

STATEMENT OF HERITAGE IMPACT

UNIVERSITY OF NEWCASTLE CONSERVATORIUM CAR PARK

Lot 1, DP 150762

Lot 2, DP 995015

Lot 1, DP 995015

Lot 15, DP 999751

Cooks Hill NSW 2300



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1. INTRODUCTION

EJE Heritage has been requested to provide a Heritage Impact Statement for the proposed upgrading of the existing Conservatorium car park in Laman Street and Gibson Street, Cooks Hill NSW 2300.

The initial section of the report places the site within an historical context, and examines the physical condition and context of the current building. With the history and physical condition and context of the building understood, a heritage assessment of the site can be completed using the NSW Heritage Branch guidelines encompassing the Australia ICOMOS *Burra Charter 2013* heritage values: historical significance; aesthetic significance; scientific significance; and social significance.

The Statement of Heritage Impact that follows examines the proposed works, identifying any impacts which the proposal might have on the significance of the heritage items, and any measures which should be taken to mitigate any negative impacts, if these are in fact identified.

The Historical Context section of this report was prepared by David Campbell.

This Statement of Heritage Impact was prepared by EJE Heritage. The project team consisted of:

- ❑ Barney Collins – (Director), Conservation Architect.
- ❑ David Campbell – Heritage Consultant.

1.1 METHODOLOGY

This report has been undertaken in accordance with the NSW Heritage Office publications, *Assessing Heritage Significance and Statements of Heritage Impact*, together with the Australia ICOMOS, *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 2013*.¹

1.2 HERITAGE LISTINGS

The site is not listed as a Heritage Item or Archaeological Site in the *Newcastle Local Environmental Plan 2012* ('LEP 2012'), Schedule 5, Part 1 or Part 3. It is, however, within the Cooks Hill Heritage Conservation Area as defined in LEP 2012, Schedule 5, Part 2; it is, in addition, in proximity to Heritage Items as defined in LEP 2012, Schedule 5, Part 1.

¹ Burwood: Australia ICOMOS, 2013.

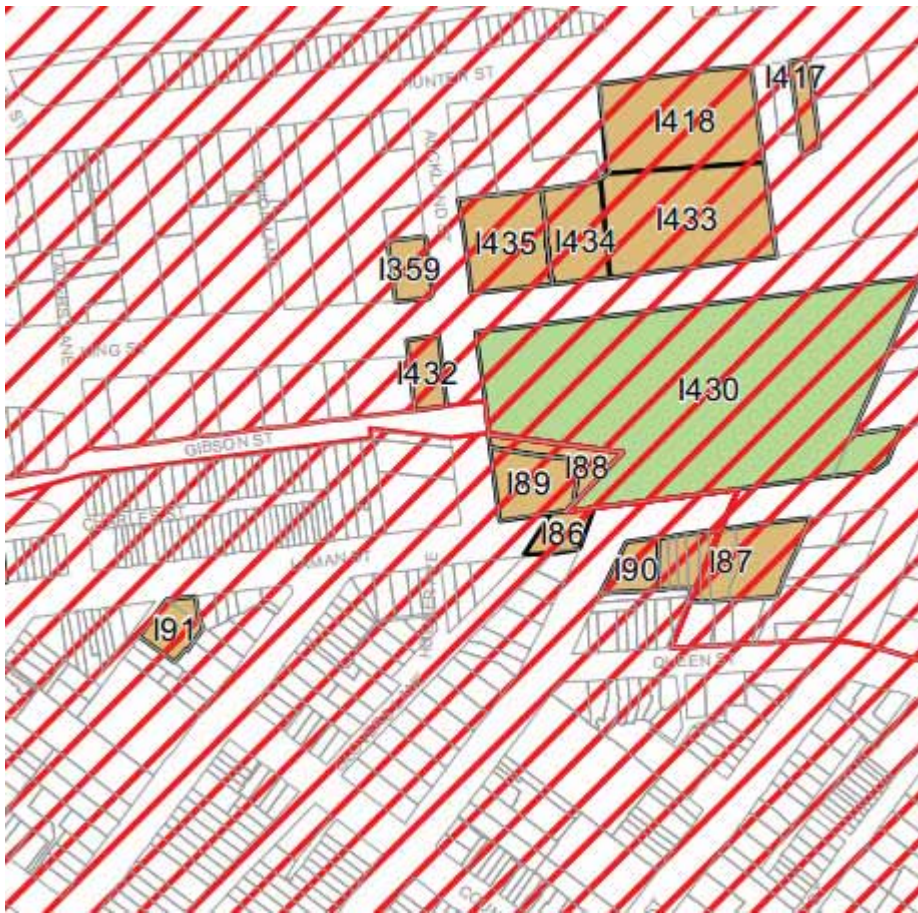


Figure 1. LEP 2012 Heritage Map, HER_004G

Cooks Hill	Former railway overpass	Laman Street		Local	I86
Cooks Hill	Newcastle War Memorial Cultural Centre	1 Laman Street	Lots 4–10, DP 1122031	Local	I87
Cooks Hill	Former signalman's cottage	12 Laman Street	Lot 12, DP 150135	Local	I88
Cooks Hill	St Andrew's Presbyterian Church	12 Laman Street	Lot 1011, DP 1132786	Local	I89
Cooks Hill	Baptist Tabernacle	25 Laman Street	Lot 1, DP 1134280	Local	I90
Cooks Hill	Von Bertouch Galleries building	61 Laman Street	Lot 101, DP 1130585; Lot 21, DP 825796	Local	I91

Newcastle	Northumberland County Council Building	20 Auckland Street	Lot A, DP 369052; Part Lot 1, DP 999494	Local	I359
Newcastle	Former Frederick Ash Building	357 Hunter Street	Lot 2, DP 1010675	State	I417
Newcastle	Civic Theatre	373 Hunter Street	Part Lot 1, DP 225689	State nominated	I418
Newcastle	City Hall and lamp posts	290 King Street	Part Lot 1, DP 225689	State nominated	I433
Newcastle	Christie Place (including fountain)	292 King Street	Part Lot 1, DP 225689	Local	I434
Newcastle	Nesca House	300 King Street	Lot 2, DP 225689	State	I435
Newcastle	Civic Park	201 King Street	Lot 300, DP 604071; Lot 91, DP 521033	Local	I430
Newcastle	TPI House (former Mackie's Warehouse)	231 King Street	Lot B, DP 502464	Local	I432

1.3 SITE IDENTIFICATION

The site is identified as Lot 1, DP 150762; Lot 2, DP 995015; Lot 1 DP 995015; and Lot 15, DP 999751 Cooks Hill NSW 2300. The subject site is located within the Newcastle Local Government Area. The site is zoned B4: Mixed Use adjacent to its eastern boundary, and R3: Medium Density Residential for its principal area (LEP 2012 Zoning Map - Sheet LZN_004G).



Figure 2. Location image. The subject site is outlined in red. *Nearmap (by licence)*



Figure 3. Location image, showing street names. The subject site is outlined in red.
Nearmap (by licence)



Figure 4. A closer view, showing the subject site, which is outlined in red. The University of Newcastle Conservatorium of Music is at right; 15 Gibson Street and the gable-roofed Davis' Terrace in Laman Street are at left. *Nearmap (by licence)*

1.4 CONSTRAINTS AND LIMITATIONS

EJE is not qualified to offer structural opinions. This report is not intended to convey any opinion as to the structural adequacy or integrity of the structure, nor should it in any way be construed as so doing. Similarly, the author's observations are limited to the fabric only: he does not comment on the capacity, adequacy, or statutory compliance of any building services.

2. HISTORICAL CONTEXT

2.1 Introduction

The history of the subject site is closely associated with that of Cooks Hill, one of Newcastle's most historically and architecturally interesting suburbs. While some of the influences on its development may no longer be physically evident, the suburb's convenience, together with its significant heritage values, has ensured its survival and present popularity.

2.2 The Awabakal

The Awabakal people are the traditional owners of the locality now called Cooks Hill. Europeans knew it as part of the 'Wallabee Ground', a portion of the Newcastle town reserve,² not to be confused with the area nearer The Borehole (Hamilton) later called Wallabi Flat,³ and later still Wallaby Flat.⁴ Having occupied the Newcastle district for at least 30,000 years,⁵ their tool making activities near the mouth of Cottage Creek, the watershed of the Cooks Hill area, began about 3,500 years BP and continued until after the arrival of Europeans.⁶ Relations between the Awabakal and the authorities at the Newcastle penal settlement were reasonably good, while those between the Awabakal and the convicts were generally very bad.⁷ This might, on the one hand, be explained by the willingness of Awabakal trackers to pursue and catch escaping prisoners; and on the other, by the willingness of some of the convicts to take collective, and sometimes horrific, revenge.

When Reverend Lancelot Threlkeld, missionary to the Aborigines, in 1825 lived for five months in the old Government Farm cottage near what is now the Bank Corner, the local clan of the Awabakal sought his protection and camped close by.⁸ Lower-lying portions of Cooks Hill were productive hunting grounds,⁹ but when Newcastle was thrown open to free settlement the Awabakal became increasingly marginalised even as their land was sold from under them; in

² See Cynthia Hunter (ed.), *The 1827 Newcastle Notebook and Letters of Lieutenant William S. Coke H.M. 39th Regiment, Officer in Charge of the Military Garrison Stationed at Newcastle during 1827*. Raymond Terrace: Hunter House Publications, 1997, pp. 43, 73.

³ *Newcastle Chronicle*, 3 May 1862, p. 2.

⁴ See *Sydney Morning Herald*, 19 September 1901, p. 8.

⁵ John Heath, 'Muloobinbah: The Contribution of Aboriginal People to the Resources of the Hunter Region', in *Riverchange: Six New Histories of the Hunter*. Newcastle: Newcastle Region Library, 1998, p. 41.

⁶ AHMS, *Section 87/90 Aboriginal Heritage Impact Permit No. 1098622, Final Report, 13 May 2011*, Sydney, AHMS, 2011, p. 82.

⁷ Christine Bramble, 'Relations between Aborigines and White Settlers in Newcastle and the Hunter District, 1804 – 1841, with Special Reference to the Influence of the Penal Settlement'. University of New England Bachelor of Letters thesis, January 1981, pp. 15-44.

⁸ Niel Gunson (ed.), *Australian Reminiscences and Papers of L.E. Threlkeld, Missionary to the Aborigines 1824 – 1859*. Canberra: Australian Institute of Aboriginal Studies, 1974, pp. 87-94.

⁹ Lieutenant James Grant, R.N., *The Narrative of a Voyage of Discovery, Performed in His Majesty's Vessel The Lady Nelson, of Sixty Tons Burthen, With Sliding Keels, in the Years 1800, 1801 and 1802, to New South Wales*. London: T. Egerton, Whitehall, 1803.

the late 1850s perhaps 150 of them remained around Newcastle,¹⁰ but the survivors later tended to retreat to the south and west.

