 8                                                      | N/A                                                          |
| Lithgow                        | 6                                              | 12.7                                                   | N/A                                                          |
| Mid-Western                    | 8.6                                            | 15                                                     | 38                                                           |
| Narromine                      | 8.5                                            | 8                                                      | N/A                                                          |
| Orange                         | 8.3                                            | 6.6                                                    | 20                                                           |
| Parkes                         | 9.0                                            | 5.7                                                    | 39                                                           |
| NSW STATE AVERAGE <sup>1</sup> | 9.8                                            | N/A                                                    | N/A                                                          |

SOURCE: NetWaste Councils 2018

SOURCE: EPA Waste and Resource Recovery Data Report (2014-15)

Whilst regional data is highly variable, kerbside collections are generally less than the NSW state average. Contamination rates for all Councils are considerable, with none below 5%. Whilst significant leakage of recyclables into the residue waste bin is occurring, limited audit data suggests this to be a combination of soft plastics and paper/cardboard (some soiled).

**2.4 External Influences:** A number of influences external to NetWaste but important to the recovery of NSW's recycling industry were considered within the preparation of the Plan.

Many organisations are involved in trying to support dry recycling within the wake of *China Sword*, but it is considered that greater integration and collaboration between the parties and government agencies, and between these and commercial service providers, is required for new markets to be developed within a circular economy and services to remain viable long-term. The EPA may also be called upon to re-visit policy around Energy from Waste (EfW) as an alternative to landfill for mixed recyclates of no economic value.

The issue reported is that Australia may be better served by deriving energy from waste under more stringent processing conditions than by exporting materials to countries with lower enforced environmental pollution standards.

For some time critics have maintained Australia's relatively poor recycling rate is at odds with its wealth. According to a 2013 report by the OECD, Australia's rate of recycling for municipal waste (41%) sits well below world-leader Germany at 65% despite its higher gross domestic product per capita<sup>14</sup>. According to ACOR, progress against directions within the 2010 Commonwealth Waste Policy "has slowed to almost a complete halt since the strategy was agreed to"<sup>15</sup>. In broad agreement with NetWaste Councils, the Australian Council of Recycling (ACOR) believes sustainability policies of government such as those supporting use of recycled materials (such as paper) should be reinstated. The Australian public is highly supportive of governments acting to support recycling including "a national plan"<sup>16</sup>. An overwhelming percentage also believed that barriers to recycling is a national problem and that "Councils have an obligation to ensure that recyclable materials don't go into landfill".

After a Senate inquiry into Australia's waste and recycling industry found that Commonwealth departments and state and local governments should adopt more explicit 'green procurement' policies, the Victorian government recently adopted its new Recycling Industry Strategic Plan which will "drive demand for products containing recycled materials through government procurement"<sup>17</sup>, and has been welcomed by recycling and resource recovery businesses.

To redress barriers to recycling in Australia, it is generally held that a lack of standards and increasingly complex packaging are undermining resource recovery. Little if no benefits are awarded to those designers changing to more recyclable designs. The fate of non-recyclable packaging is landfill.

At another level, increasing freight costs threaten the economic viability of sorting and transporting glass is marginal in many rural areas. The demand for recycled glass has dropped with importation of cheaper whole bottles and it is becoming increasingly attractive to landfill glass. The resource recovery pathway for reuse of crushed glass in NSW is expensive, with some NetWaste MRF operators not able to afford the exhaustive testing processes required to crush glass and reuse it as an engineering substitute for sand.

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<sup>14</sup> Australia came in 7th in a 2015 IMF report that revealed the top 20 countries with the largest gross domestic product per capita

<sup>15</sup> 21/06/2016 Business Environment Network - Australia's recycling rate "embarrassing": ACOR <http://www.ben-global.com/storyviewprint.asp 2/2>

<sup>16</sup> ACOR Public Opinion Research - ACOR Research on Community Views About Recycling REPORT April 2018 with C|T Group

<sup>17</sup> That inquiry found Australia's recycling industry is "in crisis" and its future in "grave danger" following years of policy failures across all levels of government. July 2018 <https://www.governmentnews.com.au/victorian-government-moves-on-green-procurement/>

### 3. Development of the Strategic Recycling Plan

This last section describes the components of the Recycling Plan and how they were developed.

