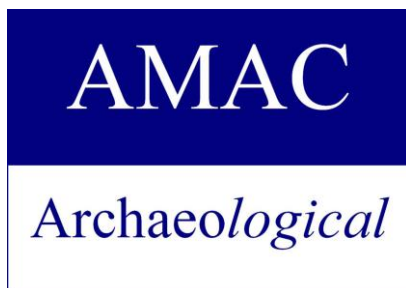


BASELINE ARCHAEOLOGICAL ASSESSMENT

**711 Hunter Street,
Newcastle West, NSW**



**Prue Newton and
Kelly Strickland**

Archaeological Management & Consulting Group

for

St Hilliers Property Investments Pty Ltd

On behalf of

Hunter Street JV Unit Trust

October 2022

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Cover Image

c.1900–1902 photograph of Marcus Clark & Co. on the corner of Hunter and National Park Streets.

University of Newcastle Special Collections, reference ASGN0825-B37.

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EXECUTIVE SUMMARY

Documentary Research

- The site is part of 2000 acres selected by the AACo in 1828.
- From the 1850s the study site was subdivided into Lot 16, 17 and 18 fronting Hunter Street and Lots 1, 2 and 3 fronting National Park Street.
- 19th century development includes two terraces fronting Hunter Street, two wells and a number of outbuildings.
- C.1900–1902: two-storey Marcus Clark & Co building was constructed on Lot 16 fronting Hunter Street.
- By c.1829 the Marcus Clark & Co building was remodelled and extended, and all 19th century development was likely demolished at this time.
- The Marcus Clarke & Co building underwent rebuilds or renovations in the 1920s and 1960s.
- The Walton's Ltd occupied the site from late 1966 until the 1980s and was restructured by subsequent companies.

Physical Evidence

- The study site is currently occupied by a single, two storey brick building that covers the entire allotment.
- There is nil-low potential to retain occupational deposition and structural remains relating to the mid-late 19th century building phase.
- Moderate potential exists for occupation deposition within the context of the lower structural portion of two late 19th century wells.

Significance

- Subsequent twentieth century impacts, limits the archaeological potential of the site.
- Intact occupation deposits from the lower portion of two wells would be of local significance.
- If structural remains survive in the remaining areas of the site, it will likely replicate known data and not reach the threshold for local significance.

Statement of Archaeological Heritage Impact

- The proposed development has the potential to impact on locally significant relics in the form of the two late 19th century wells and their deposits.
- To mitigate impacts, a program of historical archaeological test excavation, salvage or monitoring is proposed to occur at the study site in advance of the construction works.

Recommendations

- To meet the requirements of an excavation permit exception, an Archaeological Research Design will need to be prepared.
- A program of Aboriginal archaeological test excavation has also been proposed for the site which will run concurrently with the historic program.
- This archaeological program can be managed via an exception under s139(4) of the *Heritage Act 1977*.
- Should major impacts to relics be required, an application for an s140 excavation permit will be needed to manage the archaeological resource.

GLOSSARY AND ABBREVIATIONS

The following definition of terms have mostly derived from the glossary provided in Heritage Office Department of Urban Affairs and Planning (1996) *Archaeological Assessments*.

Term	Definition
AMAC	Archaeological Management and Consulting Group
AMP	Archaeological Management Plan
AZP	Archaeological Zoning Plan
Archaeological feature	Any physical evidence of past human activity. Archaeological features include buildings, works, relics, structures, foundations, deposits, cultural landscapes and shipwrecks. On archaeological excavations the term 'feature' may be used in a specific sense to refer to any item that is not a structure, a layer or an artefact (for example, a post hole).
Artefacts	An object produced by human activity. In historical archaeology the term usually refers to small object contained within occupation deposits. The term may encompass food or plant remains and ecological features (for example, pollen).
CMP	Conservation Management Plan
Conservation	The processes of looking after a place so as to retain its heritage significance.
Contact sites	Sites which are associated with interaction between Aboriginal and non-Aboriginal people.
DCP	Development Control Plan
DP	Deposited Plan
Heritage NSW	Formerly known as the Heritage Division, Heritage Branch. Now also governing body managing Aboriginal cultural heritage, previously known as Office of Environment and Heritage (OEH)
Historical Archaeology	The study of the human past using both material evidence and documentary sources. In Australia 'historical archaeology' excludes Aboriginal archaeology prior to non-indigenous occupation but may include 'contact' sites.
LEP	Local Environment Plan
LGA	Local Government Area
LTO	Land Titles Office
NPW Act	National Parks and Wildlife Act 1974
OEH	Now Heritage NSW (see above)
Post-contact	A term used to refer to study archaeological sites dating after European occupation in 1788.
Relic	Defined by the NSW Heritage Act (see Section 1.5.3) as: "any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and (b) is of State or local heritage significance"
S57	Refers to definition of Section 57 in the NSW Heritage Act 1977
S60	Refers to definition of Section 60 in the NSW Heritage Act 1977
S139	Refers to definition of Section 139 in the NSW Heritage Act 1977
S140	Refers to definition of Section 140 in the NSW Heritage Act 1977
SOHI	Statement of Heritage Impact
SHI	State Heritage Inventory
SHR	State Heritage Register



Figure 1.1 Site location approximately outlined in red.
NSW Land and Property Information, Six Maps Viewer, accessed 4th October 2021, <https://maps.six.nsw.gov.au/>



Figure 1.2

Aerial photograph showing the study site.

NSW Land and Property Information, Six Maps Viewer, accessed 4th October 2021, <https://maps.six.nsw.gov.au/>

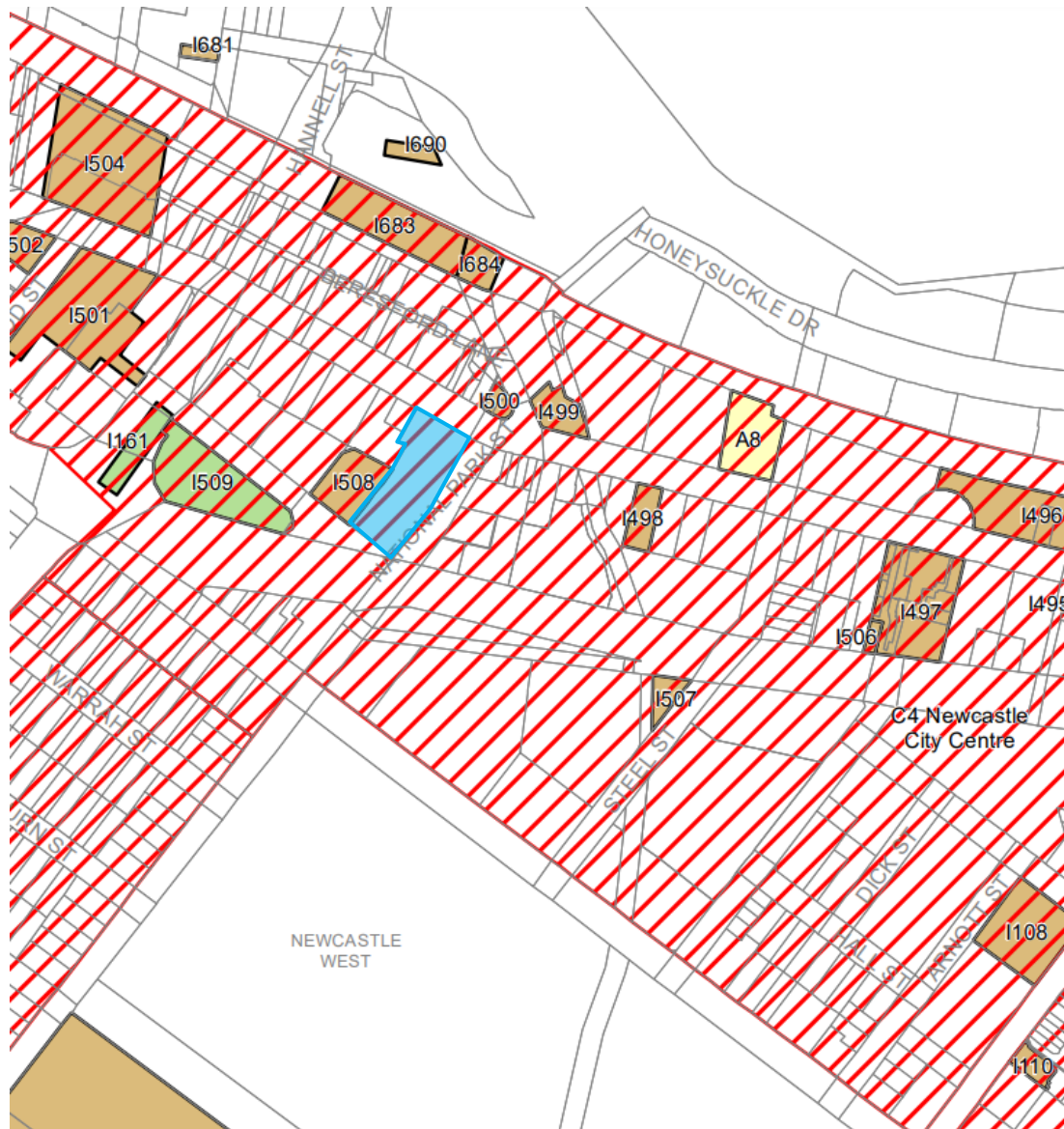


Figure 1.3 Heritage Map showing study site (blue) within C4 – Newcastle City Centre.

Newcastle Local Environment Plan 2012, Heritage Map HER_004G, accessed 4th October 2021,

<https://pp.planningportal.nsw.gov.au/publications/environmental-planning-instruments/newcastle-local-environmental-plan-2012>

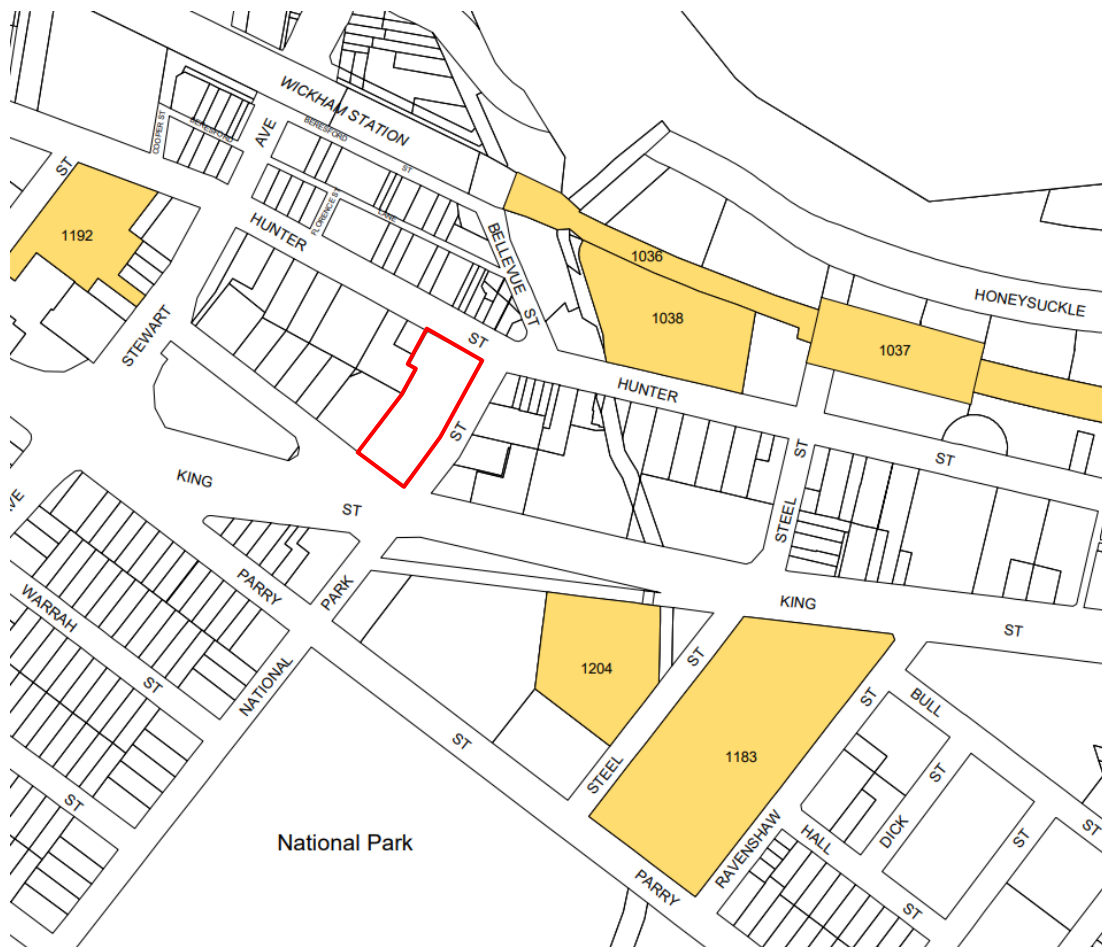


Figure 1.4 Newcastle Archaeological Management Plan 1997 – known and potential archaeological sites marked in yellow.
 Study site outlined in red. Map digitised by City of Newcastle, February 2008 accessed 13th October 2021,
https://www.newcastle.nsw.gov.au/Newcastle/media/Documents/Heritage%20publications/Archaeological_Management_Plan_Map_of_Indicative_Archaeological_Inventory_Sites_February2008.pdf

1.0 INTRODUCTION

1.1 BACKGROUND

St Hilliers Property Investments Pty Ltd On behalf of Hunter Street JV Unit Trust, has commissioned the Archaeological Management and Consulting Group to prepare a Baseline Archaeological Assessment for the site known as 711 Hunter Street, Newcastle West.

1.2 STUDY AREA

The study site is that piece of land described as Lot 1 in NSW Land Titles Office Deposited Plan 867617. The street address is 711 Hunter Street, Newcastle West, in the parish of Newcastle, county of Northumberland. The study site is bounded by Hunter Street to the north, National Park Street to the east and King Street to the south.

The study site formed part of original Allotments 16, 17 and 18 fronting Hunter Street and Lot 1, 2 and 3 fronting Porcher Street (now National Park Street). For this reason, the history and development of the study site will be discussed based on the original allotments.

1.3 SCOPE

A Historical Baseline Archaeological Assessment will be produced based on Heritage NSW guidelines (NSW Heritage Manual 1996) and the requirements of the development. The report will include:

- Statutory background and summary of other studies.
- Site specific history – desktop study using available historical resources.
- Discussion of archaeological potential – this refers to the likelihood that the site retains an archaeological resource.
- Assessment of significance.
- Statement of Archaeological Heritage Impact – this will address the specific impact that the proposed development will have on archaeological relics.
- Recommendations for the management of the archaeological resource at the site – this may include no further action or future archaeological fieldwork.

The Historical Baseline Archaeological Assessment may be an end in itself or make further recommendations in the form of a Research Design and Methodology (RD&M) to support an exception (s139) or permit application (s140) to Heritage NSW. The research from the Historical Baseline Archaeological Assessment would form the basis of the research for the RD&M. Application for relevant endorsements would enable Historical archaeological fieldwork to take place if required.

This report considers Historical Archaeology only. This report conforms to Heritage Office Guidelines for Archaeological Assessment.¹

This report does not consider the potential Aboriginal archaeology of the study site. However, any Aboriginal sites and objects are protected by the National Parks and Wildlife Act (see Section 1.5.2).

¹ Heritage Office and Department of Urban Affairs and Planning (1996).

The heritage value of the structures currently standing on the study site is not assessed as part of this report.

The discovery of unknown and unassessed remains will require additional assessment and may require written notification to Heritage NSW under Section 146 of the *Heritage Act 1977*.

1.4 AUTHOR IDENTIFICATION

This report was researched and written by Prue Newton and Kelly Strickland. This report was reviewed by Martin Carney, company director. Site inspection was undertaken by Carney.

The main collections used were the State Records of NSW, National Library of Australia online Trove collection, University of Newcastle Special Collections, Newcastle Cultural Collections, Six Maps Viewer, and Heritage NSW online database.

1.5 STATUTORY CONTROLS AND HERITAGE STUDIES

1.5.1 NSW Heritage Act 1977 (as amended)

The *NSW Heritage Act 1977* affords automatic statutory protection to relics that form archaeological deposits or part thereof. The Act defines relics as:

Relic means any deposit, artefact, object or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance

Sections 139 to 145 of the Act prevent the excavation or disturbance of land for the purpose of discovering, exposing or moving a relic, except by a qualified archaeologist to whom an excavation permit has been issued by the Heritage Council of NSW.

1.5.2 National Parks and Wildlife Act (1974)

The *National Parks and Wildlife Act 1974* (as amended) affords protection to all Aboriginal objects and is governed by the NSW Office of Environment and Heritage. These objects are defined as:

any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.²

It is an offence to destroy Aboriginal objects or places without the consent of the Director-General.³ Section 86 discusses 'Harming or desecration of Aboriginal objects and Aboriginal places':

- (1) A person must not harm or desecrate an object that the person knows is an Aboriginal object. Maximum penalty:

² Part 1 Section 5, National Parks and Wildlife Act 1974.

³ Part 6 Section 90 (1) National Parks and Wildlife Act 1974.

- (a) in the case of an individual-2,500 penalty units or imprisonment for 1 year, or both, or (in circumstances of aggravation) 5,000 penalty units or imprisonment for 2 years, or both, or
- (b) in the case of a corporation-10,000 penalty units.
- (2) A person must not harm an Aboriginal object. Maximum penalty:
 - (a) in the case of an individual-500 penalty units or (in circumstances of aggravation) 1,000 penalty units, or
 - (b) in the case of a corporation-2,000 penalty units.
- (3) For the purposes of this section, "circumstances of aggravation" are:
 - (a) that the offence was committed in the course of carrying out a commercial activity, or
 - (b) that the offence was the second or subsequent occasion on which the offender was convicted of an offence under this section.

