

ARCHAEOLOGICAL ASSESSMENT

23-39 NORTH STREET WINDSOR



February 2004

Cultural Resources Management for Hawkesbury City Council

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SECTION 1.0

PRECIS

1.1 The Work

The subject of this report is the sub-surface archaeological resource that may be contained within a drainage easement behind cottages at 23-39 North Street, Windsor. The objective of the work has been to determine the probability of finding archaeological evidence within this easement. The report describes the extent, nature, integrity and significance of the resource and the impact of the excavation on archaeological relics. It provides strategies to mitigate that impact. The work fulfils statutory requirements of Hawkesbury City Council and the NSW Heritage Act.

1.2 Historical Context

The study area is poorly documented apart from details of land ownership. It is located on land first alienated for European purposes in a grant of thirty acres known as Wilcox Farm made in 1794. This property was incorporated into a larger holding of 1500 acres known as Peninsula Farm during the first decades of the nineteenth century. It was subdivided in 1842 with the lots along North Street being developed throughout the nineteenth century as follows:

37-39 North Street: the present building was constructed between 1842 and 1846 as a hotel. It was used for that purpose throughout much of the nineteenth century, with short periods of use as a family home and a private school. During the early years of the twentieth century it came to be exclusively used as a private residence.

35 North Street: this was originally part of the allotment on which 37-39 North Street was built, owned by John Shearing. The date of the construction of the building is impossible to determine from archival sources although a date of 1863 seems likely. However, the relationship of this building to 37-39 North Street raises speculation that it may be much earlier and built as an extension of the hotel by Shearing or his successor Uriah Moses. This possibility has not been pursued in this report. Apart from this possible earlier association the building appears always to have been used as a private residence.

31-33 North Street: John Shearing also purchased this land in June 1843. It is generally accepted that this building was constructed in the 1840s, possibly as an inn. Doubt has been raised in this report as to this being its original role. It seems more likely that the Shearing family may have constructed this building as an adjunct to their inn while they were in possession of the entire frontage from 39 to 31 North Street, that is, between 1842 and 1846. From 1862 to 1900 it was part of a commonly owned property with 35 North Street. It is uncertain whether any of the owners used the combined property for anything other than residential purposes. 35 and 31-33 North Street were sold separately after 1900 and 31-33 was used as a private residence.

29 North Street: this land was sold in 1842 to Joseph Windred. He is responsible for the construction of the free-standing cottage upon this allotment probably in the early

1840s. The Windred family kept this property until 1872. It apparently has always been used as a private residence. In 1873 the site was sold to Aquila Hagger, a farmer of Windsor. With this sale, 29 and 25 North Street began a long family association with Hagger's daughter eventually living in 25 after her marriage. 29 North Street stayed with the Hagger family until 1960. It has had several owners since then.

25 North Street; this land was jointly purchased in 1844 by James Bell of North Richmond and Robert Stewart, a watchmaker of Windsor. Between 1844 and 1865 Stewart came into sole possession of the property. The house that is built on the site, therefore, was either built as a joint venture by Bell and Stewart or solely by Stewart. Stewart's daughter sold the property in 1884 to James Ewing, the husband of Sarah Hagger, thus beginning the long association between 25 and 29 North Street. It appears to have always been used as a private residence throughout several changes in ownership to the present day.

23 North Street: Charles Campbell was the original owner of this land purchased in 1841. There is no evidence that Campbell sold the site during his lifetime. Campbell died in 1888 and the trustees of his estate sold the allotment in 1890 to Thomas Cambridge, letter carrier of Windsor. This purchase also included Lots 10, 11 and 23. Thomas Cambridge died in 1942 and his property was bequeathed to his children Beatrice and Roy. There have been several owners since that time. It is unclear if an earlier building occupied this site; the present house dates from the 1980s+.

Between 1974 and 1976 the National Trust purchased the buildings at 37-39, 35 and 25 North Street and were responsible for extensive renovation and restoration works. All the buildings are now privately owned and occupied as residences.

1.3 Archaeological Profile

With the exception of 23 North Street the principal buildings remain from the nineteenth century use of the place. The archaeological resource is likely to encompass evidence that could relate to secondary buildings, yard and garden improvements, services and/or domestic wastes of approximately the mid-nineteenth century onwards. It is unlikely, though possible, that evidence earlier than that date will be found during the work.

Because of the very limited primary archival evidence that is available for the study area and the lack of visible surface indicators it is almost impossible to define any specific archaeological feature and the small area that will be physically impacted upon by the excavation required for drainage compounds this problem. For these reasons the archaeological profile for the study area must be expressed in the most general of terms as follows:

- Evidence of the pre-settlement environment may be preserved as micro-flora in relict top-soils but these are likely to have been substantially disturbed through agricultural and construction activities.
- Some evidence of Aboriginal occupation might be found within the excavation area. This association would be identified through remnant artefacts.
- Evidence of environmental change including deforestation and flooding may be seen through alluvial soil strata and possibly charcoal and other deposits associated with fire clearance.

- Evidence of early nineteenth century agricultural activity could be preserved as micro-flora in soil profiles.
- Possible evidence of structural development associated with Peninsula Farm's agricultural area, specifically a small hut behind 37-39 North Street that could be identified by foundations or cultural deposits. Flattened or tramped work surfaces associated with the rick yard might also be found in this area.
- The potential for structural evidence of out-buildings, particularly privys, associated with the former inn at 37-39 North Street behind this and the buildings at 33-35 North Street. The potential also for services, yard improvements and relics of the inn dating from the 1840s-1860s.
- The potential for structural evidence of out-buildings, particularly privys, behind all of the other North Street buildings covering a broad period from the mid-nineteenth century to the early twentieth century.
- The potential for disused services for all of the buildings including drainage, sewerage, gas, electricity.
- The potential for domestic wastes from all buildings in the form of discarded artefacts.