**3.1 Strategic Vision:** the Vision for the Strategic Recycling Plan was developed in consideration of the current climate of dry recycling services and Councils' perceived position within it.

Overwhelming sentiment from the Project Team during the first workshop was that Councils have lost all ability to negotiate services as a direct result of the *China Sword* crisis, and are at the sole mercy of service providers within an unknown period of cost increases. Feedback from the SWOT Analysis during the first workshop was heavily relied upon to develop a Vision and Action Areas for the Strategic Recycling Plan to redress the current situation.

#### Regional Vision

- To deliver on-going, sustainable dry recycling services for our region

**3.2 Action Areas:** 5 areas were developed as key areas of action to deliver the Project Team's Vision and were finalised during the second workshop. They were developed on the principle of a subjective gap analysis between perceived conditions of current services and where the Project Team would ideally like to be.

#### Regional Strategic Action Areas:

- *Regional Independence:* Achieve greater regional independence and adaptability through a more unified approach
- *Greater recycling capabilities:* Assist and support development of greater regional processing capabilities and product reuse
- *Financial Sustainability:* Ensure financial viability of dry recycling services
- *High Quality materials:* Provide higher quality, less contaminated products and materials for recycling
- *Community ownership:* Develop greater community ownership and understanding of sustainable dry recycling

NetWaste's Action Areas took into consideration those suggested by the NSW EPA within its guidance material, but ultimately reflect the focus points unique to the region and its Project Team. However, the inclusion of the EPA's own Action Areas within NetWaste's is demonstrated below.

#### EPA Action Areas:

- Community education to avoid waste and reduce contamination in the dry recyclables stream (included within NetWaste Action Area #5)
- New or enhanced infrastructure to reduce contamination in the dry recyclables stream (included within NetWaste Action Area #2)
- Facility improvements and market development to identify new uses and increase local processing of recyclable material (included within NetWaste Action Area #2)

- Methods for managing changing contractual arrangements for dry recycling (included within NetWaste Action Area #1)
- Plan for funding increased collection and processing costs of dry recyclables in the medium and long term (included within NetWaste Action Area #3)
- Increase purchasing and specification in contracts of recycled material (included within NetWaste Action Area #2)

**3.3 Options for assessment:** Options to deliver positive change were developed following the first workshop and presented for discussion during the second.

NetWaste's Action Areas were first given a draft index weighting on their assessed ability to deliver the Vision, before being finalised during the second workshop. The higher the weighting the greater considered ability of the Action Area to deliver the Strategic Recycling Plan's Vision within the nominated 5 year period.

The assessed weightings of the NetWaste Action Areas were finalised as:

- Regional Independence: 30%
- Greater Recycling Capabilities: 30%
- Financial Sustainability: 20%
- High Quality Materials: 10%
- Community Ownership: 10%

Within the 5 Action Areas, 19 Options within each were assessed. These 19 Options are presented within 5 summary tables below along with suggested components of each. Each Option was assigned a raw score (bracketed number assigned to each Option) based on its assessed ability to deliver positive change within each of the respective Action Areas:

0 - No ability to deliver positive change

1 - Some ability to deliver positive change

2 - Moderate ability to deliver positive change

3 - Considerable ability to deliver positive change

Description of NetWaste Action Area 1: This Area seeks to empower the NetWaste Councils through greater regional unity and collaboration. It seeks to not only provide greater future regional independence, but also greater adaptability to ongoing change.

**Table 3.1** NetWaste Action Area 1: Achieve greater regional independence and adaptability through a more unified approach