This subsection does not apply unless the circumstances of aggravation were identified in the court attendance notice or summons for the offence.
- (4) A person must not harm or desecrate an Aboriginal place.
Maximum penalty:
 - (a) in the case of an individual-5,000 penalty units or imprisonment for 2 years, or both, or
 - (b) in the case of a corporation-10,000 penalty units.
- (5) The offences under subsections (2) and (4) are offences of strict liability and the defence of honest and reasonable mistake of fact applies.
- (6) Subsections (1) and (2) do not apply with respect to an Aboriginal object that is dealt with in accordance with section 85A.
- (7) A single prosecution for an offence under subsection (1) or (2) may relate to a single Aboriginal object or a group of Aboriginal objects.
- (8) If, in proceedings for an offence under subsection (1), the court is satisfied that, at the time the accused harmed the Aboriginal object concerned, the accused did not know that the object was an Aboriginal object, the court may find an offence proved under subsection (2).⁴

1.5.2.1 Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW

In October 2010 DECCW (now the Office of Environment and Heritage) introduced the "Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW".⁵ This code of conduct was released in response to changes in the NPW Act which now states "A person must not harm or desecrate an object that the person knows is an Aboriginal object" or that "A person must not harm or desecrate an Aboriginal place" (NPW Act, Amendment 2010). Individuals or organisations who are contemplating undertaking activities which could harm Aboriginal objects should consult this code or engage the services of an appropriately qualified archaeological consultant to carry out a Due Diligence study on any proposed development.

This code provides a process whereby a reasonable determination can be made as to whether or not Aboriginal objects will be harmed by an activity, whether further investigation is warranted, and whether the activity requires an Aboriginal Heritage Impact Permit (AHIP) application.

If through this or any other process which meets the standards of this code, such as the commission of an Environmental Impact Assessment, one has already taken reasonable steps to identify Aboriginal objects in an area subject to a proposed activity. Subsequently if it is already known that Aboriginal objects will be harmed, or

⁴ Part 6 Section 86, National Parks and Wildlife Act 1974.

⁵ Office of Environment and Heritage,
<http://www.environment.nsw.gov.au/resources/cultureheritage/ddcop/10798ddcop.pdf>

are likely to be harmed by an activity, then an application should be made for an AHIP.

1.5.3 State Heritage Register and State Heritage Inventory

The NSW State Heritage Register and State Heritage Inventory are lists which contain which contains places, items and areas of heritage value to New South Wales. These places are protected under the New South Wales Heritage Act 1977.

The site is not listed on the NSW State Heritage Register or the NSW State Heritage Inventory.

1.5.4 National Heritage List

The National Heritage List is a list which contains places, items and areas of outstanding heritage value to Australia. This can include places and areas overseas as well as items of Aboriginal significance and origin. These places are protected under the Australian Government's EPBC Act.

The study site is not listed on the National Heritage List.

1.5.5 Commonwealth Heritage List

The Commonwealth Heritage List can include natural, Indigenous and historic places of value to the nation. Items on this list are under Commonwealth ownership or control and as such are identified, protected and managed by the federal government.

The study site is not listed on the Commonwealth Heritage List.

1.5.6 Newcastle Local Environment Plan 2012

Heritage Conservation is discussed in Part 5; Section 5.10. The following section highlights the archaeological considerations of a site in relation to developments:

7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

Schedule 5 of this plan lists Items of Environmental Heritage with heritage items listed in Part 1, Heritage Conservation areas listed in Part 2 and Archaeological Sites listed in Part 3.

The study site is not individually listed however does fall within Newcastle City Centre Heritage Conservation Area – C4 (Figure 1.3).

1.5.7 Newcastle Archaeological Management Plan 1997

Suters Architects and Planners, in association with Lavelle, C and M.J. Doring Pty Ltd and Turner created an Archaeological Management Plan for Newcastle City Council in 1997 regarding potential archaeological sites in Newcastle.

The study site is not listed as an individual archaeological inventory item in the 1997 Archaeological Management Plan. Table 1.1 contains a list of all potential or known

archaeological sites identified by the 1997 AMP in close vicinity to the study site (Figure 1.4).

Table 1.1 Newcastle Archaeological Management Plan - Potential or known archaeological sites.

Item No.	Description	Location	Below Ground Resource
1036	Great Northern Railway, Causeway and Bridges	Railway line north of Hunter Street	Potential site
1037	Honeysuckle Point Station	Railway line north of Hunter Street	Site
1038	Former Cemeteries	684-730 Hunter Street	Disturbed/ potential site
1183	Newcastle Gas Company works	King Street	Disturbed/ potential site
1192	Castlemaine Brewery	787 Hunter Street & Wood Street	Site
1204	Sewerage Pumping Station No. 1	King Street	Disturbed/ potential site

1.6 NEARBY ARCHAEOLOGICAL EXCAVATIONS & ASSESSMENTS

To date, no previous archaeological studies, heritage assessments or excavations have occurred at the study site. The following nearby sites have been identified within the Newcastle Archaeological Management Plan (1997) or Newcastle Local Environment Plan (2012) as known or potential archaeological sites. Comparison of previously assessed sites can assist in providing a broader context of post-colonial 19th century Newcastle and an increased understanding of the types of activities which were occurring in vicinity of the study site.

1.6.1 Assessment of the Historical Archaeology and Research Design: Land at the rear of 735–739 Hunter Street, Newcastle - Umwelt (Australia) Pty Limited (April 2002)

Umwelt (Australia) Pty Limited were commissioned to prepare an archaeological assessment of the rear portion of land at 735–739 Hunter Street Newcastle. This site is located approximately 50 metres northwest of the study site at its southern end. The assessed land area was described as having a mixed domestic and commercial historic development dating the late 19th century and later transformed into commercial occupation opportunities, as did a large portion of properties fronting Hunter Street.⁶ The land was assessed as holding moderate to high archaeological potential for relics associated with 1870s weatherboard residences and deposition linked to their occupation.⁷ The site was determined to hold an archaeological site of “material modification” (i.e.- partly disturbed) and the proposed development was assessed as having potential to expose material evidence and artefacts of local significance.⁸

Recommendations included archaeological monitoring and salvage excavation of archaeological relics under relevant endorsed Heritage NSW approvals. It is unclear

⁶ Umwelt (Australia) Pty Ltd (2002), p. 4-5.

⁷ Umwelt (Australia) Pty Ltd (2002), p. 6-7.

⁸ Umwelt (Australia) Pty Ltd (2002), p. 12.

if the excavation program was undertaken, no final report could be obtained during the compilation of the present report, the site only appears to have been developed recently.⁹

1.6.2 700 Hunter Street, Newcastle NSW. Historical Archaeological & Impact Assessment of the West Newcastle Presbyterian & Roman Catholic Cemetery site (c1844–1881) – AHMS (March 2001)

AHMS were commissioned to undertake an archaeological assessment at 700 Hunter Street, Newcastle, for the purposes of a proposed hotel development.¹⁰ This study area is located approximately 200 metres northeast of the study site and backs onto the former Great Northern Railway line (now light rail line). Following the demarcation of the cemetery site, the land was developed for mixed industrial operations (associated with the Honeysuckle railway workshops) and commercial occupations. Recommendations of the assessment included application to undertake archaeological test excavation in proposed impact areas to identify whether archaeological features or evidence of burials and provide data as to design amendment.¹¹

1.6.3 Bellevue Hotel. 738 Hunter Street, Newcastle. Historical Archaeological Assessment, Test Excavation & Monitoring – AMAC Group (2006)

AMAC Group undertook an archaeological assessment resulting in archaeological test excavation and monitoring at a site known as the former Bellevue Hotel, located on the corner of Hunter Street and Bellevue Street, Newcastle West. This site is situated approximately 80 metres northeast of the study site. As the façade and main structure of the c1878 Bellevue Hotel still stands, development works were undertaken at the rear of the property and within the building cavity. Prior to the construction of the hotel, historic occupation appears to have been fleeting, the area possibly used as paddocks in association with a nearby meat cannery.¹²

A combined program of Aboriginal and historical archaeological test excavation comprised of 11 trenches located within the Bellevue Hotel and within surrounding rear yard areas.¹³ The testing program exposed infrastructure associated with the operation of the hotel, including a beehive cistern, several services, and brick and sandstone footings from outbuildings.¹⁴ Archaeological monitoring occurred during the development construction phase to salvage excavate areas of impact.

1.6.4 Former Castlemaine Brewery. 787 Hunter Street, Newcastle West: S146 Notification of a Relic – AMAC Group (October 2015)

AMAC Group were contacted regarding an undocumented archaeological find during planned cabling works in October 2014. This site is located approximately

⁹ Digital resources consulted for final archaeological reports include Heritage NSW library database, State Library of NSW and Newcastle Regional Library.

¹⁰ AHMS 2001.

¹¹ AHMS 2001, 109-110. A copy of the Interim Archaeological Test Excavation Report was not accessible from Newcastle Regional Library at the time of reporting due to covid access restrictions. No copies were identified on the Heritage NSW library database or State Library of NSW.

¹² AMAC Group (2006), p. 16-17.

¹³ AMAC Group (2006), p. 24.

¹⁴ AMAC Group (2006), Section 3.0.

330 metres west of the study site. The feature investigated was the partial exposure of a tank, located on the east side of Wood Street, Newcastle West, on the southwest boundary of the works site adjacent to the Australian Broadcasting Commission (ABC Newcastle) property at the corner of Wood and Parry Streets.¹⁵ The tank was decommissioned after the late 1930s and in filled with general brewery refuse as well as its own demolition materials.¹⁶ No other archaeological material was discovered during the monitoring of the remaining cabling and substation excavation works.¹⁷ Approximately nine tenths of the original tank and fills (as discovered) remains in situ.

1.7 ACKNOWLEDGMENTS

Mr Justin Rodgers, Design Manager of St Hilliers Property Investments Pty Ltd for his assistance during the reporting process.

¹⁵ AMAC Group (2015), p. 22.

¹⁶ AMAC Group (2015), p. 25.

¹⁷ AMAC Group (2015), p. 39.

2.0 SITE HISTORY

2.1 HISTORY OF NEWCASTLE

Aboriginal occupation of the Central Coast of New South Wales is known to date from at least 5000 years before present (BP). Shell middens at Tea Gardens and Green Point date to this period, and Aboriginal archaeological sites in Newcastle and on the Hunter River attest to occupation of the area after the last Ice Age.¹⁸ Lieutenant John Shortland, the first European to record the location in any detail, reported that an indigenous population occupied the place that was to later become Newcastle when he visited in September 1797.

There was an attempt to create a settlement at Newcastle in 1801 and substantial investigation of the surrounding area was undertaken. This attempt lasted only a matter of months.¹⁹ In 1804, a group of convicts and soldiers were sent to settle the area and the town of Newcastle, originally named King's Town, was proclaimed.²⁰ The settlement was intended to house convicts sentenced for a further felony or misdemeanour committed while in the colony.²¹ It was also intended to exploit the resources of the region, principally coal, timber, salt and lime.²² The population consisted of approximately 100 people in the initial years after which there was a rapid growth between 1815 and 1821, totalling 1051 people.²³

The main street of the convict settlement was High or George Street (now Watt Street) which ran from the wharf to the commandant's house. The town was laid out, in an irregular fashion, around this. Until 1820, most of the convicts lived in huts built of timber and plaster with bark or shingle roofs. There were 71 dwellings of this sort in Newcastle by 1820. The huts were then replaced with barracks, for the accommodation of most of the convicts.²⁴

In the early 1820s, the decision was made to open the Hunter Valley to free settlers. As a result, in 1822, the majority of Newcastle's convicts were moved to Port Macquarie.²⁵ It was intended that Newcastle would become a port for the surrounding settlers.²⁶ In the early 1820s, Henry Dangar, the government surveyor, surveyed Newcastle, and laid the town out in a grid.²⁷ Although Watt Street remained, there were substantial changes to the rest of the town. The new streets and allotments created cut through many of the earlier buildings.²⁸

¹⁸ Hall and McNiven (1999).

¹⁹ *Historical Records of New South Wales* 1896 Vol.4, 404-409, 413-418, 447-453, 627-635. State Records A.O. Reel 6039 sz756 73-83.

²⁰ State Records A.O. (1804) Reel 6039 sz756, 283. Newcastle is the name intended for the settlement at Coal Harbour and Hunters River in this document dated September 1804.

²¹ Wood (1972), p. 1.

²² Turner (1997b), p. 12.

²³ Turner (1997b), p. 12.

²⁴ Turner (1997a), p. 17.

²⁵ Turner (1997a), p. 18.

²⁶ Turner (1997), p. 12.

²⁷ Dangar (1828). The engraving of Dangar's earlier survey work was undertaken by J. Cross of London and published in August 1828.

ADB (1966) Volume 1: 279-80. His original work in the Hunter was conducted in c.1822-1824.

²⁸ Turner (1997a), p. 17.

Other ports were soon established nearby, and Newcastle, intended to become the leading town of the region stagnated for many years, having been eclipsed by West Maitland, East Maitland and Morpeth.²⁹ The close proximity of the Australian Agricultural Company (AACo) was also in part to blame for the slow growth of Newcastle.³⁰

During the late 1820s–1830s the AACo had been granted 2000 acres to the west of Newcastle, for coal mining.³¹ Initially the AACo was not allowed to alienate this land, which restricted the growth of the town to land east of Brown Street until the early 1850s.³² The town was bounded on the south by Church Street.

From the late 1840s other companies opened coal mines around Newcastle. These mines began to ship coal through the Port of Newcastle and the town became a centre for the smaller settlements around the mines.³³ A few other industries were also established in the area. In 1848, the Dangar Brothers opened a meat canning factory at Honeysuckle Point in order to improve the returns on their pastoral estates. The factory produced canned beef and mutton for export to the United Kingdom, winning medals at the 1851 exhibition, and continued in operation until about 1853.³⁴

In 1846 the breakwater connecting Nobby's with South Head was completed.³⁵ In 1857 the Great Northern Railway Line was opened and in the following year Newcastle Railway Station was opened.³⁶ Where previously Morpeth had been the main town in the region, the opening of the railway through to Newcastle contributed to the growth of the latter town, which came to replace Morpeth. Newcastle was incorporated as a municipality in 1859.

The provision of piped water into the town began in 1887.³⁷ Nightsoil was collected by Newcastle City Council from at least the 1880s and dumped, at first on vacant land and then later out at sea. In 1888 the Council began the construction of a pipe drainage system for stormwater, and soon after this was completed, the Council permitted the disposal of human sewage through those pipes to be discharged into the harbour.³⁸ By 1900, only 330 properties in Newcastle were utilising this system; 1570 were still using the pan system and 175 had cesspits.³⁹ In 1903 the Newcastle Sewerage Scheme was commenced. The first parts of the district connected to the system were Newcastle, Merewether, and a small part of Hamilton.⁴⁰

In the first part of the twentieth century, the closure of inner-city collieries and the replacement of collieries further away meant that there was a population movement away from Newcastle. However, the opening of the BHP steel works in about 1915 brought people back to the city and changed the character of the area.⁴¹

²⁹ Turner (1997a), p. 10.

³⁰ Wood (1972), p. 277.

³¹ Turner (1997a), p. 18; Bairstow (2003), p. 62–63, 121.

³² Turner (1997a), p. 19.

³³ Turner (1997a), p. 19.

³⁴ Turner (1997a), p. 19; Bairstow (2003), p. 341.

³⁵ Newcastle City Centre – First Fifty Years.

³⁶ Newcastle City Centre – Second Fifty Years.

³⁷ Turner (1997a), p. 22.

³⁸ Armstrong (1967), p. 153.

³⁹ Armstrong (1967), p. 154.

⁴⁰ Armstrong (1967), p. 159–160.

⁴¹ Newcastle City Centre – Third Fifty Years.

The second half of the twentieth century brought an overall decline to Newcastle. The development of retail centres in surrounding suburbs took business away from the city and the 1989 earthquake, the principal effect of which was felt in the city centre, appeared to accelerate the decline of the area. The closure of the BHP steelworks, announced in 1997, increased the level of unemployment in the Newcastle region.⁴²

However, in saying this, the local government had undertaken various large projects in the area, including the redevelopment of 17 hectares of harbour front land as a bicentennial project to stimulate growth in the area and create new industries such as tourism.⁴³

2.2 ORIGINAL GRANT

The site is part of 2000 acres selected by the Australian Agricultural Company in 1828. The Company was incorporated by an Act of the British Parliament in 1824. The stated objective of the Company was the cultivation of waste lands in New South Wales, although its main purpose was the production of fine wool and also of the grape vine, olive, flax and other crops.⁴⁴ The principle condition stated by the British Parliament was that the majority of labour would be conducted by convicts and supervised by those professional mechanics and superintendents arriving from England.⁴⁵ A Committee was established for the Company which included James McArthur (son of John McArthur), cousin Hannibal Hawkins McArthur and Principal Surgeon James Bowman.⁴⁶

The initial proposal concerning the Newcastle land had been for the Company to lease and work the Government's coal mines around the town. However, by the late 1820s this proposal had changed, and the Company was allowed to choose 2000 acres of coal land in two parcels, the first of which comprised 500 acres and could include the existing Government coal mines if the Company chose. The Company chose not to include the Government mines in its grant.⁴⁷

There were several conditions to the grant. Coal from the mines, to a total of one quarter of the average annual produce, was to be sold to the Government at what was estimated to be the cost price.⁴⁸ For thirty one years after the grant, no Governor was to grant a coal mine or land containing a coal mine without the coal being excepted from the grant, nor to afford any assistance in convict labour for the working of any coal mine other than the property of AACo.⁴⁹ The Government had the right to assist competitors of the Company if the Company charged an excessive price for coal, and could resume the 500 acres if, in any one year, the Company did not produce two-thirds of the average annual output of the mines over the period from 1826 to 1828.⁵⁰ The land to the east of Brown and Terrace Streets was reserved for the Government Township.

⁴² Newcastle City Centre – Fourth Fifty Years.

⁴³ Newcastle City Centre – Fourth Fifty Years.

⁴⁴ Bairstow (2003), p. 5.

⁴⁵ Pemberton (2009), p. 56.

⁴⁶ Pemberton (2009), p. 56.

⁴⁷ Gregson (1907), p. 61.

⁴⁸ Gregson (1907), p. 51.

⁴⁹ Turner (1982), p. 31.

⁵⁰ Turner (1982), p. 32.

The Company began to sell coal in 1831. Their new shaft, near the present corner of Church and Brown Streets, was officially opened in 1832.⁵¹ A temporary loading staithe and wharf was built on the water a little west of the foot of Brown Street, and a large, inclined plane was laid from the pit to the loading place.⁵² This shaft was known as the Company's 'A' Pit. It is thought to have been located on or near the lower part of the property at 106 Church Street, to the north-east of the site.