2.3 European Foundations

Cooks Hill, now an inner Newcastle suburb, began as a mining settlement known as Lake Macquarie Road after the track that ran through it. This name was often simplified to 'Lake Road'.¹¹ It was separated from Newcastle proper not only by a steep rise, practically but unimaginatively called 'The Hill', but by colliery tramways that created further communications difficulties. The area was part of the Australian Agricultural Company's 2,000 acre Newcastle estate, a valuable grant that hemmed in the town of Newcastle between the Hunter River and the Pacific Ocean. In spite of this, the A.A. Company, as it was universally known, was cautious about releasing large areas of land for subdivision. This was not only to ensure that supply was no greater than demand, but to maintain paternalistic control over its workers and their families,¹² groups with whom the Company had a sometimes difficult relationship.¹³

The first permanent buildings around the Lake Macquarie Road settlement were built by the A.A. Company. Its first mine, the A Pit, which commenced full production on The Hill in 1831, was served by Australia's first iron railway. Drainage problems forced the Company to sink its B Pit in a gully near the Lake Road in 1837.¹⁴ It was equipped with a steam engine within a brick engine house. In 1843 the Company opened the C Pit, which being high up on the hill was served by a funicular railway from which wagons were run by gravity down to the harbour wharfs.¹⁵ This line was joined in 1849 by a horse tramway to the D Pit at The Borehole (now Hamilton) which ran across the Lake Road on a fairly steep embankment, creating an obstacle for those wishing to cross it.¹⁶ Further on, the single road to Maitland was crossed by a wooden trestle bridge over which the Company's full and empty horse trams ran to the waterfront. This was so low as to force riders to bend low while riding under it, while high dray loads could not pass under it at all.¹⁷ If this were not enough, from 1855 yet another line, the Burwood horse tramroad, ran through the Company's estate and along Blane Street (the Maitland Road) before passing under the bridge. Accidents did occur; horses and their trams, on occasion, fell off the

¹⁰ John Askew, *A Voyage to Australia and New Zealand*. London: Simpkin, Marshall and Co, 1857, pp. 272-273.

¹¹ See for example *Evening News*, 7 July 1880, p. 2.

¹² See the speech of Arthur Hodgson, the Company's General Superintendent, at the commencement of shaft sinking near Pit Town (now Hamilton), *Sydney Morning Herald*, 26 May 1857.

¹³ Robin Gollan, *The Coal Miners of New South Wales: A History of the Union, 1860-1960*. Melbourne: MUP, 1963, pp. 27-44.

¹⁴ H. Dumaresq to Court of Directors, 24 October 1837, A.A. Company *Despatches*.

¹⁵ Ebsworth to Court of Directors, 24 June 1841, 7 March 1843, 28 April 1843, A.A. Company *Despatches*.

¹⁶ *Newcastle Chronicle*, 31 January 1866; *Maitland Mercury* 5 November 1857.

¹⁷ *Newcastle Chronicle*, 28 March 1862.

bridge and onto the road; one old horse is said to have twice suffered this fate.¹⁸ Yet government indifference meant that little could be done to improve the situation.



Figure 5. Plan Showing Original Coal Companies' Lands and Railways in the Parish of Newcastle. Newcastle: A.P. Pulver, 1976. Note the at-grade intersection of the private railways, originally tramways, of the A.A. Company and Newcastle Coal and Copper Company, in the swampy ground later developed as Civic Park. University of Newcastle Cultural Collections

Closure of the earlier mines allowed the Company to dispose of land in their vicinity. Although much of this was too steep for building, the gently sloping areas on either side of the Lake Road were suitable. It was here, therefore, that Company surveyor, Lieutenant (Ret'd) George Elde Darby, laid out lots for subdivision.¹⁹ Darby had himself purchased the 'C' Pit engine house, which he converted into a residence.²⁰ He also bought a lot in Lake Road, on which he constructed a two-storey building.²¹ This portion of Lake Macquarie Road from Blane (later Hunter) Street to Parry Street²² later became known, in his honour, as Darby Street. Swampy ground to the west of this first subdivision ensured that, from 1853, most land sales occurred

¹⁸ 'Report from the Select Committee on the Burwood Tramroad Extension Act Amendment Bill and the Australian Agricultural Company's Newcastle Railway Bill'. *Votes and Proceedings of the Legislative Assembly of New South Wales*, 1857 vol. II, evidence of John Whitton, p. 839.

¹⁹ *Sydney Morning Herald*, 20 September 1854.

²⁰ G.E. Darby, *Diaries*, 26 September 1856.

²¹ Wilfred Goold, *The Borough of Newcastle, Incorporated 1859*. Newcastle: Newcastle and Hunter District Historical Society, 1986, pp. 15-16.

²² *Plan of the City of Newcastle, County of Northumberland NSW*. Sydney: Surveyor General's Office, 1857.

along the Lake Road itself;²³ the settlement therefore became an elongated but narrow one, with building activity diminishing toward the active colliery in the south.



Figure 6. Plan of the A.A. Company's inner Newcastle Estate, apparently made before the resignation of George Elde Darby from the Company's service in 1857, but apparently updated to show some more recent developments: Macquarie Street (Lake Macquarie Road) has not yet been renamed as Darby Street, although St. John's church is not shown. The line of houses making up Pit Row is apparent. Note the complex system of horse tramways, some of which are in process of conversion to steam railways.

National Library of Australia, MAP F 51

Growth of the collieries, and therefore of housing, was underpinned by the American market. The discovery of gold in California in 1849 attracted large numbers of gold seekers and service industries that required fuel. It was far easier and safer to bring this from Newcastle rather than

²³ *Maitland Mercury*, 9 April 1853.

from the American east coast around the notorious Cape Horn.²⁴ In November 1851 Enoch Davies wrote to his brother that 'in the harbor there Lyes between twenty and thirty ships Loaded and wateing for Loading all for California'.²⁵ Construction of houses and stores along the Lake Road was stimulated, too, by construction of the Great Northern Railway.²⁶ By 1857 the road could be described by T.M. Mackay, a local resident, as

the great outlet from Newcastle to the South, communicating with the [sic] Lake Macquarie, Brisbane Water, the Minmi Coal fields, and the populous district of the Burwood Coal mines, and is second in importance to the Maitland road only...²⁷

The Company's colliery department had a large number of convicts assigned to it; yet this cheap but often troublesome workforce had, of course, to be housed and fed. The Company could rarely obtain as many convicts as it needed, and even before 1841 when convict assignment ceased, free miners and labourers had to be attracted. These required a higher standard of housing, and although some slab huts were erected the Company also provided brick terrace houses and small brick cottages.²⁸ The terraces were located in Pit Street, the road to the 'B' and 'C' Pits that was later renamed Queen Street; the cottages, known as Pit Row, were built further up the hill toward the 'C' Pit.²⁹ Enoch Davies, an indentured A.A. Company miner from Bolton, near Manchester, arrived in Newcastle in 1850. It is providential that several of his letters to his family in England have survived. In July 1851 Davies told his father and brothers that:

This Company is sending for more men from Lancashire, and if we have got any Brothers or Friends you have got the opperitunety of coming now, but if I must send word you must not come with out considering how thing stands at Home, and I will tell you how things Stands here at present, the work is more laborious than even I saw at home and the get from 4 to 5 Shillings per day...³⁰

In November 1851 he described Pit Row, in which he lived:

The Houses are Brick and covered with shingles that is wood About a foot Long 3 inches broad I never seen but one place Covered with slate since I left home and that is the Cort of

²⁴ John Turner, *Coal Mining in Newcastle, 1801-1900*. Newcastle: Newcastle Region Public Library, 1982, p. 56.

²⁵ Enoch Davies to his brother (name unknown), 9 November 1851, *Letter Book, 1850 – 1854*, Bolton Archives ZZ/287/1.

²⁶ *Maitland Mercury*, 5 September 1855.

²⁷ *Empire*, 21 October 1857.

²⁸ Ebsworth to Court of Directors, 26 December 1842, A.A. *Company Despatches*.

²⁹ In May 1880 most of the miners and other residents of Pit Row were given two weeks notice to quit the cottages, of which at this time there were about thirty: see *Maitland Mercury*, 6 May 1880.

³⁰ Enoch Davies to his father (name unknown), 24 July 1851, *Letter Book, 1850 – 1854*, Bolton Archives ZZ/287/1. I am indebted to Miss Ruth Butterworth, a family historian, for bringing these letters to my attention.

this City...huts in the bushes are built of slabs and covered with bark it is in Shites about six feet Long and in Different breadths it is Sold at 7d per Sheet...³¹

Such high standards of accommodation did not prevent further industrial trouble. In July 1850 Davies told his father and brothers that:

There as been a Strike among the miners of New castle, for more per tun, the strike upwards of three weeks, but the did not Get what the strike for quite the price was 1s-1 1/2 per tun, for small and 1s-9d for large but the advanced to 1s"6d and 2s per tun the Masters did all the could to Get the men to work againe but all in vane, the Summoned the men and one man got six week in Gale, and the gave all the other Notice to quite in Seven days, but before the time was out the advanced them and all began to work againe.³²

Davies proceeded to tell his brother that:

'the Masters here are good Masers to Worke for and the men are Same as at home thear is all Countrys hear...'³³

His opinion may have been influenced by the Company's having agreed to increase wages. It was, however, not always so amendable.

Despite the solidity of Pit Row, a well sunk for the residents was unprotected, resulting in the drowning in February 1858 of a boy called Thomas Copper who had fallen in head first.³⁴ The cottages, in very poor repair,³⁵ were demolished in 1882.³⁶ Forty years later a large brass button from a convict's issued clothing, bearing the legend 'A.A. Co', was found in their ruins.³⁷ Although the 'C' Pit closed in 1855 because of geological problems,³⁸ the Darling Harbour gas works of the Australian Gas Light Company had to be supplied; a new mine, the 'F' Pit, was therefore sunk further to the south in 1855.

Closure of the earlier mines allowed the Company to dispose of land in their vicinity. Although much of this was too steep for building, the gently sloping areas on either side of the Lake Road were suitable. It was here, therefore, that Company surveyor, George Elde Darby, a retired Lieutenant, prepared a subdivision.³⁹ Darby had himself purchased the 'C' Pit engine house,

³¹ Enoch Davies to his brother (name unknown), 9 November 1851, *Letter Books, 1851 – 1854*, Bolton Archives UK ZZ/287/1.

³² *Ibid*, 24 July 1850.

³³ *Ibid*, 9 November 1851.

³⁴ *Maitland Mercury*, 25 February 1858.

³⁵ See *Maitland Mercury*, 6 May 1880.

³⁶ *Australian Town and Country Journal*, 23 December 1882. Two of the cottages may have survived, but this cannot yet be confirmed. A 'notorious old convict and burglar named Samuel Whitehouse' had once lived there: see *Maitland Mercury*, 5 February 1885.

³⁷ It was found by Dr Martin Doyle; he donated it to the Mitchell Library in 1930: see www.migrationheritage.nsw.gov.au

³⁸ Brownrigg to Court of Directors, 11 November 1854, A.A. Company *Despatches*.