| Option                                                                              | Option in Detail                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1.1 <i>Strengthen regional collaboration (3):</i></p>                            | <p>Facilitate involvement of all NetWaste Councils with the Strategic Recycling Plan</p> <p>Seek written support for Strategic Recycling Plan from regional Joint Organisations, advocating its intention for NetWaste Councils to become more strategic and less reactive, turning their current position into one of future greater market leverage rather than being “price takers”</p>                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>1.2 <i>Review options for innovative services contracting (2):</i></p>           | <p>Seek legal opinion to detach collections from processing within existing commercial arrangements</p> <p>Maintain a close watching brief on changes to the EPA’s model contracts</p> <p>Seek market appetite for greater flexibility in future contracts to better manage changing commercial markets for recyclates, changing domestic preferences for materials to be recycled, successes of local recycling programs and initiatives to increase diversion of waste from landfill</p> <p>Assess Councils’ appetite for split future contracts for collection and processing services</p> <p>Assess options for future short-term processing contracts</p> <p>Develop specifications for regional contracts to facilitate greater transparency of markets for recyclates and prices paid</p> |
| <p>1.3 <i>Review successes of other RENEW waste group (1):</i></p>                  | <p>Review successful programs within regions of RENEW members, seeking to utilise existing resource material where freely available</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>1.4 <i>Ensure long-term resourcing for the Strategic Recycling Plan (3):</i></p> | <p>Investigate options and seek regional agreement on preferred method to raise capital and provide human resources to deliver Actions within the Strategic Recycling Plan</p> <p>Integrate Actions of the Strategic Recycling Plan into the Regional Waste Strategy</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

Description of NetWaste Action Area 2: Within this Area NetWaste and Councils will support development of greater within-region processing of dry recycling, as well as niche markets for processing recyclates and/or secondary goods/materials derived from the recyclates. It encompasses support for concepts such as “circular economy” and “sovereignty of waste” within the NetWaste region, harnessing the benefits of retaining resources in waste at a constant higher-order use and retaining the benefits of their local transformation within the region.

**Table 3.2** NetWaste Action Area 2: Assist and support development of greater regional processing capabilities and product reuse

| Option                                                                                     | Option in Detail                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><i>2.1 Identify and strengthen regional processing hubs (3):</i></p>                    | <p>Encourage development of new trading relationships for local recyclates built on trust, quality and local processing innovation, using this as leverage for strengthening regional MRFs and developing their capacity as appropriate</p> <p>Review regional predominance of problem wastes, seeking to develop local processing solutions</p> <p>Review options for regional hubs in line with existing competitive advantage (such as existing infrastructure, size and scale supported by adjacent Councils, local experience and capability, transport networks within and out of the region)</p> |
| <p><i>2.2 Encourage and support development of innovative regional processing (3):</i></p> | <p>Develop and encourage sub-regional processing capabilities to manage low value and/or problematic recycling streams (such as soiled paper/cardboard for composting and glass crushing for engineering applications)</p> <p>Develop a Regional Infrastructure Plan to support concerted regional development in areas of a local competitive advantage</p> <p>Encourage and support development of innovative processing to strengthen niche markets for recyclates and secondary products</p>                                                                                                        |
| <p><i>2.3 Develop Council purchasing policies (1):</i></p>                                 | <p>Develop local purchasing policy for NetWaste member Councils supporting purchase of recycled materials and products with higher recycled content</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

Description of NetWaste Action Area 3: This Area seeks to ensure both existing and future dry recycling services will be commercially viable within the region long-term.

**Table 3.3** NetWaste Action Area 3: Ensure financial viability of dry recycling services

| Option                                                                            | Option in Detail                                                                                                                                                                                        |
|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.1 Review and redefine regional “dry recycling” and “contamination” (3):         | Review and redefine regional “dry recycling” and “contamination”, assessing the cost/benefit of both widening and narrowing the range of materials/packaging collected under scenario modelling         |
| 3.2 Review collection methods for recyclables(2):                                 | Review collection methods for recyclables outside of the EPA’s preferred systems, concentrating on options to increase source separation and reduce breakage/destruction of materials during collection |
| 3.3 Review practical options to sort and reuse low-value recyclables locally (3): | Review practical, sustainable options within current arrangements to separate low-value and/or heavy materials locally from processing streams destined for out-of-region                               |
| 3.4 Develop a regional brand for collected recycling (1):                         | Support the region’s reputation for clean recycling, developing a regional brand for collected recycling and becoming a supplier of choice to processors and markets                                    |
| 3.5 Review impact of Return and Earn CDS program (1):                             | Seek continual update of data from <i>Return and Earn</i> , assessing impact on dry recycling collections                                                                                               |
| 3.6 Review DWMCs (2):                                                             | Review Domestic Waste Management Charges and sustainability to adsorb further processing fee increases in light of long-term delivery of financially sustainable services                               |
| 3.7 Analyse regional service agreements (3):                                      | Review and assess relative merits of the 4 regional collection and processing arrangements, encouraging greater development of preferred model for future agreements                                    |



Description of NetWaste Action Area 4: This Area seeks to maximise supply of high-quality dry recycling materials and packaging to MRFs. It focuses on actions and initiatives which NetWaste and Councils can undertake.