Production increased as demand rose, primarily due to the introduction of the steamship to the colony. By 1847, the Hunter River Steam Navigation Company was consuming 18% of the Company's total output of coal.⁵³ The Company also supplied the Australian Gas Light Company, founded in 1836, which commenced commercial operations in 1841. A domestic market for coal also developed in the colony, and there was some export to other colonies.⁵⁴

In 1847, the coal agreement between the Government and the Company was terminated. The coal grant at Newcastle was freed from all conditions, and all existing privileges were given up. This meant that the Company could sell the land.⁵⁵ A grant was issued in this year.

As Newcastle's population grew, from the 1850s the Company subdivided its Newcastle property including the study site into housing and commercial allotments, at first in the inner-city area, and later in Hamilton.⁵⁶ Subdivision and sale continued well into the twentieth century. The Honeysuckle railway terminus, as part of the Great Northern Railway, was initiated during the mid-1850s which further assisted with land sales in this immediate area.⁵⁷

2.3 SUBSEQUENT OWNERS AND OCCUPANTS

For a history of land titles for original Lots 16, 17, 18 (Hunter Street) and Lots 1, 2, 3 (National Park Street) refer to Appendices 8.1.

2.3.1 Lot 16 – Hunter Street Frontage:

Lot 16 Section B was presumably sold to William Henry Whyte pre-1863 based on a note recorded on the Primary Application.⁵⁸ Whyte was a shipping agent and auctioneer who lived on Watt Street, Newcastle. Whyte and his wife Mary Ann appear to have resided on Watt Street for most of their lives and are not believed to have ever occupied the site. By 1869, Whyte had defaulted on his mortgage with the Australian Trust Company and his land was subsequently sold off.⁵⁹ Lot 16 consisting of 40 perches was purchased by Michael Thompson of Morgan's Buildings and a miner. Thompson paid £200 of a four-part payment plan with the

⁵¹ Pemberton (2009), p. 58.

⁵² Windross and Ralston (1897), p. 45.

⁵³ Turner (1982), p. 33.

⁵⁴ Turner (1982), p. 35.

⁵⁵ Turner (1982), p. 52.

⁵⁶ Suters Architects and Planners, Lavelle, S., C and M.J. Doring Pty Ltd and Turner, J., (1997a), p. 20.

⁵⁷ Suters Architects and Planners, Lavelle, S., C and M.J. Doring Pty Ltd and Turner, J., (1997a), p. 20.

⁵⁸ PA 12697.

⁵⁹ Book 115 No. 17.

remainder to be paid over 24 months.⁶⁰ Several mortgages were taken out and paid by Thompson during his long ownership period, however there is little documentary information on him as an individual. It is not known exactly how long Thompson owned the property, as the 1893 Conveyance document records James and Mary Connell as purchasing the allotment at some point but missing three consecutive mortgage payments. By the 28th March 1893 the allotment had been seized by trustees John Broughton, William Kerr Lochhead and David Miller of the Newcastle Permanent Investment and Building Society and sold to Charles Upfold on the basis of the Connells defaulted mortgage for £695.⁶¹

Charles Upfold was born in 1834 in Walworth England. Upfold began his apprenticeship as a soap and candle maker at John Knight's Factory at Wapping at the age of 14 years.⁶² In July 1860 he migrated to Australia and moved to Newcastle in 1863. In 1864 he married Sarah Ann Temperance Blundell at St Mary's Church West Maitland, and they had ten recorded children together.⁶³ Establishing a soap making business in Wickham, quickly expanded to three factories under the name of the Candle Factory and the Great Northern Soap. He also established larger works known as the Sydney Soap and Candle Company Limited and also pursued copper smelting works and horticulture practices on his other property known as the "Orange Grove" at Raymond Terrace where he resided in until 1905.⁶⁴ Uphold sold Allotment 16 to Henry Marcus Clark on the 30th March 1901 for £1000 thus it was likely that he did not occupy Allotment 16.⁶⁵ He was awarded an Order of Merit award from the Department of Agriculture in 1891 for his chemical sprays to assist in pest and disease control on plants.⁶⁶ The company remained in the family until approximately 1910 and was sold to Messrs. Kitchen & Sons following his son Roberts death. In 1919 Charles Upfold died at the age of 84 at Chatswood.⁶⁷

Henry Marcus Clark bought Lot 16 in 1901, though it was not until the 28th January 1904 that a Certificate of Title was provided.⁶⁸ Clark was born in Liverpool, England and migrated to Victoria in 1880. In 1883 he moved to Sydney and married Australian born Martha Annie Day.⁶⁹ They had five recorded children together before Martha died in 1892. In 1894 Henry remarried her sister Georgina Day and had another four children.⁷⁰ Clark established a small drapery shop at Newtown in 1883.⁷¹ The business expanded quickly, becoming a public company and universal distributors under the registered name Marcus Clark & Co.⁷²

Preliminary research suggests that Marcus Clark & Co opened a Newcastle branch around c.1894,⁷³ though newspaper articles advertising a store at "67 Hunter Street, Newcastle West" do not appear in the *Newcastle Morning Herald & Miners Advocate*

⁶⁰ Book 115 No. 17.

⁶¹ Book 512 No. 788.

⁶² NSW Electronic Regional Archives, <https://www.nswera.net.au/biogs/UNC0052b.htm>

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Book 730 No. 271.

⁶⁶ NSW Electronic Regional Archives, <https://www.nswera.net.au/biogs/UNC0052b.htm>

⁶⁷ Ibid.

⁶⁸ Book 730 No. 271.

⁶⁹ NSW Birth, Death & Marriage Registry, Marriage 2626/1883.

⁷⁰ NSW Birth, Death & Marriage Registry, Death 8126/1892; Marriage 7522/1894.

⁷¹ Spearritt (1891).

⁷² Spearritt (1891).

⁷³ Newcastle Thematic History (2007), p. 42.

or any other sighted papers until 1899.⁷⁴ The building was constructed between 1897 and 1900 based on historic plans and photographs of the study site. Land title research provides dates of ownership of the individual allotments comprising the study site by Marcus Clark & Co that significantly postdate known occupation phases (for example, 1905, 1915, 1959) and further suggests that the company may have been leasing several of the allotments while carrying out their commercial operations.⁷⁵ On the 27th July 1915 by Application of Transmission Lot 16 was taken over by Clarks son, Reginald Marcus Clark, Joseph Ward Airey and William Edwin Day.⁷⁶

On the 30th of December 1958 a new Certificate of Title was granted to Marcus Clark and Company Limited for Lots 1, 16 and 17 and part of Lot 2 of Section B of AACo's subdivision and being also part of Portion 268A granted to the AACo on 20th November 1847.⁷⁷ A few newspaper articles dated to 1962 and 1963 suggest that Marcus Clark & Co were rebuilding or renovating their Hunter Street store. In March 1963, a newspaper article about Marcus Clark stores notes that "work is going ahead on the rebuilding of the Newcastle store".⁷⁸ No other Marcus Clark department store is known to have existed in Newcastle. It is possible that Marcus Clark & Co could have made renovations that involved modifications to the front facade of the building such as metal cladding, however historic photographs showing a new store façade and building layout postdate the Walton's Ltd takeover (Figure 2.17 - Figure 2.20). Walton's Ltd bought out Marcus Clark & Co in late 1966 after the company had posted consistent profit losses throughout the 1960s.⁷⁹ A mortgage for the front half of the study site comprising the Marcus Clark & Co building was taken out by Walton's Ltd in October 1966.⁸⁰

Walton's Ltd occupied the study site up until the late 1980s when the company was bought out and restructured by several different entities. The white clad facade of the building remains today, now more commonly referred to as the Spotlight building.

2.3.2 Lot 17 – Hunter Street Frontage:

Lot 17 Section B consisting of 40 perches was sold for £30 from the AACo to Thomas Carpenter on the 28th March 1856.⁸¹ Carpenter was a bricklayer and while he owned Lot 17 for 14 years, there is very little information on him in the historical record.⁸² On the 5th April 1870, Carpenter sold the allotment to Charles Boscowen Ranclaud for £100.⁸³ Ranclaud divided Lot 17 into two portions identified as A and B and were separated by a reserved lane. Ranclaud was an esquire but only owned the property for a short period before selling the two portions.⁸⁴ Portion A was sold to George Yeoman for £170 on the 8th October 1870.⁸⁵ Whereas Portion B, consisting of 7 ½ perches was sold to William Haney Collins for £70 on the 24th

⁷⁴ *Newcastle Morning Herald & Miners Advocate* (10.03.1899), p. 3.

⁷⁵ NSW Land Titles Office: PA27616; PA12697; Vol.7695-Fol.1.

⁷⁶ Vol. 1514 Fol. 134, A176766.

⁷⁷ Vol. 1514 Fol. 134, A176766.

⁷⁸ *Canberra Times* (05.03.1963), p. 30.

⁷⁹ *The Canberra Times* (22.10.1966), p. 16.

⁸⁰ NSW Land Titles Office: Vol.7625- Fol. 158; *The Canberra Times* (21.10.1967), p. 16.

⁸¹ Book 118 No. 715.

⁸² Book 118 No. 716.

⁸³ Book 118 No. 716.

⁸⁴ Book 121 No. 645, Book 123 No. 645

⁸⁵ Book 121 No. 645.

January 1871.⁸⁶ August of the same year however, Collins sold his portion B and a reserved laneway (Portion C) to Yeoman which he then owned the entirety of Lot 17 Section B.⁸⁷

George Yeoman (1871–1891)

George Yeoman (sometimes Yeomans) was born in York in 1817 to William and Mary Yeoman.⁸⁸ George married Alice Smith in Sculcoates, Yorkshire in 1838.⁸⁹ An 1851 English census records the couple as having no children.⁹⁰ George and Alice arrived in Hobart per the *Mooltan* in 1854 (in the arrival document Alice is incorrectly recorded as Anne and again no children are listed).⁹¹

There is no record of when the Yeoman's came to Newcastle, though it must have been sometime prior to 1870 when they purchased the study site. George Yeoman came to be a prolific builder/ contractor in the Newcastle area. Newspaper articles from the period mention his involvement in many projects including the Newcastle Hospital and several local schools.⁹²

Yeoman was responsible for the construction of seven residential units on the allotment, fronting Charlton St (now Hunter St).⁹³ Historical records are unclear as to whether Yeoman and his family occupied the site, but it is likely that this was an investment interest as he owned multiple properties throughout Newcastle. George Yeoman died in Newcastle in 1891.⁹⁴

Following Yeomans death in 1891, his wife Alice sold Allotment 17 to William James Christie on the 10th October for £2375.⁹⁵ According to the Sydney Morning Herald's Obituary of Captain W. J. Christie, he was a master mariner who was born in the Shetland Isles in c.1850 where he became a qualified sailor at a very young age.⁹⁶ He commandeered the four masted barque *Amazon* and the three masted barques *Beecroft* and *River Thames*. Christie came to Australia and resided in Newcastle where he married Margaret Christie in 1884.⁹⁷ They had four recorded children, Maggie (1885), Myra (1888) and Leila (1890) all born in Newcastle and William (1896) in Wickham. Christie died in 1930 at his residence in Wolseley Road, Mosman.⁹⁸ Prior to his death, Christie sold Allotment 17 to Marcus Clark and Company Limited for £3100 on the 28th July 1915.⁹⁹

On the 24th May 1927, the official Certificate of Title for Lots 17, 1 and part Lot 2 and 16 Section B, consisting of 1 rood 26 ½ perches was given to Marcus Clark and

⁸⁶ Book 123 No. 645.

⁸⁷ Book 126 No. 753.

⁸⁸ Ancestry.com. *England, Select Births and Christenings, 1538-1975*.

⁸⁹ *England & Wales, Civil Registration Marriage Index, 1837-1915*.

⁹⁰ Ancestry.com. *1851 England Census*.

⁹¹ Ancestry.com. *Tasmania, Australia, Immigrant Lists, 1841-1884*.

⁹² Wickham Public School. (1878, January 15). *Newcastle Morning Herald and Miners' Advocate* (NSW : 1876 - 1954), p. 2.

⁹³ Umwelt (2002).

⁹⁴ Ancestry.com. *New South Wales, Australia, Government Gazettes, 1853-1899*.

⁹⁵ Book 471 No. 652.

⁹⁶ 'Captain W. J. Christie', *The Sydney Morning Herald* (NSW: 1842–1954), Tues 4 Nov 1930, p. 10.

⁹⁷ NSW Birth, Death & Marriage Registry, Marriage 6363/1884

⁹⁸ NSW Birth, Death & Marriage Registry, Death 17368/1930.

⁹⁹ Book 1063 No. 278.

Company Limited.¹⁰⁰ As discussed in Section 2.3.1, Walton's Ltd bought the study site from Marcus Clark & Co in October 1966 and was occupied by the company until the late 1980s.¹⁰¹

2.3.3 Lot 18 – Hunter Street Frontage:

Lot 18 Section B was sold by The AACo to Emily Ann McIntosh of Newcastle on the 25th May 1887 for £600.¹⁰² On the 19th August 1890 McIntosh transferred the ownership solely to her husband Charles Hugh McIntosh.¹⁰³ Emily and Charles had ten children together all recorded in the Newcastle district.¹⁰⁴ It was recorded that Charles defaulted on a loan and the Bank of New South Wales sells the property to William Winn for £1500 on the 18th March 1904.¹⁰⁵ Winn was one of the founders of Messrs, W. Winn and C. Ltd. He was born in Newcastle and died in 1929 at the age of 80 according to *The Newcastle Sun*.¹⁰⁶ Winn opened the business with his brother Isaac Winn. According to *The Newcastle Sun*, 51 years ago from 1929, which would date back to 1879, they opened a shop on Hunters Street which remained the building on the premise in 1929.

On the 23rd August 1912, The New South Wales Aerated Water and Confectionery Company Limited bought Lot 18 for £625.¹⁰⁷ The company was a well-known business that extended and expanded the industry.¹⁰⁸ It formed in 1896 with shareholders including George E. Redman (proprietor of Redman's Cordial Factory), G. E. Redman Jnr, Alfred, Richard and George Coleman, Edward Pateman Coulter and J. T. Atkinson.¹⁰⁹ Redman eventually bought the other shareholders out and possessed sole ownership which remained in his family up until the 1960s.¹¹⁰ According to reports, in 1915 the firm built another factory in Hunter Street, near the bank corner which is in close proximity to the site. According to the Newspaper dated 1920, the location of the factory and its operations included:

The main factory is situated at 725 to 733 Hunter Street West, Newcastle and the largest machinery is installed, which includes the most modern type for the rapid handling and perfect cleansing of bottles. Before being filled the bottles are soaked for ten minutes in a strong solution of hot caustic soda, and they are afterwards thoroughly brushed and rinsed. The factory is the largest and most of complete of its kind in the district. A second factory is situated at Devo-street, Wallsend. The firms' manufacturers include ginger ale, lemonade, ginger beer, soda water, mione, hop and tonic beers, fruit champagne, and fruito.¹¹¹

¹⁰⁰ Vol. 4006 Fol. 17.

¹⁰¹ *The Canberra Times* (22.10.1966), p. 16.

¹⁰² Book 365 No. 951.

¹⁰³ Book 443 No. 441.

¹⁰⁴ <https://familyhistory.bdm.nsw.gov.au/lifelink/familyhistory/search/births?22>

¹⁰⁵ Book 756 No. 193.

¹⁰⁶ MR WILLIAM WINN (1929, December 2). *The Newcastle Sun* (NSW: 1918 - 1954), p. 6.

¹⁰⁷ Book 975 No. 259.

¹⁰⁸ AERATED WATER COMPANY. (1920, December 10). *Newcastle Morning Herald and Miners' Advocate* (NSW : 1876 - 1954), p. 7.

¹⁰⁹ Jackson, L. (8/10/1989) Interview with Mr. Ian Sherman on Cordial Manufacturers in Newcastle and the Hunter Valley. University of Newcastle Library.

¹¹⁰ Ibid.

¹¹¹ AERATED WATER COMPANY. (1920, December 10). *Newcastle Morning Herald and Miners' Advocate* (NSW : 1876 - 1954), p. 7.

This factory on Hunter Street remained there until the 1920s and was relocated to Lambton due to the rising costs of operation of plant and property valuations in Hunter Street.¹¹²

On the 20th of May 1954 Lot 18 was sold to McKelee Limited for £30,000. A portion of Lot 18 consisting of 8 perches was sold to Marcus Clarke and Company Limited (see Section 2.3.1) in 1959.¹¹³ Lot 18 was mortgaged to Waltons Stores Limited in 1966 and officially became the registered proprietor in 1982 (See Section 2.3.1).¹¹⁴

2.3.4 Lot 1 – National Park Street Frontage

On the 22nd June 1905 Lot 1 Section B, consisting of 26 perches was sold for £500 from the AACo to Henry Marcus Clark who by this point had bought Lot 16 – Hunter Street frontage (1901) and later Lot 17 (1915), northern half of Lot 2 (1950), southern of Lot 2 (1961) and a portion of Lot 18 (1959).¹¹⁵ In 1927 Marcus Clark and Company Limited received a Certificate of Title for these allotments.¹¹⁶ As previously discussed in Section 2.3.1, Walton's Ltd bought the study site from Marcus Clark & Co in October 1966 and was occupied by the company until the late 1980s.¹¹⁷

2.3.5 Lot 2 – National Park Street Frontage

Lot 2 Section B consisted of 35 ¼ perches and was sold from the AACo to Newman Silverthorne on the 4th February 1897.¹¹⁸ Silverthorne was Canadian born in c.1863 and travelled to Australia where he died in Porcher Street, Newcastle in 1932.¹¹⁹ He was a well-known veterinary surgeon and was reportedly highly regarded in society which was evident by the number of mourners and high representative individuals at his funeral.¹²⁰ He married Eleanor Christina McFarlan in 1895 and they had two children together, Clara and Frank.¹²¹ In 1903 Eleanor died and in 1905 Silverthorne remarried Mary William to which they also had two children, Newman Vincent and Clifford.¹²² In 1897 subdivided Lot 2 into the northern portion consisting of 17 ¾ perches and southern portion equating to 17 ½ perches.