³⁹ *Sydney Morning Herald*, 20 September 1854.

which he converted into a residence.⁴⁰ He also bought a lot in Lake Road, on which he constructed a two-storey building.⁴¹ This portion of Lake Macquarie Road from Blane (later Hunter) Street to Parry Street⁴² later became known, in his honour, as Darby Street. Swampy ground to the west of this first subdivision ensured that, from 1853, most land sales occurred along the Lake Road itself;⁴³ the settlement therefore became an elongated but narrow one, with building activity diminishing toward the active colliery in the south. When locomotives were introduced, the Company engine sheds and workshops were built nearer the northern end of the road.

Growth of the collieries, and therefore of housing, was underpinned by the American market. The discovery of gold in California in 1849 attracted large numbers of gold seekers and service industries that required fuel. It was far easier and safer to bring this from Newcastle rather than from the American east coast around the notorious Cape Horn.⁴⁴ In November 1851 Enoch Davies wrote to his brother that 'in the harbor there Lyes between twenty and thirty ships Loaded and wateing for Loading all for California'.⁴⁵ Construction of houses and stores along the Lake Road was stimulated, too, by construction of the Great Northern Railway.⁴⁶ By 1857 the road could be described by T.M. Mackay, a local resident, as

the great outlet from Newcastle to the South, communicating with the [sic] Lake Macquarie, Brisbane Water, the Minmi Coal fields, and the populous district of the Burwood Coal mines, and is second in importance to the Maitland road only...⁴⁷

The gradual development of housing along the streets to the east and west of the Lake Road increased the population of the area, as well as the need for shops and services.

⁴⁰ G.E. Darby, *Diaries*, 26 September 1856.

⁴¹ Wilfred Goold, *The Borough of Newcastle, Incorporated 1859*. Newcastle: Newcastle and Hunter District Historical Society, 1986, pp. 15-16.

⁴² Plan of the City of Newcastle, County of Northumberland NSW. Sydney: Surveyor General's Office, 1857.

⁴³ *Maitland Mercury*, 9 April 1853.

⁴⁴ John Turner, *Coal Mining in Newcastle, 1801-1900*. Newcastle: Newcastle Region Public Library, 1982, p. 56.

⁴⁵ Enoch Davies to his brother (name unknown), 9 November 1851, *Letter Book, 1850 – 1854*, Bolton Archives ZZ/287/1.

⁴⁶ *Maitland Mercury*, 5 September 1855.

⁴⁷ *Empire*, 21 October 1857.



Figure 7. Newcastle Harbour, 1866. Sydney: Harbour and Rivers Navigation Branch, Department of Public Works, 1866 (copy). Pit (later Queen) Street, Bull Street and Parry Street join Darby Street to make up the settlement then known as Lake Macquarie Road. Darby Street, while not named as such in this chart, forms the northern portion of Lake Macquarie Road itself.

Sailors from many nations joined local miners in patronising the many boarding houses and hotels of Lake Macquarie Road: most of the latter were built on street corners for greater prominence; some of the buildings remain extant. Lack of legislative controls allowed hotels to supply liquor practically on demand; while public drunkenness was indeed an offence at law, the large number of small hotels naturally created problems. A police watch-house with a lock-up was therefore provided on the western side of Lake Road just south of Bull Street.⁴⁸ Tenders for this building had been called in late 1860: it was probably completed during the course of the following year. During the last quarter of the nineteenth century the attentions of the constabulary were much called for, not least to prevent “juvenile larrikinism lately seen carried on to an extent that demands the active intervention of the police”, consisting of general nuisance and theft from shops.⁴⁹ To this was added the periodic outbreak of infectious diseases which made parents rather send their children to play in the streets than to risk attendance at school,⁵⁰ with one case of smallpox in 1874 necessitating the mounting of a

⁴⁸ Indenture of sale of lot at the corner of Darby Street and Bull Street by A.A. Company, 1856, privately held.

⁴⁹ *Maitland Mercury*, 13 June 1874.

⁵⁰ *Newcastle Pilot*, 9 July 1874.

police guard to deter visitors from the residence of the unfortunate victim.⁵¹ In 1905 the bubonic plague, probably carried by rats in vessels in-bound from overseas ports, visited the area,⁵² and although the outbreak was eventually contained by fumigation and rat-catching, several deaths resulted.

In the early 1880s it was noted that there were “several well-known nests of vice and immorality in the vicinity of Lake-road” that had attracted the attention of the police.⁵³ Casual gambling was, of course illegal, but two-up schools and dog fighting nevertheless flourished. Certain female inhabitants, resident in the local hotels, sold more than alcohol and meals,⁵⁴ while others disported themselves on the roadside itself.⁵⁵ Violence, sometimes involving confrontations between bystanders and policemen, were not unknown.⁵⁶ Travelling shows, such as *The Congress of Wonders, in Conjunction with the New United Circus*, plied their trade nearby,⁵⁷ adding to the busy scene. It is no wonder that in 1888 tenders had to be called for the extension of the watch-house.⁵⁸ A retired police sergeant recalled in the 1930s that his years at the Lake Road dealing with foreign sailors were the ‘roughest’ of his career.⁵⁹ Contemplation of the dirt roads, combined with coal dust, horse droppings and smoke from locomotives, household and colliery chimneys, together with wizened sailors and dust-covered miners on their way home from the pits will provide some idea of everyday life at the time. Nevertheless, the area was not without its famous sons. Perhaps the best known are Sir William Dobell, born in Bull Street in 1889, his parents’ seventh child; and John Olsen, also an artist, who was born in Dawson Street in 1925.⁶⁰ Virginia Freeman, Dobell’s confidant and biographer, recorded his recollections of the area in the following terms:

Those streets around the Dobell house were ungreen, unbeautiful; the houses jerry-built, jammed together with no time for architecture, furnished functionally, impatient of aesthetics; the people occupied in pursuing a living in ambivalent times in a country of unknowable potential. The working kind, their sights set on definite goals: owning your own home, learning a good trade – or in the long run, with luck, a man might be able to work for himself, own his own business.

Tedium. Routine. Penny-pinching. Drinking as a sole recreation. Petty squabbles. Inbred friendships. Crude joke humour. Such utterly undramatic poverty to feed the inborn creativity, sensitivity, artistic ability of a young William Dobell.⁶¹

⁵¹ *Maitland Mercury*, 7 July 1874.

⁵² *Sydney Morning Herald*, 28 March 1905.

⁵³ *Evening News*, 25 February 1881, p. 2.

⁵⁴ *Newcastle Chronicle*, 29 February 1876, p. 5; *Sydney Morning Herald*, 15 September 1934.

⁵⁵ *Maitland Mercury*, 30 June 1891.

⁵⁶ *Maitland Mercury*, 13 September 1888.

⁵⁷ *Maitland Mercury*, 21 January 1890, p. 7.

⁵⁸ *Australian Town and Country Journal*, 2 June 1888.

⁵⁹ *Sydney Morning Herald*, 15 September 1934.

⁶⁰ *Newcastle Heritage Inventory*, ‘Cooks Hill Heritage Conservation Area’, p. 2.

⁶¹ Virginia Freeman, *Dobell on Dobell*. Sydney: Ure Smith, 1970, p. 13.

Dobell's surroundings, nevertheless, to some extent stimulated his interest in people: "I used to like drawing the women gossiping over the backyard fences", he said.⁶² Leaving Cook's Hill Superior Public School, Laman Street, at 14 years of age, disappointing his father's wishes that he become a brick layer, the young William obtained employment in discouraging dogs from "watering" on material displayed outside a Newcastle draper's shop, while also keeping the windows clean. He naturally found it difficult to muster much enthusiasm for these tasks. It was not until he went to live in Sydney that he was able to secure the full-time employment that allowed him to study art by night,⁶³ going on to become one of Australia's most well-known artists.

2.4 A Change of Name

It may have been the renaming as Darby Street of that portion of Lake Macquarie Road running through the settlement that encouraged its gradual assumption of identity as part of Cooks Hill; for its original name now began to lose its relevance. George Elde Darby, in whose honour the length of road was renamed, but whose feelings and nerves had been affected by politics, resigned from the A.A. Company's service in 1857 and left the district in 1861.⁶⁴ He remained on the best of terms with his successor, George Ogden;⁶⁵ and it seems to have been Ogden who initiated the change of name to Darby Street to commemorate his friend, who had after all planned the subdivision. While this continued the corporate practice of naming streets after Company officers, until June 1859 there was no municipal Council to confirm such names, which seem generally to have been the prerogative of the subdivider. The suburb contains no single identifiable 'hill'; yet a ridge, admittedly low, but high enough to be free of significant flooding, runs between Darby Street and Union Street, formerly Melville Street. Here, in about 1869 Thomas ('Tom') Cook, nephew of William Dangar, owner of the *Turanville* estate near Scone, is said to have built his summer residence, which he named *Lucerna*.⁶⁶ Having recently inherited the much-admired estate,⁶⁷ which he had in fact managed since the age of 23, Cook could well afford a house on a comparatively large scale. The opening in 1871 of the railway extension to Scone made quite practical regular travel between Scone, where Cook continued to spend much time. Born near Hamilton, Ontario, in 1834, his parents, Samuel Cook and Elizabeth Dangar, both Cornish, had brought him to New South Wales in 1837. The family is thought to have settled for some time in Newcastle, where the young Tom went to school,⁶⁸

⁶² *Ibid.*, p. 14.

⁶³ *Ibid.*, p. 16-17.

⁶⁴ G.E. Darby, *Diaries*, 18 May 1857, 28 April 1861.

⁶⁵ *Ibid.*, 15 December 1857, 16 December 1857.

⁶⁶ Cynthia Hunter, *Newcastle Civic and Cultural Precinct Historical Development*. Newcastle: Newcastle City Council, 2003, pp.13-14.

⁶⁷ Audrey Entwisle, *Scone Shire: A Centenary History of Local Government*. Scone: Scone and Upper Hunter Historical Society, 1988, p. 29.

⁶⁸ *Ibid.*

although Samuel went on manage *Turanville* before taking up *Nemingha* station near Tamworth.⁶⁹

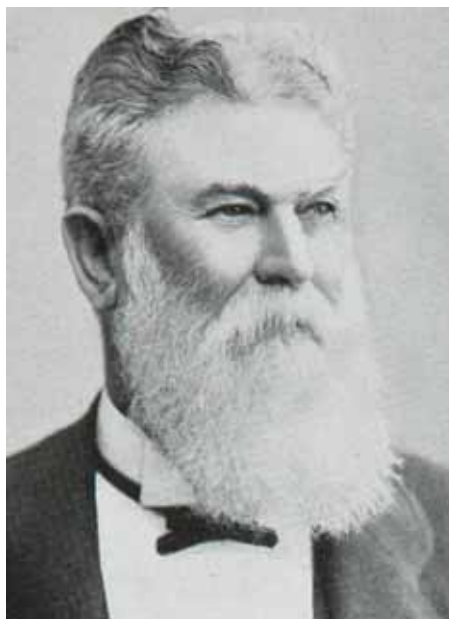


Figure 8. Thomas Cook, wealthy squatter and imposing proprietor of *Lucerna*.