**Table 3.4** NetWaste Action Area 4: Provide higher quality, less contaminated products and materials for recycling

| Option                                                                              | Option in Detail                                                                                                                                                                                                                                                                                                                                          |
|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>4.1 Evaluate the quality of public place and event recycling regionally (1):</i> | Audit the quality of public and event recycling, taking action to protect and improve the quality of domestic and drop-off collections. The quality of materials in the recycling bin is considered to be a principle opportunity, and that anecdotally it is more productive to lead residents towards improvement rather than impose punitive measures. |
| <i>4.2 Review regional kerbside audit data (2):</i>                                 | Research reasons for the wide variation in audit data across the region, taking steps to undertake further investigations to guide future contracting services                                                                                                                                                                                            |

Description of NetWaste Action Area 5: This Area seeks to both better inform the community of issues within the current recycling environment, also encouraging and supporting local and “grassroots” community initiatives.

**Table 3.5** NetWaste Action Area 5: Develop greater community ownership and understanding of sustainable dry recycling

| Option                                                                                           | Option in Detail                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>5.1 Further develop community awareness and education (3):</i>                                | <p>Assist NetWaste Education Officer and Envirocom align the Education and Strategic Recycling Plan</p> <p>Actively engage communities to improve both the quantity and quality of dry recycling presented at the kerbside, minimising “leakage” and “contamination” issues</p> <p>Develop education initiatives to counter-act negative community perception of current recycling situation and possible reduction in supply of clean recyclables</p> <p>Agree on regional branding for kerbside bins, making clearer the fate of the contents of each, also providing specific guidance for materials and packaging types to be recycled</p> |
| <i>5.2 Encourage greater Council support and involvement in local education initiatives (2):</i> | Encourage Councils to support “grassroots” Education Plan initiatives                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <i>5.3 Encourage greater consumer consideration of purchasing decisions (1):</i>                 | Develop the Education Plan to provide the community with a much better understanding of the impacts of packaging on dry recycling quality, particularly those which are grouped as “low quality mixed plastics”                                                                                                                                                                                                                                                                                                                                                                                                                                |

**3.4 Multi-Criteria Assessment:** the Options were finalised following the second workshop and then ranked using multi-criteria analysis. The multiplied product of the weightings assigned to each Action Area and each Option within them produced a weighted score. This was used as the basis of ranking Options for development into Actions within the Strategic Recycling Plan. A summary of ranking outcomes of the Options may be found within Appendix 2.

The assessment process was entirely subjective. Its primary purpose was to sort Options and rank (prioritise) them for development into Actions within the Strategic Recycling Plan.

Results for the analysis highlighted a number of key outcomes:

- Regional Independence, Greater Recycling Capabilities and Financial Sustainability Action Areas produced the highest number of highest rated Options, reflective of their assessed ability to deliver the Project Team's Vision. **RESULT:** Actions from these Action Areas dominate the Strategic Recycling Plan
- Following analysis, the NetWaste Executive requested *all Options* be developed into Actions within the Strategic Recycling Plan, irrespective of their rating on the basis that all Action Areas and their Actions needed to be included within the Plan, not just the higher rating ones. **RESULT:** Prioritisation ratings from the analysis were *instead used to guide the assignment of delivery timelines for each Action*

**3.5 Strategic Recycling Plan:** the Plan was developed as a separate WORD table document for ease of reference and use. Within each Action Area is a set of summary Actions with supporting detail.

Timelines for delivery of Actions were developed along the following lines:

- Short-term (<12 months)
- Medium-term (between 1 and 3 years)
- Long-term (between 3 and 5 years)

The Strategic Recycling Plan is the responsibility of NetWaste, utilising human and financial resources of the organisation to deliver change with participation of members. An investigation of options for on-going resourcing the Plan is included as one of the Plan's Actions.