The southern portion of Lot 2 was sold to various subsequent owners who owned the site for short periods (see Table 8.5). These individuals included Charles S. Parker, painter who was residing in England (1990), Alfred Ernest Fry, secretary of Newcastle (1904) and resold back to Newman Silverthorne in 1905 for £225.

¹¹² Jackson, L. (8/10/1989) Interview with Mr. Ian Sherman on Cordial Manufacturers in Newcastle and the Hunter Valley. University of Newcastle Library.

¹¹³ Book 2333 No. 615; Vol. 7695 Fol. 1.

¹¹⁴ Vol. 7695 Fol. 1 M501915 and T188739.

¹¹⁵ Book 1410 No. 911.

¹¹⁶ Vol. 4006 Fol. 17

¹¹⁷ *The Canberra Times* (22.10.1966), p. 16.

¹¹⁸ Book 596 No. 220.

¹¹⁹ NSW Birth, Death & Marriage Registry, Death 7212/1932.

¹²⁰ MR. N. SILVERTHORNE'S FUNERAL, *Newcastle Sun*, Mon 2 May 1932 p. 4.

¹²¹ NSW Birth, Death & Marriage Registry, Birth – Clara E (5677/1896), Frank A (14683/1897).

<https://australianroyalty.net.au/tree/purnellmccord.ged/individual/I61000/Newman-Silverthorne>

¹²² NSW Birth, Death & Marriage Registry, Marriage 10081/1905.

<https://australianroyalty.net.au/tree/purnellmccord.ged/individual/I61000/Newman-Silverthorne>

Following Mary Silverthorne's death both the southern and northern portion of Lot 2 were conveyed to their son Newman Vincent, an optician and beneficiary in 1948.¹²³

The northern portion was not sold until the 16th May 1950 from Silverthorne's son Newman Vincent to Marcus Clark and Company Limited.¹²⁴ The southern portion was sold later in 1961 to the same company for £6000.¹²⁵ Waltons Stores Limited took over the allotment in 1982 (see Section 2.3.1).

2.3.6 Lot 3 – National Park Street Frontage

On the 30th August 1905, Lot 3 Section B was sold for £500 from the AACo to Mary Catherine Nixon.¹²⁶ The allotment was separated into two portions, south being the corner of Porcher and Langford Streets and the north portion adjacent to Lot 2 and consisting of 18 $\frac{3}{4}$ perches. Mary Catherine Nixon (nee Black) was the wife of Thomas Nixon a master mariner. They were married in 1860 in Armidale and had eight recorded children.¹²⁷ Mary sold the south portion of Lot 3 for £384 to George Edwin Cooper (railway employee), Walter Edwin Bramble (carrier), Thomas Spink (railway inspector), Robert Sinclair (railway employee) and Thomas Henry Raysmith (jeweller) in 1906.¹²⁸ Although the Conveyance document was granted to these individuals, it was recorded that certain conditions were upheld upon the sale of the south portion that included:

“Forever upon trust to permit the same and any building or buildings now or here after erected thereon to be used by the Brethren from time to time constituting “Lodge Sedgwick” of Ancient Free and Accepted Masons being No. 125 on the register of the United Grand Lodge of new South Wales.”¹²⁹

On the 10th October 1975 the southern portion had come into possession of Walter Douglas Caddy (accountant), Gordon George Hinds (railway clerk), Samuel Osborne Greenland (moulder), James Geoffrey Bradley (bus driver) and Bruce Howard (fitter) which they sold to Manual Diaz for £60,000. Diaz and his wife Susan Clare sold the southern portion to Oz Beer Pty Limited for \$220,000 on the 15th February 1987.¹³⁰

Mary Dixon died on the 27th December 1923 and the northern portion of Lot 3 was inherited by her grandson Arthur Thomas Nixon (son of James). Arthur married Mary Thompson in 1881.¹³¹ Following the death of Arthur on the 21st May 1939, his daughter Laura May McDonald (nee Dixon) inherits the northern portion consisting of 18 $\frac{1}{4}$ perches.¹³² A Conveyance was not granted until the 15th March 1950.¹³³ McDonald died in 1969 and the estate was seized by the Public trustees as she did

¹²³ Book 2060 No. 860.

¹²⁴ Book 2125 No. 747.

¹²⁵ Book 2572 No. 163.

¹²⁶ Book 787 No. 723.

¹²⁷ NSW Birth, Death & Marriage Registry, Marriage 1157/1860.

¹²⁸ Book 1061 No. 71.

¹²⁹ Book 1061 No. 71.

¹³⁰ Book 3742 No. 139.

¹³¹ NSW Birth, Death & Marriage Registry, 4433/1881.

¹³² NSW Birth, Death & Marriage Registry, 24682/1882.

¹³³ Book 2118 No.433.

not make a will.¹³⁴ Peter Dupen Pty Limited bought the property in 1970 for \$30,000 and sold to Waltons Stores Limited for \$1 in 1971.¹³⁵

On the 30th July 1986, Waltons Stores Limited sell all of the study site to Ruamore Pty Limited for \$3,100,000.¹³⁶

¹³⁴ Book 3001 No. 214.

¹³⁵ Book 3001 No. 214.

¹³⁶ Book 3674 No. 683.

2.4 DEVELOPMENT

2.4.1 Mid – Late 19th century – AACo Subdivision and Sale

From the 1850s AACo subdivided the study site and the allotments fronting Hunter Street consisted of Lot 16, 17 and 18 and Lots 1, 2 and 3 fronted Porcher Street (now National Park Street). Based on the 1886 and 1896–97 plan, Lots 1 and 3 were vacant and had no evidence of development. Thus, the extent of development based on this plan will be discussed only for allotments containing evidence of development from the mid-late 19th century.

Hunter Street Frontage

The earliest evidence of development on the study site fronting Hunter Street is provided on an 1886 plan. The allotments are not defined on this plan but based on historic overlays, Lots 16, 17 and 18 fronting Blane Street (now Hunter Street) had been developed.

Allotment 16

Based on the 1886 plan, Lot 16 contained a rectangular building fronting Blane Street (now Hunter Street). The building appears to have shared a wall or was up against the eastern wall of Yeomans Terrace on Lot 17. No documentary information is known of this building and by 1896–97 plan the building was demolished and Lot 16 appears vacant.

Allotment 17

The 1886 plan shows that under the ownership of G. Yeoman, two terrace buildings separated by a carriageway were constructed fronting Blane Street (now Hunter Street). They each have two square structures at the rear of the buildings. Two large adjoining rectangular building with wings on both ends and extending in the centre was constructed in the south portion of Lot 17 situated parallel to the eastern boundary. The 1896-97 plan shows that the terraces fronting Hunter Street had now been numbered (No. 25–31) and the boundaries of the allotments defined. The structures at the rear of the buildings appear to have been removed. Boundaries dividing the rear yard of the building have been established with an outbuilding across both rear yards on the southernmost boundary. No 31 also shares its western wall with building No. 33 constructed on Lot 18. The rear yard of No 31 is similar to No. 27–25 with a shared outbuilding at the southern boundary. Both rear yards of No. 25–27 and No. 29–31 contain a well in the centre.

The c.1886 large rectangular building constructed in the south portion of Lot 17 situated parallel to the eastern boundary remained on the 1896–97 plan. Both the north and south yards are divided into two by this point and a rectangular outbuilding located up against the eastern boundary has been constructed on each and shared between the yards.

Allotment 18

The earliest development on Lot 18 appears on the 1886 plan under the ownership of Charles McIntosh. The building is rectangular with an adjoining structure on the northwest corner and on the east side and detailed as a 'General Blacksmith'. This building however is outside of the periphery of the study site and by 1896–97 was either demolished and replaced with a large shed or was renovated and extended.

By 1896–97 a rectangular building fronting Hunter Street, adjoined to the western wall of No. 31 was built and is situated within the study site. The length of the building extended to the boundary of the rear yard of Nos. 29–31. A possible veranda or extension is located on the southwest portion of the building. Lot 18 also contained two adjoined buildings along the southern boundary of the rear yard of No 33, however, these buildings are outside the study site.

National Park Street (Porcher Street) Frontage

Allotment 2

Based on the 1896–97 plan Lot 2 was divided into two portions with boundaries. On the northern portion a building with front and rear verandas was constructed fronting Porcher Street. This building was constructed prior to an c.1893 photograph and operated as a veterinary surgeon under the ownership of Newman Silverthorne. At the rear of the property a small outbuilding was situated in the north corner. A large rectangular building parallel to the eastern boundary is also detailed in the 1896–97 plan and can be seen as a two-storey building possibly functioning as stables/barn in the c.1893 photograph. On the southern portion of the allotment a rectangular shed was constructed in the rear yard, running parallel to the eastern boundary of Lot 3.

2.4.2 Early – Mid 20th Century

Hunter Street Frontage: The development of Marcus Clark & Co.

Photographs dated c.1900–1902 provide the earliest visual evidence of the Marcus Clark & Co. shop façade (Figure 2.6). This shop was a two-storey building constructed on original Lot 16 and fronted Hunter Street with a clock tower standing at its junction with National Park Street (then Porcher Street). The second storey does not extend along the complete frontage of the study site on Hunter Street and stops at the original c.1890s terrace buildings which remain situated on original Lot 17.

There is limited information in relation to the expansion and remodelling works of the Marcus Clark & Co building which occurred in the 1920s. An article dated to 1927 refers to a Mr. H. V. Vernon, architect, of Newcastle who wrote to the Hunter Water Board with a sketch showing a proposed two storey brick store in the rear yard of the Marcus Clark and Co premises.¹³⁷ Vernon was also the contracted architect for the Marcus Clarke and Co erected at Lismore in the 1920s.¹³⁸ While these are the only known references to Vernon, it's highly possible that he was involved in the 1920s remodelling of the Newcastle store.

Based on c.1929 photograph which shows the second story of the Marcus Clark & Co building had been extended and the original c.1890s terrace buildings on original Lot 17 were either demolished or built on top of and incorporated into the Marcus Clark & Co building. When comparing the c.1900–02 and c.1906 photographs with the c.1929 image (Figure 2.6, Figure 2.7 and Figure 2.13) it is clear that the clock tower was replaced or modified as part of these 1920s works, as well as the façades original decoration was changed including: the windows were widened except for

¹³⁷ 'New Brick Store – Hunter-street Building'. *The Newcastle Sun*, 14 Feb 1927, p. 2.

¹³⁸ 'Contracts'. *The Sydney Morning Herald*, 12 September 1928, p. 13.

the corner window, rendered decoration altered, blocking of the rendered walls, the parapet, and lettering and Cupola were changed to the junction of Hunter and National Park Streets. The second storey was also expanded along the site's National Park Street frontage (Figure 2.13), where it joined the existing two storey showroom towards the rear (Figure 2.8 and Figure 2.9).

National Park Street (Porcher Street) Frontage

The two storey Marcus Clark & Co building covered the junction of National Park Street (then Porcher Street). A one storey building was constructed by the c.1900-1902 photograph at the rear of Marcus & Co building and covered half the frontage of National Park Street (Figure 2.6). By 1906, two storey Marcus Clark & Co show rooms were built adjoined to the one storey building (Figure 2.7). As previously stated above, by c.1929 the second storey of the Marcus Clark & Co was expanded across the frontage and built on top of the c.1900 one storey building to join to the show rooms (Figure 2.13).

There are no known photographs or plans from the early-mid 20th century that clearly depict the three buildings on original Lots 2 and 3. The c.1929 photograph shows a larger building south of the show rooms which would be in the location of the c.1880s veterinary surgeon, thus it can be assumed the building has been demolished by this point (Figure 2.13). The extension of the Marcus Clarke & Co company building to the rear would have also removed the rear buildings on original Allotments 2 and 3.

2.4.3 Mid to Late 20th Century

According to newspaper articles dated to 1964, The Marcus Clarke & Co building underwent rebuilds and renovations as part of a £500,000 remodelling scheme.¹³⁹ It was one of many larger developments for Hunter Street towards modernisation of the area costing up to £6 million.¹⁴⁰ On the 8th April 1964 the *Newcastle Morning Herald* reported that the deputy engineer was Mr Grayson and Sydney Architects were planning the project that entailed major additions to the Hunter Street, Newcastle store of Marcus Clark at a cost of £164,000.¹⁴¹ The manager of the store at the time was Mr M. Wiley who told the reporter that:

Extensions would be located at the rear of the present buildings and would embody three floors... the ground floor would house new bulk stores, delivery docks and a new entrance for the car park. The second floor would contain a hairdressing salon, a cafeteria for customers and the staff, and a new selling area. The stores general office, a mail order department and air conditioning plant would be located on the second floor.¹⁴²

The customer car park would be extended when the building extensions were complete. He estimated that the total value of the extensions and fixtures and fittings would be about £200,000. The Improvements were to be carried out by W. Stronach Pty. Ltd. and it was expected they would be complete by October 31.¹⁴³

The lack of documentary information and photographs limits the extent of validity if the said internal modifications occurred as reported. The only known visual evidence

¹³⁹ 'Hunter Street Develops'. *Newcastle Morning Herald*, 28th May 1964.

¹⁴⁰ 'Hunter Street Develops'. *Newcastle Morning Herald*, 28th May 1964.

¹⁴¹ 'Additions to cost £164,000'. *Newcastle Morning Herald*, 8th April 1964.

¹⁴² 'Additions to cost £164,000'. *Newcastle Morning Herald*, 8th April 1964.

¹⁴³ 'Air conditioning'. *Newcastle Morning Herald*, 8th April 1964.

of exterior modifications is based on historic photographs. The 1956 and 1959 photographs of the Marcus Clarke & Co building demonstrate the extent of the façade and the extension works prior to 1960s works (Figure 2.14 and Figure 2.16). A c.1966 photograph (Figure 2.17) of the roof and corner of the building shows the clock tower had been removed and the 1970s photographs clearly show the altered façade from the 1920s remodelling works changed to a white clad façade which remains today (Figure 2.19). The Walton's Ltd takeout occurred in late 1966 which is marked by the signage on the façade. Waltons Ltd occupied the site until the 1980s and was restructured by subsequent companies (Figure 2.20).

2.5 CONCLUSIONS OF HISTORIC RESEARCH

- The site is part of 2000 acres selected by the Australian Agricultural Company in 1828.
- From the 1850s the study site was subdivided into Lot 16, 17 and 18 fronting Hunter Street and Lots 1, 2 and 3 fronting National Park Street.

Mid-late 19th century

- Lot 16 contained a rectangular building that was demolished by 1896–97.
- Lot 17 under the ownership of G. Yeoman was occupied by two terrace buildings (Nos. 25–31) fronting Hunter Street, two square structures (demolished by 1896–97), two wells at the rear of the buildings, and two adjoined rectangular buildings extending to the centre in the south portion of the lot.
- By 1896–97 plan outbuildings were constructed on the southernmost boundary of the rear yards of the terrace buildings.
- By 1896–97 Lot 18 was occupied by a rectangular building fronting Hunter Street, adjoined to the western wall of No. 31.
- c.1893 photograph shows a building operating as a veterinary surgeon was constructed fronting National Park Street on Lot 2.
- 1896–97 plan shows a small outbuilding and a two-storey building possibly functioning as stables/barn was constructed at the rear.
- On the southern portion of Lot 2 a rectangular shed was constructed in the rear yard, running parallel to the eastern boundary of Lot 3.

Early mid-20th century

- C.1900–1902 photograph shows a two-storey Marcus Clark & Co building constructed on original Lot 16 fronting Hunter Street with a clock tower standing at its junction with National Park Street.
- The Marcus Clark & Co building was extended and remodelled so that the second story by c.1929 had been extended and the original c.1890s terrace buildings on original Lot 17 were either demolished or built on top of and incorporated into the Marcus Clark & Co building.
- The original late 19th century features were replaced or modified during the store's pre 1929 expansion phase including the clock tower.
- The façades original decoration was changed including: the windows were widened, rendered decoration altered, blocking of the rendered walls, the parapet, and lettering and Cupola were changed to the junction of Hunter and National Park Streets.
- A one storey building was constructed by c.1900–1902 at the rear of Marcus & Co building and covered half the frontage of National Park Street.

- By c.1929 the second storey of the Marcus Clark & Co was expanded across the frontage and built on top of the c.1900 one storey building to join to the show rooms.
- The three buildings on original Lots 2 and 3 including the c.1880s veterinary surgeon were demolished by c.1929.

Mid-late 20th century

- The Marcus Clarke & Co building underwent rebuilds and renovations in the 1960s.
- The roof and corner of the building shows the clock tower removed.
- The façade has been altered façade from the 1920s remodelling works and changed to a white cladded façade which remains today.
- The Walton's Ltd occupied the site from late 1966 until the 1980s and was restructured by subsequent companies.



Figure 2.1 Part of a c.1850 A. A. Co plan of Newcastle.
Study site approximately outlined in red. Australian National University Open Research Collection, plan reference A862.