⁶⁹ W.F. Morrison, *Aldine Centennial History of New South Wales*. p. 122; see also Elisabeth Mary Dangar, *William Dangar of Turanville*. Scone: Scone and Upper Hunter Historical Society, 1968, p. 33.



Figure 9. Detail of ‘Plan of Suburban Allotments and Allotments on Blane and Macquarrie Streets “commonly called” (the Maitland and Lake Macquarie Roads)’.

This 1850s plan clearly shows a large residence, almost certainly that later called *Lucerna*, at the corner of Laman Street and the easement for the extension of Auckland Street, which was not dedicated for another three decades. Note the absence of other development along Laman Street. NLA, Map F831.

The origins of *Lucerna* are interesting. Despite the long-standing tradition that it was built by Thomas Cook, it may in fact have been constructed in the 1850s by Erasmus Prosser, a contractor and builder, for his own use. It has been said, on what appears to be reasonable authority, that Prosser went on to rent the house to William Randle,⁷⁰ one of the contractors for the construction of the Hunter River Railway, before selling it to Cook. Certainly, the plan reproduced above shows a large house, occupying two lots, as having been erected on the site.⁷¹ It has, in addition, long since been asserted that the portion of the low ridge on the western side of the Burwood tramroad was called Prosser’s Hill, with land to the south of the

⁷⁰ ‘Building Society President: Notable Record: 60 Years with Building Society: Mr. A. Hackworthy has Seen City Grow’, *Newcastle Morning Herald and Miners’ Advocate*, 24 February 1940, p. 18.

⁷¹ ‘Plan of Suburban Allotments and Allotments on Blane and Macquarrie Streets “commonly called” (the Maitland and Lake Macquarie Roads)’

present Laman Street as far as the location of Bull Street being referred to as Prosser's Green, or Goose Flat,⁷² while that to the east was known as Dart's Hill, after John Dart, another builder, who owned a cottage at the corner of Pitt Street (now Queen Street) and Dawson Street.⁷³ If Erasmus Prosser did indeed build *Lucerna*, its sale to Thomas Cook would be explained by the fact that, by 1871, he had been declared insolvent.⁷⁴ If *Lucerna* had, indeed, been constructed by Prosser, it is of course, quite possible that Cook made alterations and additions to *Lucerna*, perhaps including the servants' quarters and stables addressing Laman Street.

Although adjacent to the A.A. Company's railway to Hamilton and overlooking both Archibald Rodgers' foundry and the swampy ground later to become Civic Park, Cook's house was elevated enough to have a view of the harbour, and to catch the north-easterly breeze, while it was convenient to Newcastle itself. *Lucerna*, with its terraced gardens, servants' quarters, coach house and stables, was a prominent feature of a location at first devoid of other significant development. The stables, which with the servant's quarters addressed the southern wall of which addressed Laman Street, were large enough to befit a man who bred hundreds of utility and race horses at *Turanville*, many of which were exported to India, and was skilled in both riding and driving.⁷⁵ Evidence, including the recollections of an early resident, suggests that the title of *Cook's Hill* came into popular use with reference to the location of *Lucerna*, which was after all a prominent landmark.⁷⁶ It is interesting, too, that although Cook was not a member of St. John's church, Lake Macquarie Road, he was chosen by that congregation as their representative at an important diocesan conference.⁷⁷ This indicates that he already enjoyed considerable influence in the local community. His parents, who had both retired to *Lucerna*, where they also died, are commemorated at St. John's. Newspaper notices show that Cook, who had a brother, John, and a sister, sometimes shared the house with his relatives,⁷⁸ while at various times he leased at least portion of it to third parties.⁷⁹ He and his wife, who

⁷² Wilfred Goold, 'The Borough of Newcastle', in Newcastle and Hunter District Historical Society, *Monthly Journal*, Vol. VIII, Part VI, March 1954, p. 95.

⁷³ 'The Early Days', Newcastle Morning Herald and Miners' Advocate, 19 February 1937, p. 4.

⁷⁴ *Maitland Mercury and Hunter River General Advertiser*, 29 July 1871, p. 2.

⁷⁵ 'Death of Mr. Thomas Cook, Philanthropist, Sportsman, and Pastoralist', *Maitland Mercury*, 15 July 1912, p. 7.

⁷⁶ See, for example, report as to Cook's estate following his death in 1912: *Sydney Morning Herald*, 17 October 1912, p. 5; see also 'Death of Mr. Thomas Cook, Philanthropist, Sportsman, and Pastoralist', *Maitland Mercury*, 15 July 1912, p. 7; see also 'The Early Days', *Newcastle Morning Herald and Miners' Advocate*, 19 February 1937, p. 4.

⁷⁷ *Northern Times*, 1 December 1858, p. 2.

⁷⁸ See *Maitland Daily Mercury*, 25 January 1901, p. 1.

⁷⁹ In 1890, Dr Ferguson, of the Newcastle United Friendly Societies' Dispensary, was in residence: see *Newcastle Morning Herald and Miners' Advocate*, 15 July 1890, p. 8; John Gulliver, brickmaker, appears to have rented it in the early 1890s: see *Newcastle Morning Herald and Miners' Advocate*, 5 January 1893, p. 8.

died in 1903, had no children, this circumstance being said to have given rise to many acts of charity on his part towards the children of others.⁸⁰

An 1877 newspaper article provides evidence that by that time the locality had become known as Cook's Hill,⁸¹ although a death notice of the same year for a member of the Cook family⁸² appears to give the address of the house as being at Honeysuckle Point, the nearest well-known geographical feature; in 1883 its address is given simply as Cook's Hill, indicating the widespread adoption of the name.⁸³ Cook's Muswellbrook estate, in what is now a central portion of that town, was also called Cook's Hill.⁸⁴ By the time of his death in 1912, 'Squire' Cook, as he was known at Scone, had become a very wealthy man, with pastoral holdings on the Barwon, Namoi and Thalaba Creek, in addition to stations in north Queensland.⁸⁵ One who had ample opportunity to observe the comings and goings of the philanthropic Cook was with Astley Paston Pulver (b. 1899), who from 1902 until 1916 lived with his family at *Beasco*, a comfortable semi-detached house at 29 Laman Street, diagonally opposite *Lucerna*.⁸⁶ Pulver recalled Cook, who in middle age stood six feet 3 ½ inches in height, and had weighed 16 or 17 stone,⁸⁷ as an old gentleman who wore a silk top hat over his long white hair, who drove his own phaeton during his visits to *Lucerna*.⁸⁸

Cook left the house to his niece, Florence Reid, of *Balnagowan*, Mackay, Queensland;⁸⁹ she quickly sold it.⁹⁰ In the 1920s, *Lucerna* was occupied by a Dr Ferguson and his wife, who sometimes allowed fetes to be held there on behalf of the adjacent St. Andrew's church.⁹¹

⁸⁰ Cynthia Hunter, *Newcastle Civic and Cultural Precinct Historical Development*. Newcastle: Newcastle City Council, 2003, pp.13-14.

⁸¹ *Newcastle Pilot*, 13 April 1877.

⁸² *Maitland Mercury*, 17 November 1877, p. 1.

⁸³ *Sydney Morning Herald*, 28 March 1883, p. 1.

⁸⁴ See generally Rob Tickle (ed.), *Sale: Estate of Late Thomas Cook 5th March 1913*. Muswellbrook: Muswellbrook Local & Family History Society, 2009.

⁸⁵ 'Death of Mr. Thomas Cook, Philanthropist, Sportsman, and Pastoralist', *Maitland Mercury*, 15 July 1912, p. 7; see also W.F. Morrison, *Aldine Centennial History of New South Wales*, p. 122.

⁸⁶ Notes by Astley Pulver, supplied by Phil Blackley of Pulver Cooper & Blackley, surveyors.

⁸⁷ 'Death of Mr. Thomas Cook, Philanthropist, Sportsman, and Pastoralist', *Maitland Mercury*, 15 July 1912, p. 7.

⁸⁸ See Astley Pulver, 'After Coal', unpublished notes, 1979.

⁸⁹ *Brisbane Courier*, 22 October 1912, p. 6.

⁹⁰ *Newcastle Morning Herald*, 5 July 1913, p. 6.

⁹¹ *Newcastle Morning Herald and Miners' Advocate*, 28 April 1923, p. 6.

SALE, MONDAY NEXT.
"LUCERNA."
CORNER OF LAMAN AND AUCKLAND
STREETS, COOK'S HILL.

The Furniture and Effects of the Residence of the late THOMAS COOK, Esq., of Turanville.

MESSEES LANG, WOOD, & CO. will sell by auction, on the Premises,
ON MONDAY, JULY 21,
at 12.
THE FURNITURE & EFFECTS,
Comprising Extending Dining Table, opening Sft; Dinner Waggon, Book Case, Austrian Suite, and Settee 4ft 6in Sideboard, Carved Walnut Drawing-room Suite, Octagon Table, Superior Ovarmantels, Carpet Squares and Linoleums.
SET OF 4 ARTIST PROOF ENGRAVINGS by Gustave Dore.
Bedroom Suites, Brass-mounted Bedsteads, Bedding, Surgical Bed, few Paintings and Water Colors, Linen Cupboard, Combination Chests Drawers, Baldwin Ice Chest, Sofa, Verandah Seats, Variety of Terra Cotta Garden Vases, Gas Stove, Garden Tools, Culinary Requisites, and Miscellaneous Items.
On view Morning of Sale from 10 o'clock.
4351

Figure 10. Advertisement for sale of the furniture and effects of *Lucerna*, *Newcastle Morning Herald*, 19 July 1913, p. 7.

SALE, MONDAY NEXT.
CITY OF NEWCASTLE.
CORNER OF LAMAN AND AUCKLAND
STREETS.

"LUCERNA."
The Residence of the late THOMAS COOK, Esq., of Turanville.

A Charming Brick-built Detached Villa, with complete Stabling and Terraced grounds of over half an acre; situated opposite to St. Andrew's Church. Within 200 yards of Hunter-street & the Tramway Route, and enjoying an amount of privacy and retirement almost unique in a City Property, but, nevertheless, possessing unmistakable value for business purposes or a public institution, by reason of its central position, large area, and advantages of light and access, which will be readily apparent to Commercial Men.