Ultimately the Strategic Recycling Plan should tie closely into the region's Waste Strategy.

Following a review of draft Technical Strategy and Action Plan documents, the Project Team requested the documents be merged into one and specific Actions be developed in more detail or clarified further.

**3.6 State policy development required for the Strategic Recycling Plan to be successful:** within the second workshop it was felt that co-development of state policy was required for the Plan to be successful. NetWaste Councils broadly believe that the following is required:

- There needs to be continuous, open, two-way communication with both RENEW and the Local Government Advisory Groups, keeping each up to date with the Strategy's roll-out and seeking active support as beneficial

- There needs to be greater change to state policy to deliver greater incentives for regional recycling and local management/reuse of recyclates
- There should be unilateral support at all levels of government for greater purchasing policy support of recycled materials and recycled content within materials, commencing with member Councils' own policies

### **APPENDIX 1. Collated data summary from participating NetWaste Councils**

A Project data file has been provided separately to NetWaste.

## APPENDIX 2. Multi-Criteria Analysis results from analysis of Options

| Multi-Criteria Analysis framework |       |               |                              |               |                                 |               |                          |               |                            |               |             |
|-----------------------------------|-------|---------------|------------------------------|---------------|---------------------------------|---------------|--------------------------|---------------|----------------------------|---------------|-------------|
| <u>ACTION AREA 1</u>              |       |               | <u>ACTION AREA 2</u>         |               | <u>ACTION AREA 3</u>            |               | <u>ACTION AREA 4</u>     |               | <u>ACTION AREA 5</u>       |               |             |
| <i>Regional independence</i>      |       |               | <i>Regional capabilities</i> |               | <i>Financial sustainability</i> |               | <i>Recycling quality</i> |               | <i>Community ownership</i> |               |             |
| Weight                            | 0.3   |               | Weight                       | 0.3           |                                 | Weight        | 0.2                      |               | Weight                     | 0.1           |             |
| <u>OPTION</u>                     | Score | Weight. Score | Score                        | Weight. Score | Score                           | Weight. Score | Score                    | Weight. Score | Score                      | Weight. Score | <u>Rank</u> |
| 1.1                               | 3     | 0.9           |                              |               |                                 |               |                          |               |                            |               | 1           |
| 1.2                               | 2     | 0.6           |                              |               |                                 |               |                          |               |                            |               | 2           |
| 1.3                               | 1     | 0.3           |                              |               |                                 |               |                          |               |                            |               | 4           |
| 1.4                               | 3     | 0.9           |                              |               |                                 |               |                          |               |                            |               | 1           |
| 2.1                               |       |               | 3                            | 0.9           |                                 |               |                          |               |                            |               | 1           |
| 2.2                               |       |               | 3                            | 0.9           |                                 |               |                          |               |                            |               | 1           |
| 2.3                               |       |               | 1                            | 0.3           |                                 |               |                          |               |                            |               | 4           |
| 3.1                               |       |               |                              |               | 3                               | 0.6           |                          |               |                            |               | 2           |
| 3.2                               |       |               |                              |               | 2                               | 0.4           |                          |               |                            |               | 3           |
| 3.3                               |       |               |                              |               | 3                               | 0.6           |                          |               |                            |               | 2           |
| 3.4                               |       |               |                              |               | 1                               | 0.2           |                          |               |                            |               | 5           |
| 3.5                               |       |               |                              |               | 1                               | 0.2           |                          |               |                            |               | 5           |
| 3.6                               |       |               |                              |               | 2                               | 0.4           |                          |               |                            |               | 3           |
| 3.7                               |       |               |                              |               | 3                               | 0.6           |                          |               |                            |               | 2           |
| 4.1                               |       |               |                              |               |                                 |               | 1                        | 0.1           |                            |               | 6           |
| 4.2                               |       |               |                              |               |                                 |               | 2                        | 0.2           |                            |               | 5           |
| 5.1                               |       |               |                              |               |                                 |               |                          |               | 2                          | 0.2           | 5           |
| 5.2                               |       |               |                              |               |                                 |               |                          |               | 2                          | 0.2           | 5           |
| 5.3                               |       |               |                              |               |                                 |               |                          |               | 1                          | 0.1           | 6           |