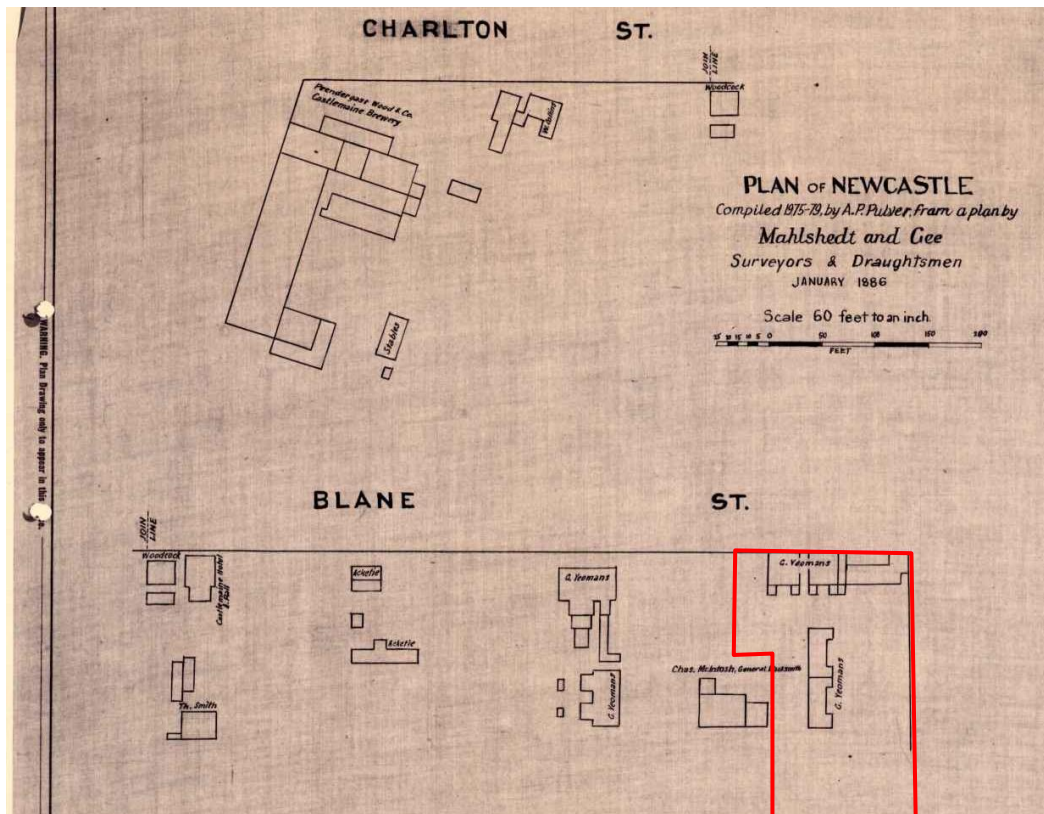


Figure 2.2 1886 Mahlshecht and Gee plan showing the north portion of the site. North portion of study site outlined in red. Mahlshecht and Gee, 1886, sheet 5.

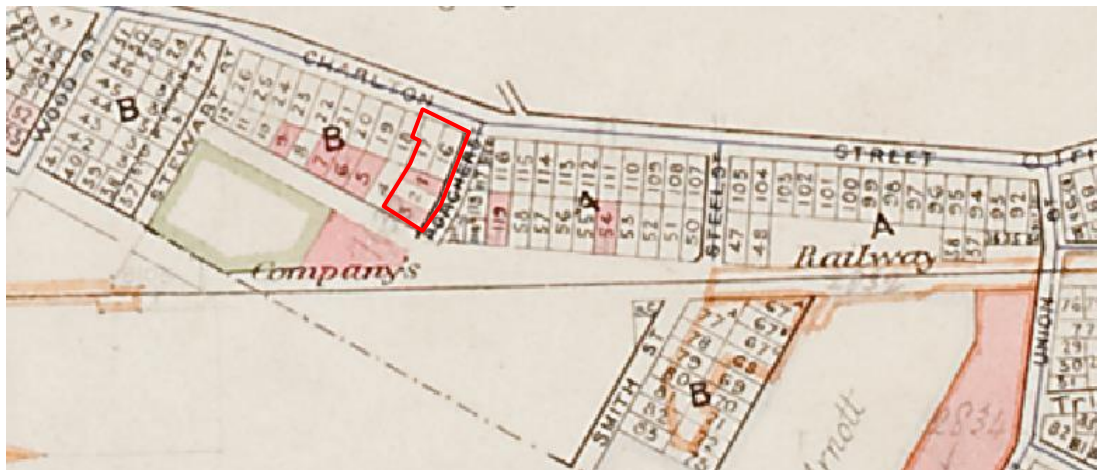


Figure 2.3 Part of an April 1887 parish map. Study site outlined in red. NSW Land Property Services, Historic Land Records Viewer.



Figure 2.4 1896–97 plan with study site and allotment boundaries outlined in red and labelled.

Northern and southern plan stitched in photoshop. Newcastle Region Library, Local Studies Collection, sheets 60 and 61.



Figure 2.5 c.1893 photograph of Veterinary surgery fronting Porcher Street.
Newcastle Cultural Collections, Ralph Snowball Collection, 1893,
reference 00104798.



Figure 2.6 c.1900-1902 photograph of Marcus Clark & Co. on the corner of Hunter and National Park Streets.
University of Newcastle Special Collections, reference ASGN0825-B37.



Figure 2.7 c.1906 photograph of Marcus Clark & Co. on the corner of Hunter and National Park Streets.
Australian National University Open Research, reference K0539.



Figure 2.8 c.1906 photograph of front half of the site showing Marcus Clark & Co Ltd showrooms from National Park Street.
Australian National University Open Research, reference K0538.



Figure 2.9 c.1906 interior photograph of top floor of showroom fronting National Park Street.
Australian National University Open Research, reference K0540.

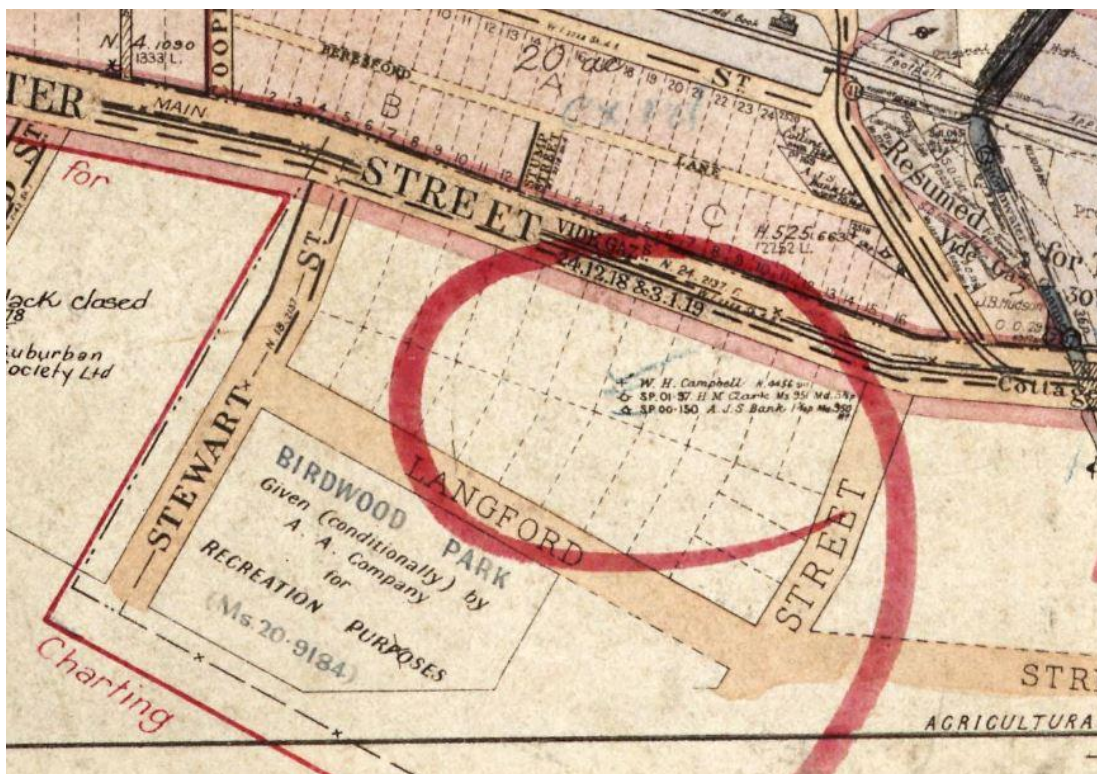


Figure 2.10 Part of a c.1916 parish map.
Study site outlined in red. NSW Land Property Services, Historic Land Records Viewer.

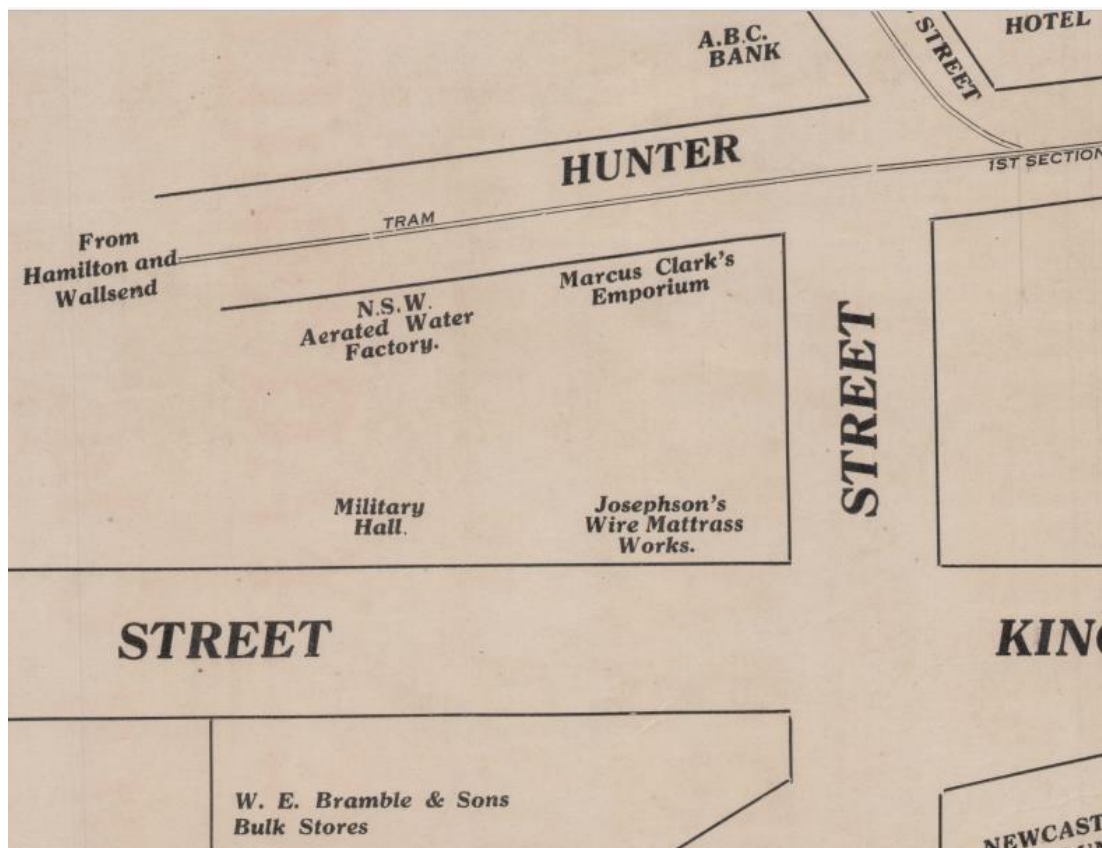


Figure 2.11 Part of a 1923 subdivision plan, showing occupants on the study site. Australian National University Open Research Collection, plan reference B545.



Figure 2.12 Early 20th century photograph showing National Park Street, Marcus Clark & Co at right. State Library of NSW, reference FL1703302.



Figure 2.13 c.1929 photograph showing Marcus Clark & Co. building extension and remodelling.
Australian National University Open Research, reference K0542.



Figure 2.14 c.1956 photograph showing Marcus Clark & Co from Hunter Street.
Note scaffolding for Latec House in rear. State Library of NSW, reference IE No. IE1308663.

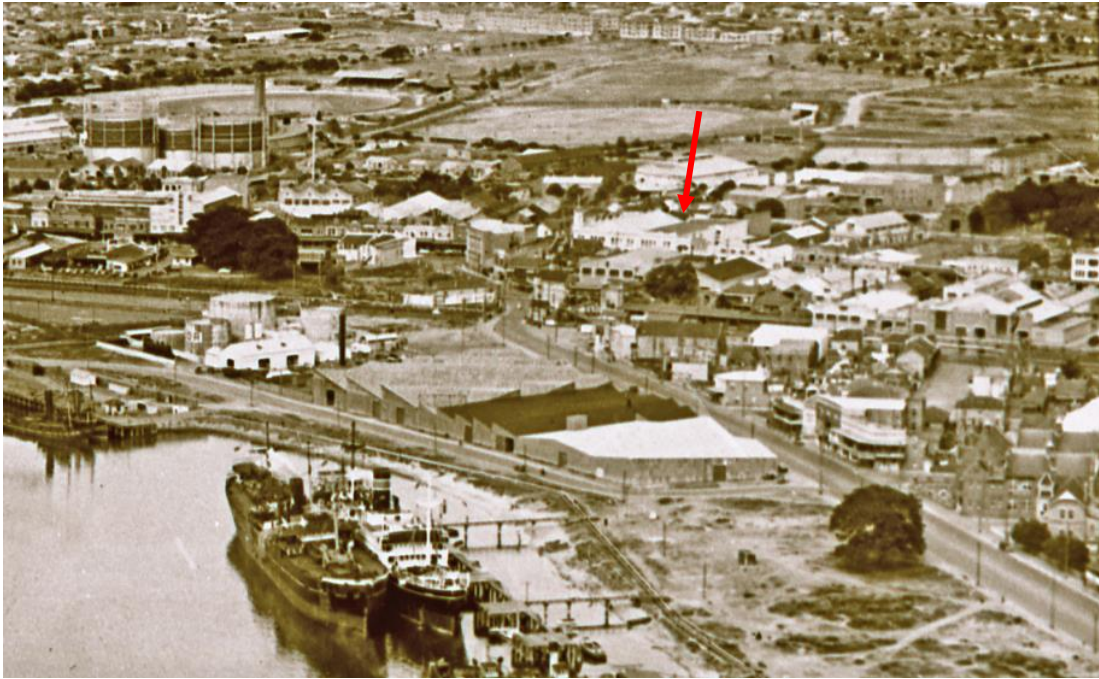


Figure 2.15 Pre 1957 aerial photograph, study site indicated by red arrow. Date based on absence of construction activities for Latec House at 741 Hunter Street. Living Histories, Retrieved 27th September 2021, reference 1528, from <http://livinghistor.jpg>



Figure 2.16 Post 1959 photograph showing the site's Hunter Street frontage. Note completed Latec House in background. University of Newcastle Special Collections, reference A8803-P1237.

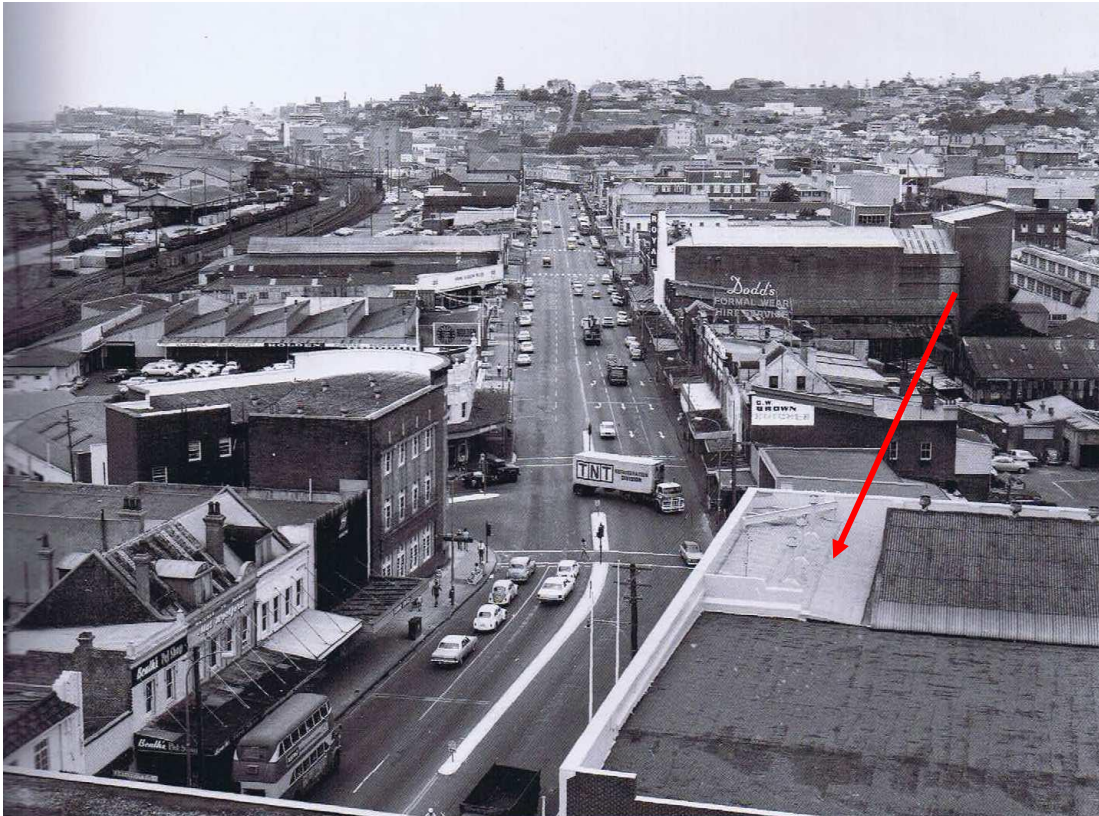


Figure 2.17 c.1966 showing part of the roof of Walton's Ltd building at corner of Hunter and National Park Streets (red arrow).
Newcastle in the 1960s photographed by Ron & Liz Morrison, by Greg & Silvia Ray (2017).



Figure 2.18 Aerial photograph taken in November 1971 showing Walton's Ltd at right.
Newcastle Library, accession number 047 000122.



Figure 2.19 c.1972 photograph of Walton's Ltd.
University of Newcastle Special Collections, reference 04735_150772.



Figure 2.20 c.1986 photograph of Walton's Ltd.
Flickr - Coalfield Local History Association.

3.0 PHYSICAL EVIDENCE

3.1 SITE INSPECTION

Martin Carney of AMAC Group Pty Ltd inspected the study site on the 29th of September 2021.

The study site is currently occupied by a single, two storey brick building that covers the entire allotment. This building was formally Marcus Clarke & Co building constructed in the early 20th century and later Waltons Ltd and extended across the Hunter and National Park Street frontages and to the rear of the allotment in the 1920s. It includes a suspended/ cantilevered awning that overhangs the footpaths on both Hunter and National Park Streets. The site recently functioned as a Spotlight and Bunnings store.

The current ground surface appears to be level with the street on both Hunter and National Park Streets (Figure 3.1-Figure 3.9).



Figure 3.1 Junction of Hunter and National Park Streets showing the current building.
Google Maps, accessed 29/09/2022.



Figure 3.2 The study site fronting Hunter Street. Facing south.
AMAC Group, 29/09/2021, Digital Image 6408.