MESSEES LANG, WOOD, & CO. will sell by auction, on the property,
ON MONDAY, JULY 21,
at 2.30 punctually,
THE FREEHOLD PROPERTY
So well known as
"LUCERNA,"
Occupying a Valuable and Prominent Site at the
CORNER OF LAMAN AND AUCKLAND
STREETS.
And comprising Detached Brick-built VILLA RESIDENCE, with Slate Roof, containing Drawing and Dining Rooms, Entrance Hall, Wide Verandah, 4 Bedrooms, Bathroom with Enamelled Bath, Pantry and Store-room, and Covered Way to Spacious Kitchen, Laundry with Copper and Tubs, Large Servant's Bedroom, Stabling for 3 Horses, Buggy Shed, Feed Room, and Tool House. The Grounds are tastefully disposed in Terraces with Lawns & Flower Beds, and there is an excellent Poultry Run. The whole connected with the Sewer and securely fenced.
It embraces Allotment No. 14 and part of Allotment No. 13, of Section C, with a frontage of 132ft 2½ inches to Laman-street, and a depth along Auckland-street of about 180 feet, the area being 2 roods 1½ perches.
Messrs. Fitzgerald & McIntyre, of Muswellbrook, are Solicitors for the Vendor.
N.B.—The Property may be viewed by cards only, to be obtained of the Auctioneers, 19 Newcomen-st, Newcastle. 4355

Figure 11. Advertisement for sale of *Lucerna*, *Newcastle Morning Herald and Miners' Advocate*, 19 July 1913, p. 7.

By the 1880s, the isolation of *Lucerna* had been diminished by the construction along the northern side of Laman Street of terrace housing, much of it brick but some of stone or timber. This development backed on to the lane now called Charles Street, which also provided access to terraces addressing the A.A. Company's railway. This eventually resulted in the occupation of every lot between the Hidden Treasure Hotel, so named after a cache of coins unearthed during excavation for its foundations, at the corner of John Street, and *Lucerna*. The most prominent development was that of Davis' Terrace,⁹² consisting of nine narrow attached brick dwellings built in two stages. Development between the Burwood railway and John Street also included single-storey, detached weatherboard dwellings.

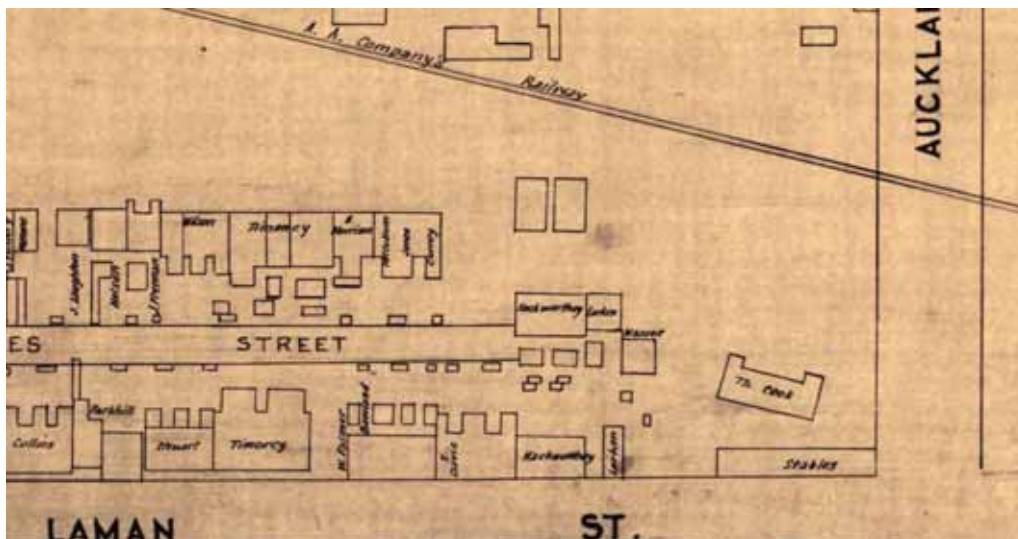


Figure 12. Detail from 'Copy of Part of Plan of Newcastle, prepared by Mahlshedt and Gee, Surveyors and Draughtsmen, January 1886' (copied by Astley Pulver). *Lucerna*, Hackworthy's Terrace, Devon Terrace, Larken's cottages and Wascoe's cottage are shown. University of Newcastle Cultural Collections

The three lots west of *Lucerna* were occupied by a detached weatherboard cottage,⁹³ belonging to a Mr Larken, and four attached brick terrace houses called Hackworthy's Terrace. To their rear, facing north, but well set back from Gibson Street, were attached terrace houses known as Devon Terrace,⁹⁴ together with two cottages, owned by the same Hackworthy, abutting the A.A.

⁹² Ibid., sale description, 8 May 1897, p. 4.

⁹³ Sandstock bricks found on this site bear the frog 'GULLIVER'. John Gulliver made bricks at the Glebe from c.1868 – c. 1895: see Warwick Gemmill, *And so we Graft from Six to Six*, p. 76.

⁹⁴ A semi-plastic brick discovered on the site of Devon Terrace bears the frog 'BOWTELL'. Joseph Bowtell produced bricks at Burwood (Merewether) from c. 1860s – c. 1890s: see Warwick Gemmill, *And so we Graft from Six to Six: the Brickmakers of New South Wales*. North Ryde: Angus and Robertson, 1986, p. 76.

Company's railway to Hamilton. There was also another cottage owned by Larken, and one owned by John Wascoe, local storekeeper for the government railways. Access to these dwellings was via the lane called Charles Street, or along the waste ground off the reservation for the still-to-be formed Auckland Street, on the southern side of the A.A. Company's railway, through which Gibson Street, at first described as a lane, was formed in 1916-1917.⁹⁵

Robert Hackworthy (b. Devon about 1822),⁹⁶ who owned the eponymous terrace, together with Devon Terrace and the cottages previously described, had arrived in the Colony with his wife Jane aboard the *Ellenborough*, conveying materials from England for the new Hunter River Railway, in October 1854.⁹⁷ A building contractor, he erected a good many buildings in the inner city, and appears to have been the initial builder and proprietor of the Black Diamond Hotel in Blane Street (now Hunter Street),⁹⁸ so well-known to local miners, and to sailors just 'home from the sea', where he and his wife lived until their deaths.⁹⁹ After his death, the Cook's Hill property passed to Jane, who died in 1884.¹⁰⁰ Their son, Arthur, became manager of the Newcastle Building and Investment Company Ltd; one of their grandsons, Harold, won the Military Cross during the Great War.

The development for residential purposes of the area between *Lucerna* and the Lake Road settlement seems to have encouraged the gradual application of the title to the entire locality, aided perhaps by the extension of Laman Street, named after Thomas Laman, who from 1851 to 1856 had been Superintendent of Works to the A.A. Company.¹⁰¹ This thoroughfare ran off Melville Street (now Union) Street, but terminated to the east of the Burwood railway, which cut through the ridge of which *Lucerna* was situated. The project involved the throwing of an iron bridge over the railway cutting, and appears to have been completed in late 1883¹⁰² or early 1884. This allowed much easier access between the eastern and western portions of Laman Street, and hence to *Lucerna* and the adjoining terraces and cottages. A replacement bridge was commenced in the late 1890s, apparently because the Newcastle Coal Mining Company planned to duplicate the existing single-track Burwood railway. This comparatively costly and visually pleasing structure was sufficiently broad to accommodate the full width of the Laman Street carriageway.

⁹⁵ 'Newcastle Improvements', *Newcastle Morning Herald and Miners' Advocate*, 21 December 1916, p. 4.

⁹⁶ Ancestry.com, Assisted Passenger Lists, 1828 – 1896.

⁹⁷ See "Building Society President: Notable Record: 60 Years with Building Society: Mr. A. Hackworthy has Seen City Grow", *Newcastle Morning Herald and Miners' Advocate*, 24 February 1940, p. 18.

⁹⁸ See *Newcastle Morning Herald and Miners' Advocate*, 23 May 1939, p. 9; *Northern Times*, 12 January 1859, p. 2.

⁹⁹ *Newcastle Morning Herald and Miners' Advocate*, 19 July 1882, p. 3.

¹⁰⁰ *Ibid.*, 19 June 1884, p. 3.

¹⁰¹ See Penny Pemberton, *Pure Merinos and Others: The 'Shipping Lists' of the Australian Agricultural Company*. Canberra: ANU Archives of Business and Labour, 1986, p. 100.

¹⁰² *Newcastle Morning Herald and Miners' Advocate*, 29 September 1883.

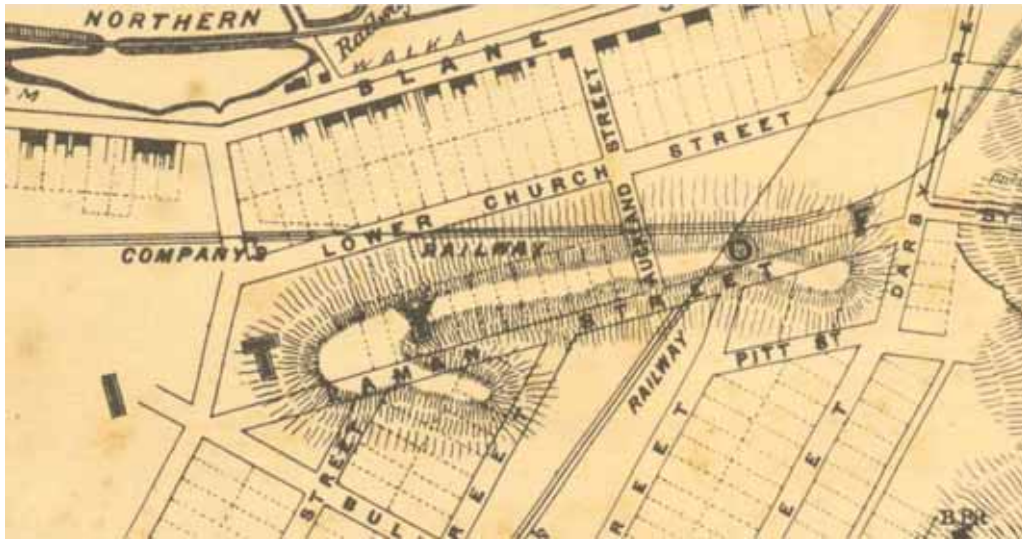


Figure 13. Detail of *Plan of the Port of Newcastle, 1887*. Newcastle: R.C. Knaggs, 1887. The location of the present Conservatorium concert hall, at the corner of Laman Street and Auckland Street, is situated on the long ridge on which Thomas Cook had built *Lucerna*. The railway to the New Winning colliery (Sea Pit) is not shown. *University of Newcastle Cultural Collections*



Figure 14. Detail from *Map of the Country Around Newcastle, NSW*. Sydney: Garrison Engineer, 1910. This well-known map was prepared by Lance Corporal Barrett, R.E. St. Andrew's church is clearly marked. *Lucerna*, Hackworthy's Terrace, Devon Terrace and Larken's buildings were located just to its west, across Auckland Street. *University of Newcastle Cultural Collections*



Figure 15. A view across Cook's Hill, looking north-west, c. 1909. St. Andrew's Presbyterian Church is prominent. *Ralph Snowball, University of Newcastle Cultural Collections.*



Figure 16. Figure 17. Detail of above view, showing *Lucerna*, Larken's weatherboard cottage and brick cottages, Hackworthy's Terrace and Devon Terrace. Davis' nine-dwelling terrace is to the left.