Figure 3.3 The extent of the building frontage on Hunter Street. Facing southwest.
AMAC Group, 29/09/2021, Digital Image 6409.



Figure 3.4 The extent of the building frontage on Hunter Street. Facing southeast.
AMAC Group, 29/09/2021, Digital Image 6406.



Figure 3.5 The west end of the building on Hunter Street. Facing south.
AMAC Group, 29/09/2021, Digital Image 6405.



Figure 3.6 The study site fronting National Park Street. Facing northwest.
AMAC Group, 29/09/2021, Digital Image 6482.



Figure 3.7 The rear of the study site on National Park Street. Facing north.
AMAC Group, 29/09/2021, Digital Image 6481.



Figure 3.8 Roof of the current building on the study site. Facing north.
John Carr Heritage, 29/09/2021, Digital Image 7242.



Figure 3.9 **Roof of the current building on the study site. Facing north.**
John Carr Heritage, 29/09/2021, Digital Image 7241.

3.2 GEOLOGY AND SOILS

The soil landscape map for the Newcastle 1:100 000 map sheet shows that the majority of the study area is within the Hamilton (hm) soil landscape. Any intact natural soil profiles present within the study area lies within the Hamilton (hm) soil landscape or its landscape variant Hamilton (hma).

The geology of the study area consists of Quaternary sand overlying clay deposits. Sediment depth is up to 38m, comprising 1–3m of sand which is underlain by stiff estuarine clay.

The Hamilton soil landscape is a residual soil landscape which occurs on Quaternary deposits of the undulating well drained Hunter Plain. Soils are typically greater than 15cm in depth, well drained weak Podzols with some greater than 15cm in depth, well drained brown Podzolic soils on fans.

The Hamilton (hma) landscape variant is a recently incised channel cut into the Hamilton (hm) soil landscape, part of this channel has been excavated by human activity the form of the widening and deepening the Hunter River channel.¹⁴⁴

Soil Profile:

- hm1* 30-50cm of brownish black speckled loamy sand with a coarse loamy sand texture and single grained structure. It is a sandy fabric and occasionally consists of rough peds, it is slightly acidic. Stone and charcoal are absent. Roots are common towards the surface. (A1 horizon – topsoil).
- hm2* 50-80cm of dull yellow orange to greyish yellow brown sand with a coarse sand texture and single grained structure. It is a sandy fabric and is slightly acidic. Stones and charcoal are absent. Roots are common near the surface and rare at depth. (A2 horizon - topsoil).
- hm3* 80 - >120cm of dark brown to dull yellow orange clayey sand with a fine sandy clay coarse sand texture with single grained structure and a sandy fabric. Slightly acidic, stones and roots are absent. (B1 horizon – subsoil).

¹⁴⁴ Matthei (1995), p. 38.

3.3 ARCHAEOLOGICAL POTENTIAL

3.3.1 Introduction

‘Archaeological potential’ is a concept used to articulate the likelihood for archaeological remains to survive on a particular study site.¹⁴⁵ A ‘Discussion of Archaeological Potential’ considers the nature of the archaeology, its extent and all the site-specific factors that affect the survival of archaeological remains. A ‘Statement of Archaeological Potential’ provides succinct concluding statements.

3.3.2 Discussion of Archaeological Potential

Based on historic research there are three development phases, mid-late 19th century building phases, early to mid-20th century Marcus Clarke & Co buildings, extension and modification, and mid to late 20th century Waltons Ltd phase. While the land was granted to the A. A. Co at a much earlier point in time, no evidence has been found to suggest that the A. A. Co directly occupied or developed the study site prior to the 1880s (see Section 2.4). Thus, the archaeological potential of the study site is limited to occupation deposition and structural remains relating to the domestic and commercial occupation of the late 19th century building phase fronting Hunter Street and National Park Street (Figure 3.10).

Occupation Deposition

In domestic and commercial settings, occupation deposition, if intact, generally survive in the form of underfloor deposits, yard deposits and deposits within wells or cesspits. The c.1880s construction date of the terraces and buildings on the allotments fronting Hunter Street, the c.1890s veterinarian surgeon on allotments fronting National Park Street (then Porcher Street) means that tongue-in-groove floorboards were popular at time of construction, significantly minimising chances of accumulation. In addition, the c.1893 photograph shows that the veterinarian surgeon building is on piers, any deposition would fall on the ground if a secure floor cavity did not exist. Events relating to the early 20th century construction phase of the Marcus Clarke & Co building appears to be limited to original Allotment 16 which was vacant during this period. However, later modifications and extension along Hunter Street and to the rear including the demolition of the rear buildings is expected to have heavily disturbed or wholesale truncated late 19th century occupation deposition. For this reason, there is nil – low archaeological potential for highly disturbed domestic or commercial occupation deposition relating to the c.1880s-90s buildings fronting Hunter and National Park Street frontages.

The c.1896–97 plan indicates the presence of two wells at the rear of the c.1880s terraces fronting Hunter Street and they have a higher potential of intact occupation deposition. Wells are deeper features and typically any use and daily life deposits would be situated at the base of the well. While the construction of the current building in the early 20th century including services may have disturbed the ground level, the building did not contain any basements. Thus, deposition at the base of the well has unlikely been impacted on and any impacts to the upper portion of the well would have only disturbed decommissioning fills. As a result, there is moderate potential for occupation deposition to exist at the base of the wells.

¹⁴⁵ Heritage Office, Department of Urban Affairs and Planning (1996), p. 15.

Structural Remains

Based on historic photographs, the c.1880 original terraces fronting Hunter Street on original Lot 17 were likely built on top of and incorporated into the Marcus Clark & Co building in the 1920s. While parts of these buildings may still stand, party walls and rear walls would have been removed, and the façade was changed in the late 20th century. There remains low potential for foundations associated with the original mid-late 19th century building phase fronting Hunter Street. The c.1880s veterinary surgeon fronting National Park Street and rear buildings were demolished by c.1929 and while there is nil to low potential foundations, the c.1880 building was on brick piers and would have been wholesale truncated from the later extension of the Marcus Clarke & Co building.

The structural remains of two late 19th century wells are deeper features that may have avoided 20th significant century impacts. While upper portions of the wells are expected to be heavily disturbed or wholesale truncated, there is moderate potential for structural remains to survive of the lower portion/ base of the wells.

Table 3.1 Summary of Archaeological Potential

Development Phase	Site Type	Expected archaeological features	Archaeological Potential	Expected Condition
Mid to late 19 th century building phase	Domestic & Commercial	<ul style="list-style-type: none"> - Brick/sandstone footings/ foundations. - Post holes/ slot trenches for timber buildings. - Former floor surfaces (paving, flagging, tamped floors). - Cesspits or privies - Post holes for fences or timber outbuildings. - Occupation deposition (underfloor deposits, yard deposits, rubbish pits, artefact scatters). - Landscaping (garden beds, surfaces). - Former services 	- Nil- low	- Disturbed or wholesale truncated.
Mid to late 19 th century building phase	Domestic & Commercial	<ul style="list-style-type: none"> - Late 19th century wells. - Occupation deposition (within well). 	- Moderate	- Intact or disturbed.

3.3.3 Statement of Archaeological Potential

The study site has been subject to numerous 20th century impacts. Consequently, there is nil-low potential to retain occupational deposition and structural remains relating to the domestic and commercial occupation of the site during the mid-late 19th century building phase. Moderate potential exists for occupation deposition within the context of the lower structural portion of two late 19th century wells that could demonstrate the commercial function of the site and daily lives of the domestic residences (Figure 3.10).

3.4 CONCLUSIONS OF PHYSICAL EVIDENCE

- The study site is currently occupied by a single brick building and multi storey car park which covers the entire allotment.
- This building was formally Marcus Clarke & Co building constructed in the early 20th century and later Waltons Ltd.
- The study site has been subject to subsequent 20th century impacts.
- Nil-low archaeological potential exists for occupational deposition and structural remains relating to the domestic and commercial occupation of the site during the mid-late 19th century building phase.
- Moderate potential exists for occupation deposition within the context of the lower structural portion of two late 19th century wells that could demonstrate the commercial function of the site and daily lives of the domestic residences.



Figure 3.10 Overlay showing archaeological potential based on the 1896-97 plan and current aerial photograph.

Red outline = study site boundary.

Purple = nil-low archaeological potential for late 19th century remains.

Yellow = moderate archaeological potential for late 19th century remains.

4.0 ASSESSMENT OF SIGNIFICANCE

4.1 METHODOLOGY

The current standard for assessment of significance of heritage items in NSW is the publication ‘Assessing Significance for Historical Archaeological Sites and ‘Relics’ produced by the Heritage Branch of the NSW Department of Planning (December 2009). This production is an update to the NSW Heritage Manual (1996), and the criteria detailed therein are a revised version of those of the Australia ICOMOS Burra Charter, formulated in 1979, which was based largely on the Venice Charter (for International Heritage) of 1966.

Archaeological heritage significance can also be viewed in light of the framework set out by Bickford and Sullivan in 1984.¹⁴⁶ Bickford and Sullivan, taking into consideration the “archaeological, scientific or research significance” of a site posed three questions in order to identify significance:

1. Can the site contribute knowledge which no other resource can?
2. Can the site contribute knowledge which no other site can?
3. Is this knowledge relevant to general questions about human history or other substantive problems relating to Australian history, or does it contribute to other major research questions?¹⁴⁷

These questions have been broadly used to shape the response to the heritage significance criteria as described in Section 4.2 and 4.3.

The criteria and the definitions provided by ‘Assessing Significance for Historical Archaeological Sites and ‘Relics’ have been adhered to in assessing the cultural significance of the potential archaeological site at 711 Hunter Street, Newcastle West. An assessment of significance, under each of the criteria, is made possible by an analysis of the broad body of archaeological sites previously excavated both locally and elsewhere, in conjunction with the historical overview of the study site in particular.

The Criteria used to assess Heritage Significance in NSW are the following:

Table 4.1 Criteria for Assessing Heritage in NSW

Criterion	Description	Significance
Criterion A	An item is important in the course, or pattern, of NSW's or the local area's cultural or natural history	State significant or locally significant
Criterion B	An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's or a local area's cultural or natural history	State significant or locally significant
Criterion C	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW or the local area	State significant or locally significant

¹⁴⁶ Bickford and Sullivan (1984).

¹⁴⁷ Bickford and Sullivan (1984), p. 23–4.

Criterion D	An item has strong or special association with a particular community or cultural group in NSW or a local area for social, cultural or spiritual reasons	State significant or locally significant
Criterion E	An item has potential to yield information that will contribute to an understanding of NSW's or a local area's cultural or natural history	State significant or locally significant
Criterion F	An item possesses uncommon, rare or endangered aspects of NSW's or a local area's cultural or natural history	State significant or locally significant
Criterion G	An item is important in demonstrating the principal characteristics of a class of NSW's or a local area's - cultural or natural places; or - cultural or natural environments	State significant or locally significant

The following assessment deals only with sub-surface archaeological features and deposits. The built environment is not considered in this study.

4.2 IDENTIFICATION OF SIGNIFICANCE

Archaeological Research Potential (NSW Heritage Criterion E)

Based on historic development, the archaeological research potential of the study site is primarily limited to occupation deposition and structural remains relating to the domestic and commercial occupation of the late 19th century building phase fronting Hunter Street and National Park Street. There is nil to low archaeological potential for structural remains and occupation deposition to exist in the form of underfloor deposits and yard deposits. This is a result of the late 19th century terrace construction date, early to mid-20th century demolition and construction of the Marcus Clarke & Co buildings, extension and modification and mid to late 20th century Waltons Ltd phase which would have likely disturbed or wholesale truncated these types of archaeological remains. For this reason, the remains would not be considered of local significance as they do not provide any new information that wasn't already known from the historic record and photographs that provide clear imagery of majority of the buildings and streetscape.

There is however moderate potential for occupation deposits within lower portions of two wells. In this way, the archaeological data, should it exist, would have the potential to provide a data set related to the early commercial endeavours of Newcastle and daily lives of occupants during late 19th to mid-20th centuries and would be a locally significant relic for its archaeological research potential under this criterion.

Associations with individuals, events or groups of historical importance (NSW Heritage Criteria A, B and D)

The Australian Agricultural Company forms the original grantee of the study site and though they are a notable organisation among the historic record of Newcastle they did not develop or occupy the site. In turn, this relationship is not represented archaeologically. Notable individuals such as George Yeoman, Charles Upfold, George Redman and Henry Marcus Clark were some of the first to develop on the study site and important local figures to the residential and commercial development

of Newcastle. Henry Marcus Clark founded the company Marcus Clarke & Co and ensured the large department store chain that occupied the site was a long-standing and well-respected establishment until it was later taken over by Waltons Ltd - at this level they could be considered locally significant (Criterion B). Some of these individuals may have occupied the late 19th century terraces at some point throughout the late 19th and early 20th centuries and collectively represented in the archaeological record. Though substantially intact and robust evidence of their residential and commercial use are not anticipated to survive at the study site based on early 20th century impacts and would not be considered significant under Criteria A or D.

Aesthetic or technical significance (NSW Heritage Criterion C)

The site is not considered significant per this criterion.

Ability to demonstrate the past through archaeological remains (NSW Heritage Criteria A, C, F & G)

The study site was subjected to a significant amount of disturbance associated with the early to mid-20th century demolition and construction of the Marcus Clarke & Co buildings, extension, modifications, and mid to late 20th century Waltons Ltd phase. While the land was granted to the A. A. Co at a much earlier point in time, no evidence has been found to suggest that the A. A. Co directly occupied or developed the study site prior to the 1880s. Thus, the study site is limited to retaining archaeological remains relating to the mid-late 19th century building phase which was in domestic and commercial use until the early 19th century. While occupation deposition (underfloor deposits, yard deposits, discarded deposition) and structural remains in the form of footings, foundations, services and ephemeral remains, have potential to yield information regarding the dimensions, shape, construction material and commercial and domestic function, these remains are expected to be heavily disturbed or wholesale truncated. Disturbed or truncated structural remains and occupational deposition would not be considered of local significance under Criteria A, C, F or G.

There is higher potential for intact occupational deposition found in the base of two wells on the study site. If intact they would be representative of the early development of the site and could demonstrate the commercial function of the site and daily lives of the domestic residence. For this reason, intact occupation deposition surviving in the lower portion of the wells would be considered of local significance according to Criterion A.

4.3 STATEMENT OF CULTURAL SIGNIFICANCE

Subsequent 20th century impacts limit archaeological potential to occupation deposition and structural remains relating to the mid-late 19th century building phase which was in domestic and commercial use. There is potential for locally significant relics to survive in the form of occupation deposition in the lower portion of two wells. In this context, if the archaeological data exists, it could provide a data set representing the daily lives of the occupants during late 19th to mid-20th centuries and the early commercial endeavours of Newcastle. If archaeological remains survive in the remaining areas of the site, they are expected to be heavily disturbed or wholesale truncated. It is expected that any interpretable data would replicate information that was already known in the historic record and unlikely to be considered a locally significant relic at this point.

The study site is also considered significant on a local level for its association with notable individuals and companies who contributed to the early commercial and residential development of the site and Newcastle. However, evidence of their potential occupancy is not anticipated to survive on the study site and thus not represented archaeologically.

5.0 STATEMENT OF ARCHAEOLOGICAL HERITAGE IMPACT

Heritage impact statements are intended to convey the impact to the archaeological or heritage resource of a site proposed by a particular development. As with a Statement of Heritage Impact (SoHI), this section synthesises the significance of the resource, what impact the proposed works will have on that significance, what measures could mitigate negative impacts and why more sympathetic solutions are not viable.¹⁴⁸ Unlike a SoHI, this section focuses only on the archaeological significance of the study site.

The Proposed Development (Section 5.1) and Statement of Archaeological Heritage Impact (Section 5.2) are based on the measurements and depths detailed in the preliminary development plans that have been provided by the client. These depths and measurements are subject to review once finalised plans are available.

5.1 PROPOSED DEVELOPMENT

Urbis reports that the development has undergone an Architectural Design Competition where three competitors put forward their designs in accordance with the brief. The Plus Architecture scheme was recommended by the Jury as the winning scheme in the competitive design process.¹⁴⁹

The overall outcome of the proposal aims to develop a mixed-use precinct with high quality tower forms providing a positive relationship to the immediate surrounds and acknowledging the surrounding heritage context. The proposal intends to act as a landmark for Newcastle West with a curated mix of eclectic and creative retail, F & B and commercial opportunities activating the ground levels.¹⁵⁰

The client seeks to demolish the existing early 20th century brick building and construct in two stages a mixed-use precinct forming active ground and podium levels reaching five storeys of retail and commercial tenancies, with two tower forms for residential apartments reaching 26 storeys comprising of 25 apartments. Podium level car park for 300 cars incorporated within the podium levels, communal open space located on Level 6 and 17. Associated construction works will include services, hydraulic and fire infrastructure, service lifts and landscaping works (public domain improvements).

The buildings will front National Park Street with the ground floor sitting at RL+3.20. Preliminary excavation and depths necessary for this include:

- Bulk earthworks for new building foundation slab, footings, piles (approx. 15–27m deep) and piers.
- Service routes for utilities and stormwater services.
- Lift pits (approx. 2.5m deep).
- Trenches for in-ground tanks including OSD tanks, fire pump and fire storage tanks (approx. 3m deep).
- Deep soil location for a feature tree.
- Grading and levelling works for carpark.

¹⁴⁸ Heritage Office and Department of Urban Affairs and Planning (1996), NSW Heritage Manual: Statements of Heritage Impact.

¹⁴⁹ Per comms, Urbis (2022).

¹⁵⁰ Per comms, Urbis (2022).

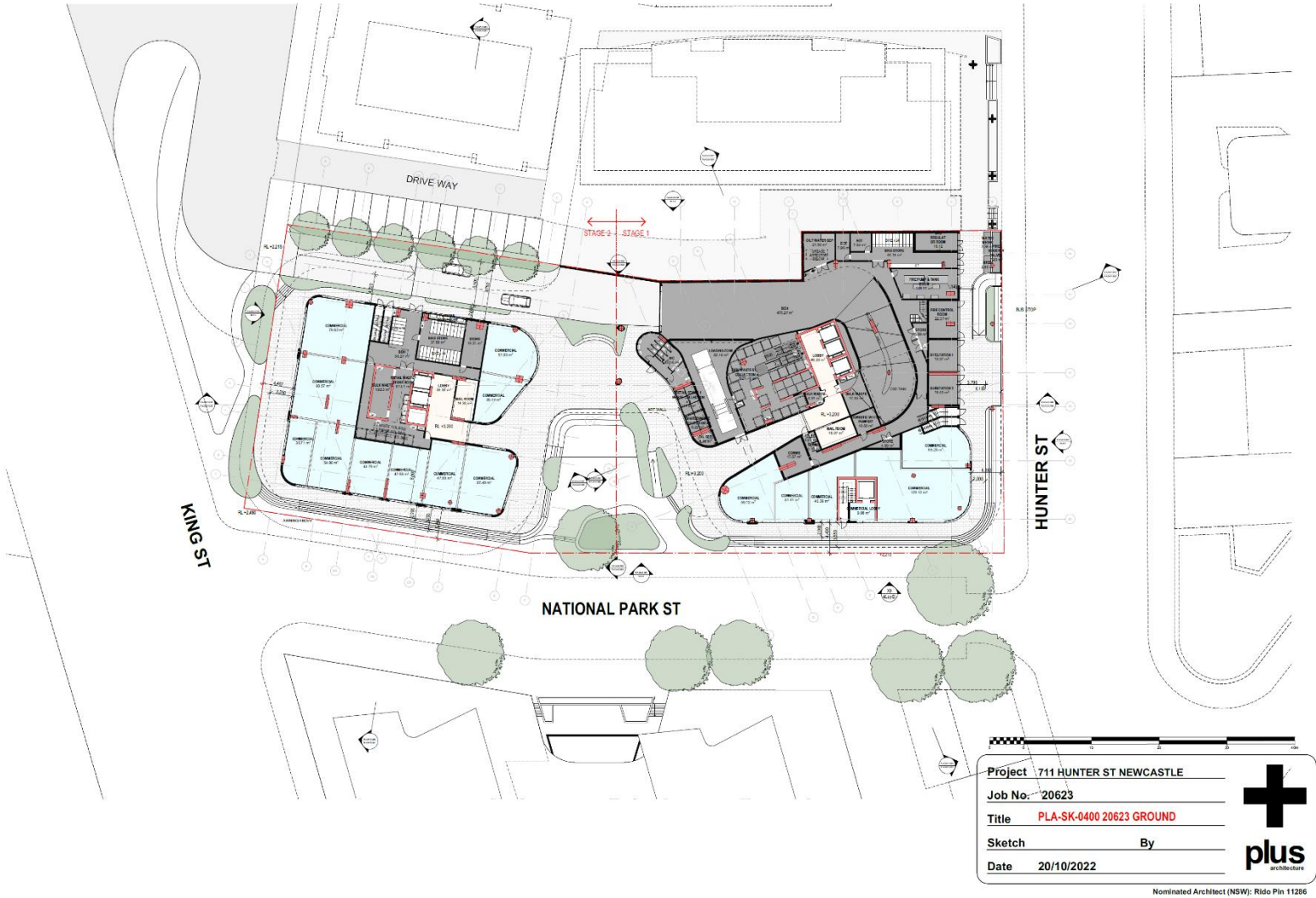
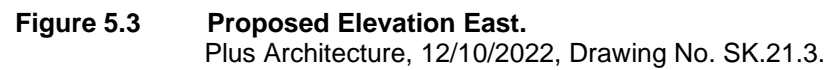
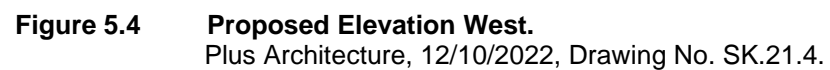
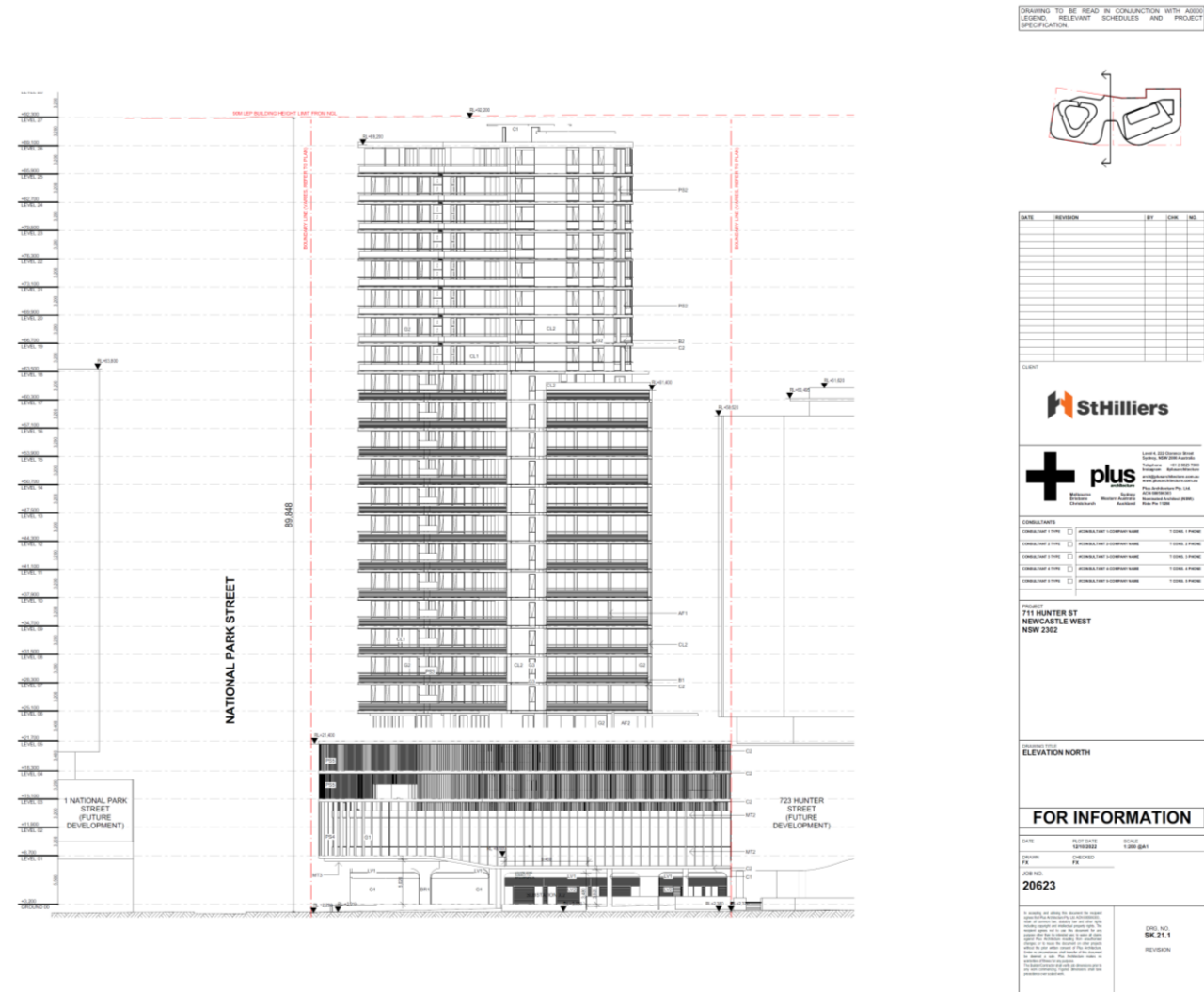


Figure 5.1 Proposed Ground Plan.
Plus Architecture, 20/10/2022, PLA-SK-0400 20623.









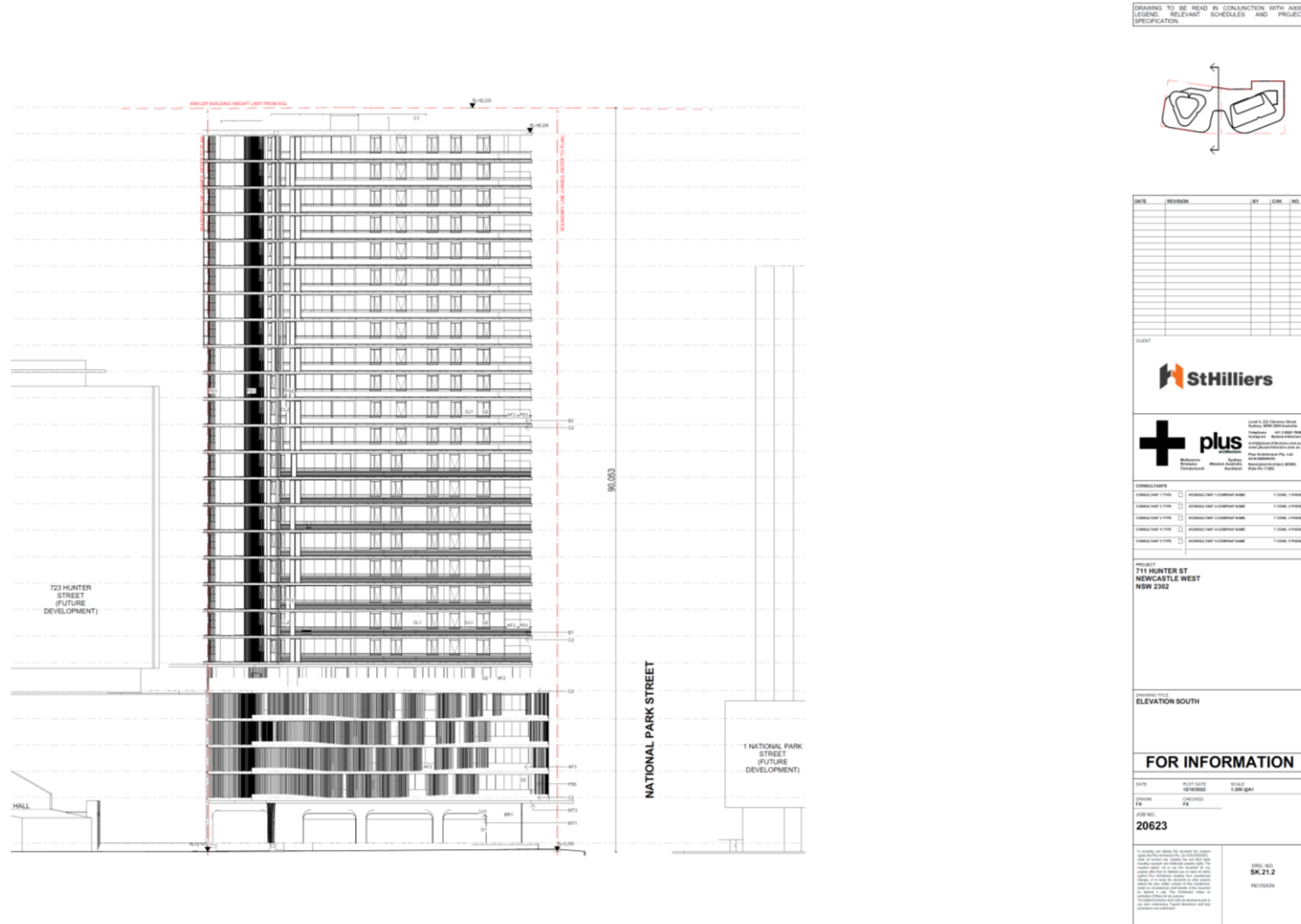


Figure 5.6 Proposed Elevation South.
Plus Architecture, 12/10/2022, Drawing No. SK.21.2.

5.2 STATEMENT OF ARCHAEOLOGICAL HERITAGE IMPACT

The proposed development will impact the entirety of the study area (approximately 4724m²) during both demolition and construction phases (Figure 5.7). This includes deep excavations for the piles, lift pits, in ground tanks and deep soil location. An assessment of archaeological potential (Section 3.3) and heritage significance (Section 4.0) has concluded that it is unlikely that occupation deposition and structural remains from the mid-late 19th century building phase survives in situ and of robust condition to be considered a relic under the *Heritage Act 1977* across majority of the site (excluding the location of two wells). Nevertheless, demolition and construction work including the piles are within vicinity of late 19th century buildings in the north and south portions of the study site which has potential to disturb known historic structures if they survive. This also applies for the lift pit in the north building ground level that is anticipated to be 2.5m deep.

Overlays place the piles that are anticipated to be between 15 and 27m deep in the location of two late 19th century wells that have higher archaeological potential (Section 3.3) to contain locally significant relics (Section 4.0). An in-ground tank anticipated to be 3m deep is in very close proximity to the eastern well. Excavation for piles and the in-ground tank will impact on any existing structural remains of the lower portion of the wells and occupation deposition, resulting in a negative heritage impact.

To mitigate impacts to locally significant relics and understand the condition of the archaeological record, a program of historical archaeological test excavation, salvage or monitoring is proposed to occur at the study site in advance of the construction works program. This program will run in conjunction with a program of Aboriginal archaeological test excavation.¹⁵¹ An Archaeological Research Design (ARD) by a qualified archaeologist will need to be prepared to guide the archaeological program.

¹⁵¹ AMAC Group (August 2022).



Figure 5.7 Overlay showing proposed development impacts on 19th century archaeological remains. Purple = location of late 19th century remains (nil-low archaeological potential). Yellow = location of late 19th century wells (moderate archaeological potential).

5.3 CONCLUSIONS OF SOHI

- The proposed development plans to demolish the existing early 20th century brick building and construct in two stages a mixed-use precinct forming commercial/ retail tenancies, with two tower forms for residential apartments reaching 26 storeys.
- Several other works include services, hydraulic and fire infrastructure, service lifts and landscaping works.
- Bulk earthworks and deep excavation for building features is required.
- Demolition and construction phases of the proposed development will impact on archaeological remains from the mid-late 19th century building and occupation phase should they survive on site.
- To mitigate any unnecessary impacts to locally significant relics and to understand the condition of the archaeological record, a program of historical archaeological test excavation, salvage or monitoring is proposed to occur at the study site in advance of the construction works.
- To guide the testing program an Archaeological Research Design (ARD) will need to be prepared by a qualified archaeologist.

6.0 RESULTS AND RECOMMENDATIONS

6.1 RESULTS

6.1.1 Documentary Research

The site is part of 2000 acres selected by the AACo in 1828. From the 1850s the study site was subdivided into Lot 16, 17 and 18 fronting Hunter Street and Lots 1, 2 and 3 fronting National Park Street. Lot 16 contained a rectangular building that was demolished by 1896–97. Lot 17 was occupied by two terrace buildings (Nos. 25–31) fronting Hunter Street, two square structures (demolished by 1896–97), two wells at the rear of the buildings, and two adjoined rectangular buildings extending to the centre in the south portion of the lot. By 1896–97 plan outbuildings were constructed on the southernmost boundary of the rear yards of the terrace buildings. The c.1893 photograph shows a building operating as a veterinary surgeon was constructed fronting National Park Street on Lot 2. The 1896–97 plan shows a small outbuilding and a two-storey building possibly functioning as stables/barn constructed at the rear. On the southern portion of Lot 2 a rectangular shed was constructed.

C.1900–1902: two-storey Marcus Clark & Co building was constructed on Lot 16 fronting Hunter Street with a clock tower standing at its junction with National Park Street. By c.1829 the Marcus Clark & Co building was remodelled, and the second storey extended. The c.1890s terrace buildings on original Lot 17 were either demolished or built on top of and incorporated into the building. The second storey extended along National Park Street frontage, where it joined the existing two storey showroom towards the rear. The original late 19th century features were replaced or modified during the store's pre 1929 expansion phase. By 1900–1902 a one storey building was built at the rear. By c.1929 the second storey of the Marcus Clark & Co was expanded across the frontage and built on top of the c.1900 one storey building joining the show rooms. The three buildings on original Lots 2 and 3 including the c.1880s veterinary surgeon were demolished by c.1929.

The Marcus Clarke & Co building underwent rebuilds or renovations in the 1920s and 1960s including changes to a white clad facade which remains today. The Walton's Ltd occupied the site from late 1966 until the 1980s and was restructured by subsequent companies

6.1.2 Physical Evidence

The study site is currently occupied by a single, two storey brick building that covers the entire allotment. This building was formally Marcus Clarke & Co building constructed in the early 20th century and later Waltons Ltd. As a result of these 20th century impacts, there is nil-low potential to retain occupational deposition and structural remains relating to the domestic and commercial occupation of the site during the mid-late 19th century building phase. Moderate potential exists for occupation deposition within the context of the lower structural portion of two late 19th century wells that could demonstrate the commercial function of the site and daily lives of the domestic residences.

6.1.3 Significance

Subsequent 20th century impacts limit archaeological potential to occupation deposition and structural remains relating to the mid-late 19th century building phase which was in domestic and commercial use. If the archaeological data exists, it could provide a data set representing the daily lives of the occupants during late 19th

to mid-20th centuries and the early commercial endeavours of Newcastle. If archaeological remains survive in the remaining areas of the site, they are expected to be heavily disturbed or wholesale truncated. It is expected that any interpretable data would replicate information that was already known in the historic record and unlikely to be considered a locally significant relic at this point.

The study site is also considered significant on a local level for its association with notable individuals and companies who contributed to the early commercial and residential development of the site and Newcastle. However, evidence of their potential occupancy is not anticipated to survive on the study site and thus not represented archaeologically.

6.2 STATEMENT OF ARCHAEOLOGICAL HERITAGE IMPACT

Demolition and construction phases of the proposed development will impact on archaeological remains from the mid-late 19th century building and occupation phase should they survive on site. In the location of two late 19th century wells there is higher potential for locally significant relics to exist which would be impacted on by the proposed development.

To mitigate impacts to locally significant relics and to understand the condition of the archaeological record, a program of a program of historical archaeological test excavation, salvage or monitoring is proposed to occur at the study site in advance of the construction works.

6.3 RECOMMENDATIONS

Depending on the works program, this archaeological program can be managed via an exception under s139(4) of the *Heritage Act 1977*. In the unlikely event that relics of State significance are found and/or major impacts on locally significant relics are required by the proposed development, an application for an s140 Excavation permit will be needed to manage the archaeological resource.