THIS DAY, AT 12.

By Order of the Trustees under the Will of
the late Mrs JANE E. HACK-
WORTHY, deceased.

LAMAN-STREET, COOK'S HILL.

Valuable Freehold Investment in a large
Block of HOUSE and SHOP PRO-
PERTY, the central and convenient
situation of which ensures a ready selec-
tion of tenants. The gross revenue, on
the basis of existing low rents, amounts
to about £161 per annum, and capitalists
seeking a safe income derivable from City
Property will do well to inspect without
delay.

MESSRS. LANG, WOOD & CO. will
sell by auction, at the Commercial Sale
Rooms, Scott-street,

THIS DAY, APRIL 10,
At 12, in One Lot,

THE FOLLOWING FREEHOLDS—

Nos. 22, 24 and 26 LAMAN- STREET, a block of two- storey House and Shop Pro- perty, producing 27s per week, or per annum	£62 8 0
DEVON TERRACE, at the rear, a Terrace of four two-storey Dwellinghouses, producing 28s per week, or per annum	72 16 0
TWO COTTAGES adjoining, fronting A.A. Company's line, producing 10s per week, or per annum	26 0 0
Gross income	£161 4 0

The Property has a frontage of 44ft to
Laman-street, and extends in depth 165ft,
abutting at the rear upon the A.A. Com-
pany's line. 114

Figure 18. Sale advertisement for Hackworthy property, 10 April 1897, p. 8. Note that Gibson Street has not yet been laid out.

At the end of the Second World War, the people of Newcastle considered how best to commemorate the sacrifices of their fellow citizens who had come forward to defend Australia and the Commonwealth of Nations in their hour of peril. It being generally agreed that war memorials should serve the living while memorialising the dead, a War Memorial Cultural Centre Committee was formed, with a view to the establishment of such a centre, the need for which was much felt. An office was established in a former Service building in King Street, opposite the City Hall. In 1981, the Conservatorium, which since its commencement in 1952 had been variously houses in the present Civic Park, the Civic Wintergarden, the Mackie's Building and the War Memorial Cultural Centre, was relocated to the former Salvation Army Men's Hostel, which was also known as the People's Palace.¹⁰³ This structure, first opened in 1928,¹⁰⁴ occupied the grounds of *Lucerna*, which by that time had seen better days. The old house, now in the shadow of its larger neighbour, survived until about 1977,¹⁰⁵ while parts of the servants' and stable block remained longer still. The Conservatorium concert hall, opened in

¹⁰³ See generally Kenneth Wiseman, *From Park to Palace*.

¹⁰⁴ *Newcastle Morning Herald and Miners' Advocate*, 25 August 1928, p. 6.

¹⁰⁵ Cynthia Hunter suggests 1977 as the year of demolition: see Cynthia Hunter, *Civic Precinct*, pp. 26-27. It was certainly gone by mid-1978: see Kenneth Wiseman, *From Park to Palace: A History of the Newcastle Conservatorium of Music, 1952 – 1986*, pp. 86-87.

1988 as part of a larger development that incorporated new spaces addressing Gibson Street, now occupies the site.



Figure 19. Figure 20. Figure 21. Aerial View, 1944. The location of *Lucerna*, Hackworthy's Terrace and cottages, Wascoe's cottage, Devon Terrace and Larken's cottages is shown. *Newcastle City Council*



Figure 22. The Salvation Army Mens' Hostel, 1929, occupying the former grounds of *Lucerna*. Larken's cottage and Devon Terrace are at right, with portion of *Lucerna* visible at left. *Newcastle Region Library*



Figure 23. Detail of a view from the City Hall clock tower, 1947, showing Larken's cottage, Devon Terrace and, right on Gibson Street, Hackworthy's cottages. The adjacent terrace house at 15 Gibson Street, well set back from the street, remains to this day. NSW Government Printer



Figure 24. View of Lucerna, early 1970s, with servants' quarters and stables at left and Lucerna at right. The property originally encroached on the reservation for Auckland Street: hence the retaining wall. Kenneth Wiseman, *From Park to Palace*.



Figure 25. Figure 26. Laman Street, 1971. Hackworthy's Terrace, at extreme right, was later demolished in favour of the present Conservatorium car park. Davis' Terrace, in the middle ground, still stands. *Newcastle Region Library*



Figure 27. The Conservatorium concert hall car park, showing Larken's now-demolished cottage at right. *Google Earth*



Figure 28. Another view of the car park and cottage, which was abandoned for some years before its demolition. Google Earth

2.5 Decline and Urban Renewal

Despite improved building standards,¹⁰⁶ the quality of life at Cook's Hill was diminished by circumstances. These included industrial development along Darby Street and Melville (Union) Street, and similar incursions into Bruce and Corlette Streets; and smoke and noise nuisance from the running of coal trains along the Burwood railway to mines at Merewether and Glenrock Lagoon. In March and April of 1905 there were several confirmed cases of bubonic plague in the area bounded by Queen, Darby, Dawson, Parry and Bull Streets; some resulted in deaths, although rats were caught as well as poisoned and Council gangs were sent to clean and disinfect the area.¹⁰⁷ Such occurrences did nothing for the suburb's reputation. Well into the 1970s parts of Cooks Hill had an unsavoury reputation for sub-standard accommodation and undesirable or illegal activities. The popularity of the suburb as a low-cost rental area encouraged the enclosure of balconies and the development of front yards right up to the front boundaries. The closure of the Burwood railway in 1954, with the consequent removal of the smoke nuisance, opened new possibilities for residential development, but these were not taken up, despite the conversion of the right-of-way to allow vehicular access to a large number of properties. In 1976 the thoroughfare was named, after Mrs Bertha May Glover, of Dawson Street, a concerned citizen, known as "the 22nd Alderman",¹⁰⁸ who for many years attended every regular meeting of the City Council.

It was the rather negative image of the suburb that in the 1960s encouraged planning authorities to view the area as eligible for 'slum clearance' and high-rise development.¹⁰⁹ Traffic

¹⁰⁶ As a result of the *Local Government Act 1919* (NSW).

¹⁰⁷ *Sydney Morning Herald*, 4 April 1905.

¹⁰⁸ See *Newcastle Morning Herald and Miners' Advocate*, 28 July 1954, p. 7; *Newcastle Morning Herald*, 2 January 1976.

¹⁰⁹ Anne von Bertouch, *What Was It? Before it was an Art Gallery*. Newcastle: Hunniford's Lane Press, 1990, p. 22.

schemes envisaged the demolition of every building on the western side of Darby Street; while these have been abandoned, the effects of the long-standing plans can be seen in the large setbacks of developments completed between the 1960s and 1990s. Residents' groups, together with individuals such as Anne von Berthouch, opposed these ideas; some notable successes, such as gazettal of the Cooks Hill Heritage Conservation Area, were achieved.¹¹⁰ The Union Towers development in Union Street shows what might have happened but for such efforts. Nevertheless, a good many dwellings were demolished. These included *Lucerna*, on the site of the concert hall. Wascoe's cottage was replaced by a brick dwelling, which was itself later demolished. Hackworthy's cottages, Devon Terrace and one of Larken's cottages made way for the Conservatorium's Gibson Street car park and additions. Hackworthy's Terrace made way for the Laman Street car park, while Larken's remaining cottage, abandoned in about 2000, endured into 2010 before being removed in favour of additional parking.

While the 1989 Earthquake led to the demolition or unsympathetic repair of many Cooks Hill properties,¹¹¹ in its aftermath grew a widespread awareness of the advantages of inner-city living and of the appealing historic ambience of Cooks Hill. Industrial buildings have been redeveloped for housing. Demographics have changed as younger adults and families have moved in. Long-standing and newer residents are able to enjoy a built environment that ought now to be sympathetically but authentically conserved.

2.6 Conclusion

While Cooks Hill was initially an industrial settlement, its 170-year European history has provided ample opportunity for growth and change. This evolution can be physically traced in observing architectural styles, the borders of which are often quite clear. Aboriginal people, too, continue to live at Cooks Hill, so preserving a link established over many thousands of years.

¹¹⁰ *Sydney Morning Herald*, 2 May 2003.

¹¹¹ *Ibid*, pp. 98-119.

3. PHYSICAL CONDITION AND CONTEXT

3.1 THE SITE

The site, on which it is proposed that an addition to the existing Conservatorium concert hall should be built, covers an area of 908.55m².



Figure 29. Existing car park, addressing Laman Street, looking east from Charles Street. Note that Charles Street is in fact a service lane at the rear of existing terrace houses. The concert hall, right, and learning and administrative spaces, centre and left, of the University of Newcastle Conservatorium are in the background. EJE



Figure 30. Existing car park from eastern termination of Charles Street, looking towards Gibson Street; Conservatorium at right. *EJE*



Figure 31. Existing car park from eastern termination of Charles Street, looking south-east. The easternmost dwellings of Davis' Terrace are shown. *EJE*



Figure 32. Existing car park, addressing Laman Street, looking south-east. *EJE*



Figure 33. Existing car park, looking towards intersection of Laman Street and Corlette Street, with cottages in background. Conservatorium is at left, Davis' Terrace at right.

EJE



Figure 34. Existing car park, showing site of demolished cottage; Conservatorium is at left. EJE



Figure 35. Existing car park, looking north from Laman Street; Davis' Terrace is at left; Conservatorium is at right, beyond site of now-demolished cottage.



Figure 36. Existing car park from Laman Street; note steps and intrusive ARC-type fence addressing footpath. *EJE*



Figure 37. Existing car park, looking north over Gibson Street. *EJE*



Figure 38. Existing car park, showing terrace at 15 Gibson Street. Note street carriageway at extreme right. *EJE*



Figure 39. Existing car park, looking east towards termination of Charles Street, showing rear of Davis' Terrace. *EJE*



Figure 40. Existing car park, looking north over Gibson Street. *EJE*



Figure 41. Existing car park, looking north-east to Conservatorium. Site of now-demolished weatherboard cottage is at right. *EJE*



Figure 42. Bricks with 'GULLIVER' frog on site of now-demolished weatherboard cottage in Laman Street. *EJE*



Figure 43. Existing car park, looking north-east from Laman Street towards site of Conservatorium and now-demolished cottage. Note intrusive ARC-type fencing, steps, ramp, hand rails and decorative stone feature. *EJE*



Figure 44. Existing car park, looking north from Laman Street to terrace houses addressing Gibson Street, with residential development in the middle distance. Conservatorium is at right. *EJE*



Figure 45. Looking north from Laman Street footpath. *EJE*



Figure 46. Looking north-west along Laman Street, showing Davis' Terrace, left, existing car park, middle, and Conservatorium, right. *EJE*



Figure 47. Looking north-east from corner of Laman Street and Corlette Street, showing relationship between Davis' Terrace, existing car park and Conservatorium concert hall. *EJE*



Figure 48. Looking west, showing existing car park addressing Gibson Street. At left is the Conservatorium, showing facade work to former Men's Hostel section. Terrace houses are on southern side of street, with commercial development on northern side. The Mackie's building is at right. EJE



Figure 49. Looking south-west to existing car park, showing Conservatorium, left, intrusive crib-lock retaining wall, centre, and 15 Gibson Street (Gibson Street Gallery), right. The upper car park addresses Laman Street. EJE



Figure 50. Closer view, looking south from Gibson Street. Note intrusive crib-lock retaining wall, and cars parked in car park addressing Laman Street. *EJE*



Figure 51. Existing car park, looking from northern side of Gibson Street south-east to Conservatorium. *EJE*



Figure 52. Existing Gibson Street car park, showing southern footpath of Gibson Street.
EJE



Figure 53. Semi-plastic brick on Gibson Street site, bearing frog of Joseph Bowtell. *EJE*



Figure 54. South-west portion of Gibson Street car park, showing intrusive crib-lock retaining wall at left and wall of 15 Gibson Street (Gibson Street Gallery), in front of which are the ruinous remains of the western wall of Devon Terrace, the bricks of which appear to bear the frog 'BOWTELL'. *EJE*



Figure 55. Looking north from car park to commercial development on opposite side of existing Gibson Street. Note roller doors. 15 Gibson Street (Gibson Street Gallery) is at left. *EJE*



Figure 56. Looking north-east from existing Gibson Street car park to commercial development on opposite side of Gibson Street. The soon-to-be demolished Mackie's Building, partially obscured by the hedge, is at extreme right. EJE



Figure 57. Looking north-east, towards Civic Park, from existing Gibson Street car park. The car park in the middle distance will not be involved in the proposed development. EJE



Figure 58. Existing Gibson Street car park, showing original (scaffolded) and 1988 Conservatorium buildings, with retaining wall at right. *EJE*



Figure 59. Looking towards Civic Park. *EJE*



Figure 60. Relationship between existing Gibson Street car park and 15 Gibson Street (Gibson Street Gallery). *EJE*



Figure 61. Commercial premises in Gibson Street; note roller doors, graffiti and generally nondescript appearance. *EJE*



Figure 62. Commercial development in Gibson Street, with residential development in the middle distance. *EJE*



Figure 63. Looking from existing Gibson Street car park across eastern car park, which is not involved in the proposed works. *EJE*



Figure 64. Looking west across Auckland Street from Civic Park footpath, showing existing Gibson Street car park and crib-lock retaining wall in middle distance. EJE



Figure 65. Looking west across Auckland Street from Civic Park footpath, showing existing Gibson Street car park in middle distance. The soon-to-be-demolished Mackie's building is at right. EJE

3.2 CURRENT USE

The subject land is currently used for car parking.

3.3 CONDITION

The site is regularly maintained. An ARC-type fence addresses Laman Street, while the Gibson Street frontage is unfenced. The retaining wall between the Laman Street and Gibson Street frontages is securely fenced.

3.4 SURROUNDING CONTEXT

The site abuts the Conservatorium to the east, Gibson Street to the north, Laman Street to the south, and residential terrace houses to the west.

4. HERITAGE SIGNIFICANCE

The NSW heritage assessment criteria encompass four generic values in the *Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, 2013*: historical significance; aesthetic significance; scientific significance; and social significance.

These criteria will be used in assessing heritage significance of the place.

The basis of assessment used in this report is the methodology and terminology of the *Burra Charter 2013*; James Semple Kerr, *The Conservation Plan: A Guide to the Preparation of Conservation Plans for Places of European Cultural Significance*;¹¹² and the criteria promulgated by the Heritage Division of the NSW Office of Environment and Heritage. The *Burra Charter 2013*, Article 26, 26.1, states that:

Work on a place should be preceded by studies to understand the place which should include analysis of physical, documentary, oral and other evidence, drawing on appropriate knowledge, skills and disciplines.

Places and items of significance are those which permit an understanding of the past and enrich the present, allowing heritage values to be interpreted and re-interpreted by current and future generations.

The significance of the place is determined by the analysis and assessment of the documentary, oral and physical evidence presented in the previous sections of this document. An understanding of significance allows decisions to be made about the future management of the place. It is important that such decisions do not endanger its cultural significance.

The *NSW Heritage Manual*, prepared by the former NSW Heritage Branch and Department of Urban Affairs and Planning and endorsed by the current Heritage Division of the Office of Environment and Heritage, outlines the four broad criteria and processes for assessing the nature of heritage significance, along with two added criteria for assessing comparative significance of an item.

Heritage Significance Criteria

The NSW assessment criteria listed below encompass the following four values of significance:

- Historical significance
- Aesthetic significance
- Research/technical significance
- Social significance

¹¹² (7th ed). Burwood: Australia ICOMOS, 2013.

Listed below are the relevant Heritage Assessment Criteria identified in the *Heritage Act 1977* (NSW):

- Criterion (a)** An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).
- 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 cultural or natural history (or the cultural or natural history of the local area).
- 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).
- Criterion (d)** An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.
- Criterion (e)** An item has the potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).
- Criterion (f)** An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).
- Criterion (g)** An item is important in demonstrating the principle characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural places; or cultural or natural environments).

An Assessment of Significance requires that a level of significance be determined for the place. The detailed analysis uses the levels of significance below:

LOCAL	Of significance to the local government area.
STATE	Of significance to the people of NSW.
NATIONAL	Exhibiting a high degree of significance, interpretability to the people of Australia.

4.1 ANALYSIS OF SIGNIFICANCE

Historical Significance

Criterion (a) An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

While the subject land is associated with the subdivision and development of the Cook's Hill, and in particular with that of the ridge after which the suburb is named, it is not known to have substantiated connections with any other historical events or processes. Through the demolition in the 1970s, 1980s and 2010 of the terraces and cottages previously occupying the site, it has been so altered as to no longer provide evidence of its cultural, historical or natural associations.

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 cultural or natural history (or the cultural or natural history of the local area).

The subject land has a special association with Robert Hackworthy, an early builder and publican, and with the Larken family, of which little has yet been discovered. It is also adjacent to the site of the home of Thomas Cook, a wealthy grazier, and is specially associated with the students and staff of the Newcastle Conservatorium of Music and University of Newcastle.

Aesthetic And Technical Significance

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).

The now-vacant site has been cleared of any features that might once have demonstrated such characteristics or achievement. It is not aesthetically distinctive, nor does it have landmark qualities.

Social Significance

Criterion (d) An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

The subject land has a special association with the Newcastle Conservatorium of Music and the University of Newcastle. Of a purely utilitarian description, it is not of itself important to the local community's sense of place, although some residents of long standing may recall the buildings that once occupied the site.

Research Significance

Criterion (e) An item has the potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

The site is not known to have the potential to yield new or further substantial scientific and/or archaeological information; nor is it an important benchmark or reference site.

Rarity Significance

Criterion (f) An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

The now-cleared site no longer provides evidence of a defunct custom, way or life or process; nor does it provide evidence as to designs or techniques of exceptional interest.

Representative Significance

Criterion (g) An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural places; or cultural or natural environments).

The subject land, being cleared, has ceased to possess attributes of a particular way of life, philosophy, custom, process, design, technique or activity, and is no longer identifiable as having been the site of comparatively early terrace houses and cottages.

4.2 STATEMENT OF SIGNIFICANCE

The subject land, part of the original subdivision of the local area, was formerly the site of comparatively early residential development, and is adjacent to the site of an historical residence intimately connected with the naming and identity of the suburb of Cooks Hill. The demolition in the 1960s, 1970s and 2010 of all these structures in favour of at-grade car parking has, however, so altered the place as to have removed any evidence of its previous historic, technical and community associations. It must, therefore, be assessed as having little heritage significance in a local context.

5. PROPOSED WORKS

These involve alterations and additions to the existing at-grade car park addressing Laman Street and Gibson Street, each portion of which is presently separated by a retaining wall.

The Laman Street portion is to be resurfaced in asphaltic concrete, providing for 15 parking spaces with wheelstops, together with two parking spaces, with wheelstops, for people living with disabilities, with a dedicated shared area between. Access will be via a new concrete footpath crossing off Laman Street, with separate pedestrian access via a concrete path. This will replace the existing ARC-type fencing, rough-stone edged path and concrete steps and handrail. The southern and western perimeters of the car park, exclusive of the driveway, will be landscaped. It is proposed that existing sandstone kerbing in Laman Street removed to make way for the new driveway access will be reused in the landscaping along Laman Street.

The Laman Street element will be seamlessly joined with the proposed upper deck of the proposed suspended concrete deck car park addressing Gibson Street. This will provide for 17 car parking spaces, together with a turning bay, for an overall total of 52 car parking spaces on the at-grade and upper deck elements.

The termination of the upper deck, addressing Gibson Street, will comprise a 1000mm high concrete barrier. The suspended concrete wall will be finished in an anti-graffiti coating. The deck will be screened by 1300mm high perforated steel mesh screens in anodised aluminium finish.

Below the upper deck will be a lower level car park, surfaced in concrete, providing for 18 parking spaces. The existing crib-lock retaining wall will be removed, with the earth behind being excavated to a point 9.13m behind the Gibson Street lot boundary, with a retaining wall to the lot boundary with 15 Gibson Street. Access to this level, which will be concealed on the Gibson Street elevation by steel-framed security screens in black powder-coated mesh, will be via a perforated steel commercial roller door in black powder-coated finish, concealed from Gibson Street by the unobtrusive perforated steel mesh, steel framed security screens in black powder-coated finish, and by the perforated metal commercial roller door in black powder-coated finish. Perforated material has been selected to provide natural ventilation, and surveillance, whilst at the same time providing security to both persons and vehicles. The elevational design draws on the existing horizontal lines of adjoining structures, whilst adhering to the relevant codes with respect to car park design and safety.

6. STATEMENT OF HERITAGE IMPACT

This is the Statement of Heritage Impact for:	University of Newcastle Conservatorium Concert Hall Car Park
Date:	This statement was completed in July 2014.
Address and Property Description:	Lot 1, DP 150762; Lot 2, DP 995015; Lot 1, DP 995015 and Lot 15, DP 999751 Laman Street, Cooks Hill NSW 2300
Prepared by:	EJE Heritage
Prepared for:	The University of Newcastle, NSW

The following aspects of the proposal respect or enhance the heritage significance of the item or area for the following reasons:

Laman Street frontage

The construction in the 1970s of the existing car park on the site of terrace houses and cottages has had a detrimental effect on the heritage significance of the immediate vicinity, primarily because of the demolition of the buildings that previously occupied the site, but also because of the use of Charles Street to provide access to the car park.