To meet statutory requirements of an excavation permit exception, an Archaeological Research Design (ARD) will need to be prepared by a qualified archaeologist to guide the program of archaeological monitoring and/or test and salvage excavation. A program of Aboriginal archaeological test excavation has also been proposed for the site which will run concurrently with the historic excavation program.¹⁵² A finalised ARD must be in place prior to commencement of either testing program.

¹⁵² AMAC Group (2022).

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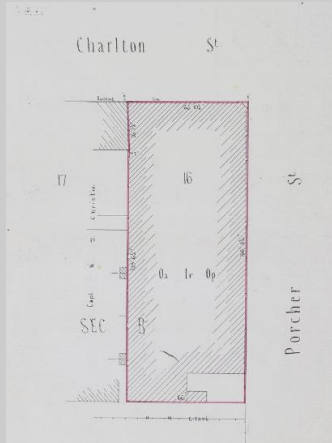

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8.0 APPENDICES

8.1 CHAIN OF LAND TITLE

Table 8.1 Hunter Street Frontage: Lot 16 Section B – AACo subdivision.

Date	Description	Reference
20 th November 1847	Crown Grant To: Australian Agricultural Company (AACo) 2000 acres	PA12697
Pre 1863	Lot 16 Section B is presumably sold to William Henry Whyte – note on Primary Application sketch search notes “conveyance to W. Whyte not reg.”	PA12697
3 rd August 1869	Conveyance From: Australian Trust Company incorporated by Royal Letters Patent To: Michael Thompson of Morgans Buildings, Lake Macquarie Road near Newcastle, miner Lot 16 Section B AACo subdivision 40 perches £200 of four part payment (remainder to be paid over 24 months)	Book 115 No. 17
28 th March 1893	Conveyance From: John Broughton, William Kerr Lochhead and David Miller , all of Newcastle, Trustees of the Newcastle Permanent Investment and Building Society To: Charles Upfold of Newcastle, Esquire £695 Lot 16 Section B AACo subdivision	Book 512 No. 788
30 th March 1901	Conveyance From: Charles Upfold of Newcastle, Manufacturer To: Henry Marcus Clark of Newtown, Warehouseman £1000 Lot 16 Section B AACo subdivision	Book 730 No. 271
28 th January 1904	Certificate of Title	Vol. 1514 Fol.134

Date	Description	Reference
	<p>To: Henry Marcus Clark of Newtown, General Merchant (and Applicant in Primary Application numbered 12697)</p> <p>Part of Lot 16 Section B 1 rood</p> 	
27 th July 1915	<p>Application by Transmission</p> <p>To: Joseph Ward Airey of Strathfield, Draper; Reginald Marcus Clark of Dulwich Hill, Draper and William Edwin Day of Marrickville, Clerk</p> <p>Part of Lot 16 Section B 1 rood</p>	<p>Vol. 1514 Fol. 134 A176766</p>
30 th December 1958	<p>Certificate of Title</p> <p>To: Marcus Clark and Company Limited</p> <p>Lots 1, 16 and 17 and part of Lot 2 of Section B of AACo's subdivision and being also part of Portion 268A granted to the AACo on 20th November 1847</p> 	<p>Vol. 7625 Fol. 158</p>
14 th October 1966	<p>Mortgage</p> <p>To: Walton's Stores Limited</p>	<p>Vol. 7625 Fol. 158 M 177981</p>

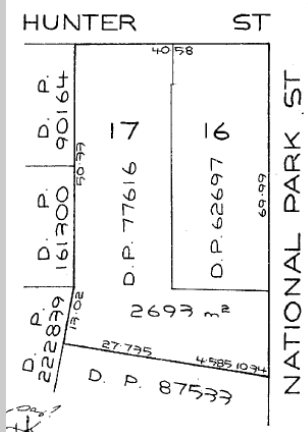
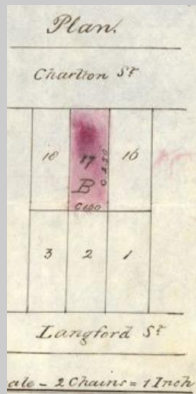
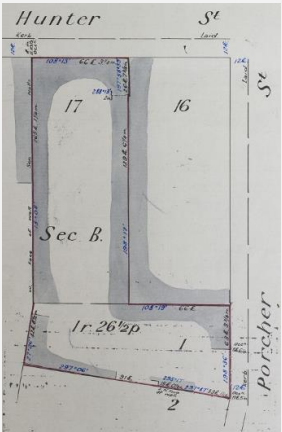
Date	Description	Reference
2 nd November 1984	<p>Certificate of Title</p> <p>To: Walton's Store Limited</p> <p>Lot 16 DP62697; Lot 17 DP77616</p> 	Vol. 15276 Fol. 109

Table 8.2 Hunter Street Frontage: Lot 17 Section B – AACo subdivision.

Date	Description	Reference
20 th November 1847	<p>Crown Grant</p> <p>To: Australian Agricultural Company (AACo)</p> <p>2000 acres</p>	Book G2 No. 359
28 th March 1856	<p>Conveyance</p> <p>From: Australian Agricultural Company</p> <p>To: Thomas Carpenter</p> <p>Lot 17 Section B AACo subdivision - 40 perches</p> <p>£30 pounds</p> 	Book 118 No. 715
5 th April 1870	<p>Conveyance</p> <p>From: Tomas Carpenter of Newcastle, Bricklayer</p>	Book 118 No. 716

Date	Description	Reference
	<p>To: Charles Boscowen Ranclaud of Newcastle, Esquire</p> <p>£100</p> <p>Lot 17 Section B AACo subdivision 40 perches</p>	
8 th October 1870	<p>Conveyance</p> <p>From: Charles Boscowen Ranclaud of Newcastle, Esquire</p> <p>To: George Yeoman of Newcastle, Builder</p> <p>£170</p> <p>Portion A (as marked by PA) of Lot 17 Section B (reserved lane now separates two portions of lot 17)</p>	Book 121 No. 645
24 th January 1871	<p>Conveyance</p> <p>From: Charles Boscowen Ranclaud of Newcastle, Esquire</p> <p>To: William Haney Collins</p> <p>Portion B (as marked by PA) of Lot 17 Section B (reserved lane now separates two portions of lot 17)</p> <p>7 ½ perches £70</p>	Book 123 No. 645
24 th August 1871	<p>Conveyance</p> <p>From: William Haney Collins of Newcastle, Clerk, of the one part and Charles Boscowen Ranclaud of Newcastle, Esquire, of the second part</p> <p>To: George Yeoman of Newcastle</p> <p>Portion B and reserved laneway (portion C) of Lot 17 Section B</p> <p>George Yeoman now owns the entirety of Lot 17 Section B</p>	Book 126 No. 753
10 th October 1891	<p>Conveyance</p> <p>From Alice Yeoman of Newcastle, widow</p> <p>To: William James Christie of Newcastle, master mariner</p> <p>Lot 17 Section B</p>	Book 471 No. 652

Date	Description	Reference
	£2375	
28 th July 1915	<p>Conveyance</p> <p>From: William James Christie, formerly of Newcastle, now of Sydney, master mariner</p> <p>To: Marcus Clark and Company Limited</p> <p>£3100</p> <p>Lot 17 Section B</p>	Book 1063 No. 278
24 th May 1927	<p>Certificate of Title</p> <p>To: Marcus Clark and Company Limited (applicant in PA27616)</p> <p>Lots 1 and 17 and part Lot 2 and 16 Section B of AACo subdivision</p> <p>1 rood 26 ½ perches</p> 	Vol. 4006 Fol. 17
14 th October 1966	<p>Mortgage</p> <p>To: Walton's Stores Limited</p>	Vol. 7625 Fol. 158 M 177981
2 nd November 1984	<p>Certificate of Title</p> <p>To: Walton's Store Limited</p> <p>Lot 16 DP62697; Lot 17 DP77616</p>	Vol. 15276 Fol. 109

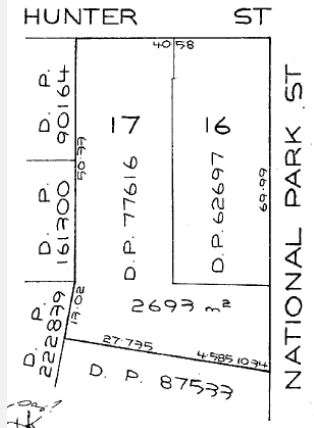

Date	Description	Reference
		

Table 8.3 Hunter Street Frontage: Part Lot 18 Section B AACo subdivision.

Date	Description	Reference
20 th November 1847	<p>Crown Grant</p> <p>To: Australian Agricultural Company (AACo)</p> <p>2000 acres allowed to be subdivided and sold by the company</p>	Book G2 No. 359 Serial 197 Pg. 359
25 th May 1887	<p>Conveyance</p> <p>From: Australian Agricultural Company (AACo)</p> <p>To: Emily Ann McIntosh of Newcastle</p> <p>Lot 18 Section B</p> <p>£600</p> 	Book 365 No. 951
19 th August 1890	<p>Conveyance</p> <p>From: Charles Hugh McIntosh of Newcastle and Emily Ann McIntosh</p> <p>To: Charles Hugh McIntosh</p> <p>Lot 18 Section B 5s</p>	Book 443 No. 441
18 th March 1904	<p>Conveyance</p> <p>From: The Bank of New South Wales</p>	Book 756 No. 193


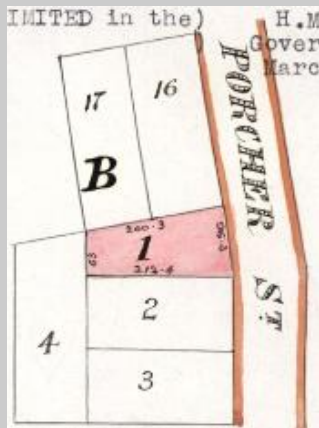
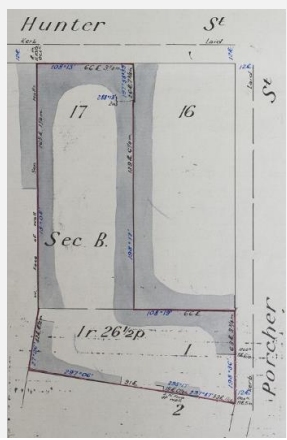
Date	Description	Reference
	To: William Winn Lot 18 Section B £1500	
23 rd August 1912	Conveyance From: William Winn of North Sydney, Merchant To: The New South Wales Aerated Water and Confectionery Company Limited Lot 18 Section B £625	Book 975 No. 259
20 th May 1954	Conveyance From: NSW Aerated Water Company Pty. Limited, Newcastle West To: McKelee/ Limited , Newcastle West Lot 18 Section B £30,000	Book 2333 No. 615
20 th May 1959	Certificate of Title To: Marcus Clarke and Company Limited Portion of Lot 18 Section B – 8 perches 	Vol. 7695 Fol. 1
14 th October 1966	Mortgage To: Walton's Stores Limited	Vol. 7695 Fol. 1 M501915
10 th September 1982	Registered Proprietor To: Waltons Stores Limited	Vol. 7695 Fol. 1 T188739

Table 8.4 National Park Street Frontage: Lot 1 Section B AACo subdivision.

Date	Description	Reference
20 th November 1847	Crown Grant To: Australian Agricultural Company (AACo)	Book G2 No. 359

Date	Description	Reference
	2000 acres allowed to be subdivided and sold by the company	
22 nd June 1905	<p>Conveyance</p> <p>From: Australian Agricultural Company of the first part</p> <p>To: Henry Marcus Clark of Newtown, Draper of the second part and Marcus Clark and Company Limited of the third part</p> <p>26 perches £500</p> 	Book 1410 No. 911
24 th May 1927	<p>Certificate of Title</p> <p>To: Marcus Clark and Company Limited (applicant in PA27616)</p> <p>Lots 1 and 17 and part Lot 2 and 16 Section B of AACo subdivision</p> <p>1 rood 26 ½ perches</p> 	Vol. 4006 Fol. 17
14 th October 1966	<p>Mortgage</p> <p>To: Walton's Stores Limited</p>	Vol. 7625 Fol. 158 M 177981

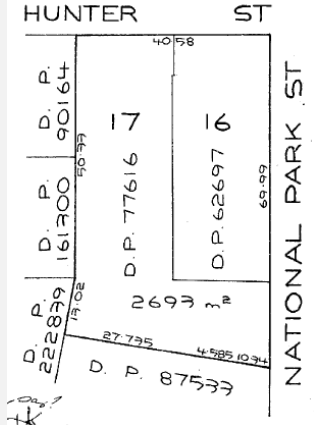
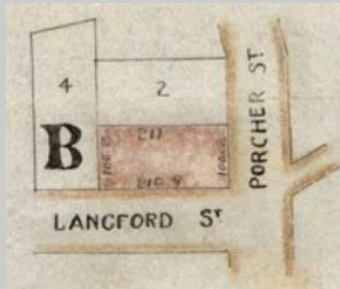
Date	Description	Reference
2 nd November 1984	<p>Certificate of Title</p> <p>To: Walton's Store Limited</p> <p>Lot 16 DP62697; Lot 17 DP77616</p> 	Vol. 15276 Fol. 109

Table 8.5 National Park Street Frontage: Lot 2 Section B AACo Subdivision.

Date	Description	Reference
20 th November 1847	<p>Crown Grant</p> <p>To: Australian Agricultural Company (AACo)</p> <p>2000 acres allowed to be subdivided and sold by the company</p>	Book G2 No. 359 Serial 197 Pg. 359
4 th February 1897	<p>Conveyance</p> <p>From: Australian Agricultural Company (AACo)</p> <p>To: Newman Silverthorne of Newcastle, Veterinary Surgeon</p> <p>Lot 2 Section B – 35 ¼ perches</p>	Book 596 No. 220
Northern Portion (17 ¾ perches)		Southern Portion (17 ½ perches)
		<p>1st January 1990 - Conveyance</p> <p>From: Newman Silverthorne</p> <p>To: Charles S. Parker</p> <p>Southern half of Lot 2 Section B – 17 ½ perches</p> <p>Book 684 No. 439</p>
		<p>15th February 1904 – Conveyance</p> <p>From: Charles Sydney Parker of Newcastle (temporarily residing in England), Painter</p>

Date	Description	Reference
	To: Alfred Ernest Fry of Newcastle, Secretary Southern half of Lot 2 Section B – 17 ½ perches Book 753 No. 725	
	27 th July 1905 – Conveyance From: Alfred Ernest Fry of Newcastle, Accountant To: Newman Silverthorne of Newcastle, Veterinary Surgeon Southern half of Lot 2 Section B – 17 ½ perches £225 Book 785 No. 264	
30 th April 1932- Death of Newman Silverthorne		
	1 st July 1948 – Conveyance From: John Boa of New Lambton, Clerk To: Newman Vincent Silverthorne of Newcastle, Optician (Beneficiary) Lot 2 Section B Book 2060 No. 860	
16 th May 1950 - Conveyance From: Newman Vincent Silverthorne To: Marcus Clark and Company Limited Part of Lot 2 Section B (northern half) – 17 ¾ perches Book 2125 No. 747	19 th May 1961 – Conveyance From: Newman Vincent Silverthorne of Woy Woy, Optician To: Marcus Clark and Company Limited Southern half of Lot 2 Section B – 17 ½ perches £6000 Book 2572 No. 163	
		
10 th September 1982	Registered Proprietor To: Waltons Stores Limited	Vol. 6565 Fol. 232 T188739

Table 8.6 National Park Street Frontage: Lot 3 Section B AACo subdivision.

Date	Description	Reference
20 th November 1847	Crown Grant To: Australian Agricultural Company (AACo) 2000 acres allowed to be subdivided and sold by the company	Book G2 No. 359 Serial 197 Pg. 359
30 th August 1905	Conveyance From: Australia Agricultural Company (AACo) To: Mary Catherine Nixon Lot 3 Section B £500 	Book 787 No. 723
South Portion (corner of Porcher & Langford St)		North Portion (adjacent to Lot 2) – 18 ³/₄ perches
29 th June 1906 - Conveyance From: Mary Catherine Nixon , the wife of Thomas Nixon of Newcastle, master mariner To: George Edwin Cooper of Waratah, Railway employee; Walter Edwin Bramble of Newcastle, Carrier; Thomas Spink of Wickham, railway inspector; Robert Sinclair of Newcastle, railway employee; Thomas Henry Raysmith of Newcastle, jeweller (trustees of the one part) Part Lot 3 Section B – Southern portion £384 (Book 1061 No. 71)		
27 th December 1923 – Death of Mary Catherine Nixon		
21 st May 1939 – Death of Arthur Thomas Nixon (grandson)		
		15 th March 1950 – Conveyance To: Laura May McDonald , wife of Malcolm McDonald of Newcastle, Coxswain (as Administratrix de bonis non of the intestate)

Date	Description	Reference
		of Mary Catherine Nixon and Arthur Thomas Nixon, both deceased) Lot 3 Section B – Northern Portion (Book 2118 No. 433)
10 th October 1975 - Conveyance	From: Walter Douglas Caddy of Kotara, Accountant; Gordon George Hinds of Hamilton Railway Clerk; Samuel Osborne Greenland of Merewether, Moulder; James Geoffrey Bradley of Tighes Hill, Bus Driver; Bruce Howard Smith of Cardiff, Fitter (trustees of the one part) To: Manual Diaz of Newcastle West, Restaurant Proprietor Part Lot 3 Section B – Southern portion \$60,000 (Book 3208 No. 440)	9 th December 1970 – Conveyance From: Public Trustee (estate of Laura May McDonald – did not make a will) To: Peter Dupen Pty. Limited Part Lot 3 Section B – 18 ¼ perches \$30,000 (Book 3001 No. 214)
15 th February 1987 - Conveyance	From: Manual Diaz of Mount Hutton, Restaurant Proprietor and his wife, Susan Clare Diaz To: Oz Beer Pty Limited Part Lot 3 Section B – Southern portion \$220,000 (Book 3742 No. 139)	23 rd March 1971 – Conveyance From: Peter Dupen Pty. Limited To: Waltons Stores Limited Part Lot 3 Section B – Northern portion \$1 Book 3015 No. 797
30 th July 1986	Waltons Stores Limited sell all of the study site to Ruamore Pty Limited for \$3,100,000. (Book 3674 No. 683 – Lot 3 reference).	