- The proposed new driveway permitting access via Laman Street will permit the closure of that from Charles Street, which will thus revert to its original purpose as an access laneway for the adjacent terrace housing. It will also allow the removal of the existing intrusive ARC-type fencing to Laman Street, together with that of the associated rough-stone edged path and concrete steps and handrail.
- The proposed landscaping of the southern and western edges of the car park will further soften its impact on the southern side of Laman Street and the adjacent Davis' Terrace, as well as on the street frontage itself.
- The proposed landscaping addressing Laman Street will adaptively re-use the sandstone kerb stones removed in favour of the driveway, thus allowing it to remain legible within its original setting.
- The proposed landscaping has the potential to discourage further graffiti vandalism to the eastern wall of Davis' Terrace, which is currently attractive to such damage.
- The re-sealing of the car park, including the currently unsealed and unsightly portion, will lend uniformity to a currently neglected space that disrupts the building line.

Gibson Street frontage

The demolition of Devon Terrace and adjacent cottages in the 1960s and 1970s removed the historically significant Devon Terrace and associated cottages. This has detrimentally affected the heritage significance of the locality, primarily because of the demolition of these historic dwellings. The development in the 1980s of the bitumen car park and crib-lock retaining wall has further detracted from the streetscape.

- The proposed excavations to enlarge the Gibson Street car park, and the associated construction of a suspended concrete deck, will remove the existing crib-lock retaining wall that makes up so intrusive an element.
- The new main retaining wall, which will be significantly set back from the building line, together with the retaining wall to the boundary with 15 Gibson Street, will be effectively concealed from Gibson Street by the unobtrusive steel-framed security screens in black powder-coated mesh, and by the perforated metal commercial roller door in black powder-coated finish.
- The commercial roller door will be similar in form to those associated with the existing commercial garaging on the northern side of Gibson Street, but being perforated will produce a comparatively softer effect. Despite the impending demolition of the former Mackie's building on the corner bounded by King Street, Auckland Street and Gibson Street, it is anticipated that the commercial character of the existing structures on the northern side of Gibson Street will be maintained in the medium term.
- The suspended concrete wall, with anti-graffiti finish, surmounted by perforated steel mesh screens in anodised aluminium finish, will produce an angular form complementary to that of the horizontal plane of the adjacent terrace house at 15 Gibson Street (known as the Gibson Street Gallery). The mesh screens will conceal parked vehicles, while the structure itself will in-fill an existing void in the southern edge of Gibson Street between the 1988 Conservatorium and the adjacent c. 1880s terrace house, and will be clearly identifiable as new work.
- Although no views to or from heritage items, apart from the soon-to-be demolished Mackie's building, are available, there is such a view along Gibson Street to and from Civic Park and the footpath adjacent to St. Andrew's Presbyterian Church. This will not be disrupted by the proposed development.
- The proposed development will be subservient to the terrace at 15 Gibson Street (Gibson Street Gallery), which is in any case set back from the adjacent terrace houses to the west.
- The proposed structure will sit well within its built context, in the form of the commercial properties on the northern side of Gibson Street, and the Conservatorium to the east.

The following aspects of the proposal could detrimentally impact on the heritage significance of the item or area for the following reasons:

Despite the presence of commercial premises and warehouse conversions on the northern side of Gibson Street, the southern side of the street is characterised by c. 1870s- 1880s terrace houses, which create a horizontal plane following the modified contours of the east-west ridge line. This is book-ended by the existing terrace at 15 Gibson Street, the front yard of which has long since been built upon right up to the property boundary. While any development addressing Gibson Street has the potential to disrupt this plane, the transition to the new development is softened by the irregular form and transition in height of 15 Gibson Street, the front yard of which has been built on.

The following sympathetic design solutions were considered and discounted for the following reasons:

- The retention of the existing access via Charles Street, in reality an access lane for the adjoining terrace houses, was considered, but was rejected in favour of safer and less intrusive access via Laman Street.
- The screening of the suspended concrete deck on the Gibson Street elevation was initially considered unnecessary, but was reconsidered because of the desirability of concealing vehicles from the perspectives of Gibson Street, the intersection with Auckland Street, and Civic Park. This screening will be supplied through the use of perforated steel mesh screens, in anodised aluminium finish.

The following actions are recommended to minimise disturbance and/or enhance the interpretation of the heritage significance of the item or area:

Mandatory Actions

The subject land is not known to contain historical relics within the meaning of the *Heritage Act 1977* (NSW), s. 4(1), as set out below,

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.

There is, therefore, no requirement for application for an Excavation Permit under s. 139:

139 Excavation permit required in certain circumstances

- (1) A person must not disturb or excavate any land knowing or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed unless the disturbance or excavation is carried out in accordance with an excavation permit.
- (2) A person must not disturb or excavate any land on which the person has discovered or exposed a relic except in accordance with an excavation permit.

Despite this, should any items properly described as relics in fact be unearthed in the course of site or construction works, notification must be made in accordance with s. 146, as follows:

146 Notification of discovery of relic

A person who is aware or believes that he or she has discovered or located a relic (in any circumstances, and whether or not the person has been issued with a permit) must:

- (a) within a reasonable time after he or she first becomes aware or believes that he or she has discovered or located that relic, notify the Heritage Council of the location of the relic, unless he or she believes on reasonable grounds that the Heritage Council is aware of the location of the relic, and
- (b) within the period required by the Heritage Council, furnish the Heritage Council with such information concerning the relic as the Heritage Council may reasonably require.

The Heritage Council may be contacted via the Heritage Division of the NSW Office of Environment and Heritage, 3 Marist Place, Parramatta NSW 2150, telephone: 02 9873 8500, and by email at heritage@heritage.nsw.gov.au

In the event of such a discovery, Council's Heritage Strategist, Ms Sarah Cameron, should immediately be contacted at 4974 2000, and by email at Mail@ncc.nsw.gov.au

Recommended Actions

It is recommended that digital photographs should be taken of the ruinous remains of the western wall of Devon Terrace before, during and after the removal of the wall. Digitised copies of these should be offered to University of Newcastle Cultural Collections and to Newcastle Region Library.

It is further recommended that printed and PDF copies of this Statement of Heritage Impact should be made available to University of Newcastle Cultural Collections and Newcastle Region Library.

7. CONCLUSION

The subject site was originally occupied by comparatively early terrace houses and cottages adjacent to *Lucerna*, a historic property intimately associated with the origins and identity of the suburb of Cooks Hill. This situation was progressively altered through the construction in the 1920s of the Salvation Army's Men's Hostel (People's Palace), followed by the demolition in the 1960s and 1970s not only of *Lucerna*, but of all of all but one of the other dwellings, of which a single survivor endured until 2010.

The relocation to the Men's Hostel of the Newcastle Conservatorium of Music, completed in 1981, was a prelude to a new development, incorporating a concert hall on the corner of Auckland Street and Laman Street, and further administrative and teaching spaces addressing Gibson Street. Two car parks, one off Gibson Street and the other off Laman Street, were provided, separated by an intrusive crib-lock retaining wall. Access to the Laman Street car park was possible only from Charles Street, in reality a narrow lane providing access to the rear of the adjacent terrace houses.

The proposed works will increase parking opportunities within the city campus precinct. The closure of the current access from Charles Street will return this laneway to its proper function, and will remove the intrusive fencing from the Laman Street boundary. The proposed landscaping will soften the impact of the car park on the streetscape and on the historic Davis' Terrace. The proposed works in Gibson Street will remove the intrusive crib-lock retaining wall, and will in-fill the existing void in the southern edge of Gibson Street, replacing it with an unobtrusive structure that sits well within its built context. The new retaining wall will be concealed from Gibson Street by unobtrusive perforated mesh, with parked vehicles on the suspended concrete deck being obscured by similarly unobtrusive perforated mesh in anodised aluminium finish. Views along Gibson Street to and from Civic Park and adjacent to St. Andrew's church will not be disrupted, while the development will be subservient to the terrace at 15 Gibson Street (Gibson Street Gallery).

The proposed solution, in the form of the at-grade extension of the Laman Street car park, together with additions to the Gibson Street car park by way of excavations and new construction, will supply this need without negatively affecting the surrounding Heritage Conservation Area and nearby heritage items.

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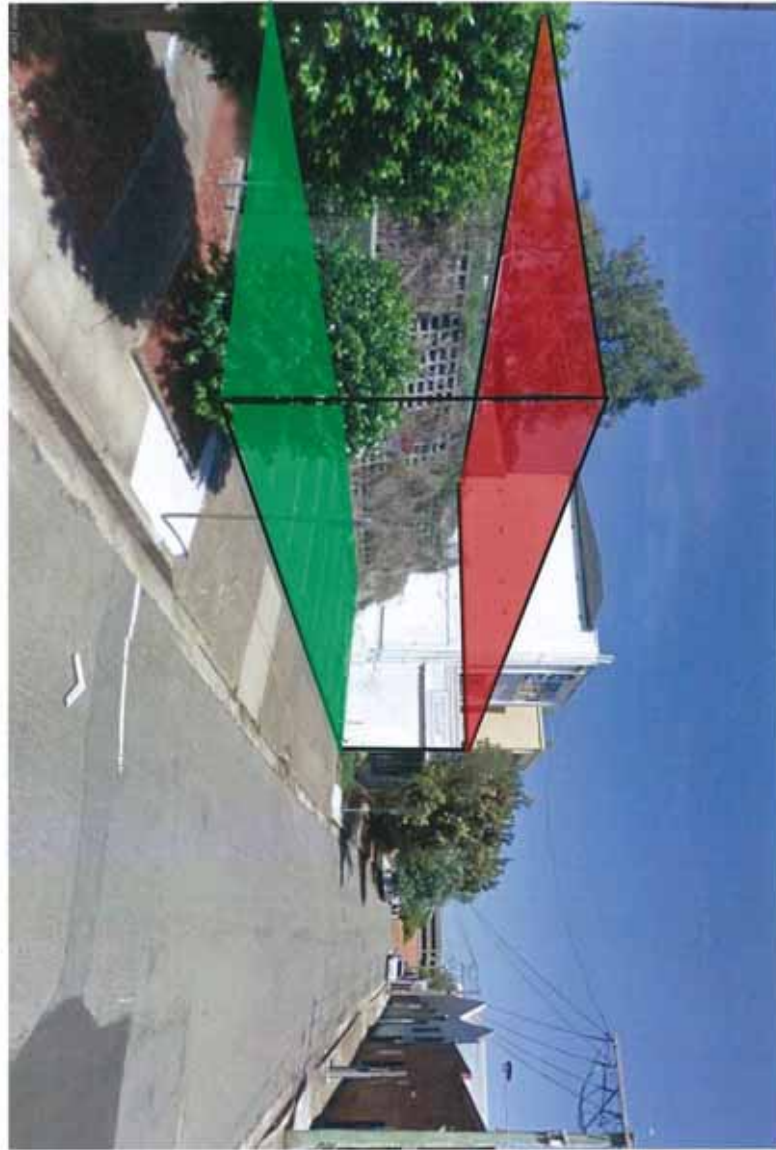
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9. APPENDICES



Figure 66. Image showing relationship between proposed works and subject site.



Remove existing crib wall and partially excavate under to extend existing Gibson St on grade car park

Construct new suspended concrete deck to extend existing Laman Street on grade car park

Figure 67. Image showing Gibson Street portion of site in relation to proposed works.