1.4 Cultural Significance

The study area has associations with the earliest settlement of this area although this is unlikely to be extensively demonstrated in the archaeological record except by evidence of environmental change. The most substantial evidence relates to a significant period of town development in the 1840s; this is one of the most intact groups from that period in Windsor and is representative of domestic life in the nineteenth century. The former inn is particularly important as a long term landmark in the town.

Archaeological relics that may be associated with these buildings would have significance for their potential to more comprehensively document the development of these individual sites, now poorly preserved in archival sources. This could add considerably to revealing domestic life in the nineteenth century town. Archaeological evidence relevant to the inn would also have value for the wider field of enquiry into nineteenth century hostelry. This ability to more accurately document the development and management of these important properties would have moderate local significance.

1.5 Impact Assessment

The absence of archival material for the sites, specifically surveys and plans, and the lack of any visible surface indicators means that it is impossible to determine whether the drainage line will impact upon archaeological relics. The preceding assessment indicates that the land associated with each house is likely to contain relics, possibly of out-buildings, services, yard improvements and domestic wastes. Because of the absence of both archival and visual clues to specific sites it can only be assumed that the excavation for the drainage line may impact upon significant archaeological relics. If relics are exposed it is equally unclear whether the impact would be partial or total until the identity of any features is made clear.

1.6 Management

Monitoring and recording evidence exposed during the course of excavation will mitigate the impact of the proposed work on archaeological relics of this degree of significance. The following strategies should be implemented:

- An application for a Section 140 Excavation Permit is made to the Heritage Council of NSW for 23 North Street. A research design and excavation methodology should accompany the application. Generally, the permit should request a programme of monitoring and recording as part of a similar programme that will encompass the entire excavation area along the back of the North Street properties.
- Application for five separate Section 60 approvals for 25, 29, 31-33, 35, 37-39 North Street. These will require a similar research design and methodology to be prepared as that for 23 North Street.
- A permanent repository should be identified in the event that portable relics or artefacts are retrieved during the course of excavation. This can be a local museum or historical society archive.
- If relics of Aboriginal occupation are revealed by the work, excavation will need to cease in the immediate area. Council will need to inform the National Parks and Wildlife Service and request advice for ongoing management.
- At the conclusion of the archaeological programme the evidence recorded should be compiled to a single site record. This should be interpreted in light of the primary archival records for the site.
- Copies of this record should be made available to Hawkesbury City Council, the owners of the site and the NSW State Heritage Office.

SECTION 2.0

CONTEXT

2.1 Background

This report provides an archaeological assessment of an easement behind cottages at 23-39 North Street, Windsor. The excavation of the easement to install new drainage may entail the removal or disturbance of archaeological relics. This document has been written to determine if archaeological relics are present within the site, to assess the impact of excavation on those relics (if any) and to provide information and analysis that will identify mitigation measures including the necessity or otherwise of applying for a Section 140 Excavation Permit and Section 60 approvals. It responds to statutory requirements of Hawkesbury City Council and the NSW Heritage Act.

2.2 The Study Area and Subject

The subject of this investigation, the "study area", encompasses an easement that crosses the property boundaries of several cottages in North Street, Windsor. The street addresses of these properties are 23-39 North Street, Windsor. It is located on the northern side of North Street between the intersection of this street with Arndell and Palmer Streets. The properties occupy Lot 182 (37-39 North Street), Lot 181 (35 North Street), Lot 19 (31-33 North Street), Lot 200 (27-29 North Street), Lot 201 (25 North Street) and Lot 22 (23 North Street) within Deposited Plan 266946. There are several individual deposited plans for the study area being DP 593791 (Lot 182, Lot 181), DP 745851 (Lot 19) and DP 593790 (Lot 200, Lot 201). The study area is located within the Parish of St Matthew, County of Cumberland. It is within the Local Government Area of Hawkesbury City Council.

This report broadly encompasses the European "heritage" values of the study area with respect to a possible archaeological resource. Heritage values are understood to mean the appreciation and value placed upon the resource by contemporary society in terms of the criteria expressed in the Burra Charter and formalised by the Heritage Office of NSW. Archaeological evidence, "relics", is defined by the Heritage Act of NSW to be physical evidence ("any deposit, object or material evidence") that provides evidence of the development of NSW, is of non-Aboriginal origin and is fifty or more years in age.

Aboriginal relics are provided protection by the National Parks and Wildlife Act of NSW. This report is concerned with the potential for relics of non-indigenous occupation but it does address the possibility of the site containing relics of Aboriginal occupation or use.

2.3 Status of the Site

All of the principal buildings on the allotments, with the exception of 23 North Street, have been recognised to be of state significance with each being individually listed in the State Heritage Register of NSW as follows:

- 37- 39 North Street: SHR item 00110
- 35 North Street: SHR item 00109
- 31-33 North Street: SHR item 00142
- 29 North Street: SHR item 00107
- 25 North Street: SHR item 00150

No archaeological assessment has been made of this place or any of its components prior to the preparation of this report.

2.4 Methodology

This report has been prepared in accordance with the principles expressed by the Heritage Office of NSW in its publication "Archaeological Assessment Guidelines". It also draws on the methods and procedures presented in the NSW Heritage Manual, Historical Archaeological Sites Investigation and Conservation Guidelines and the Burra Charter.

2.5 Objectives and Tasks

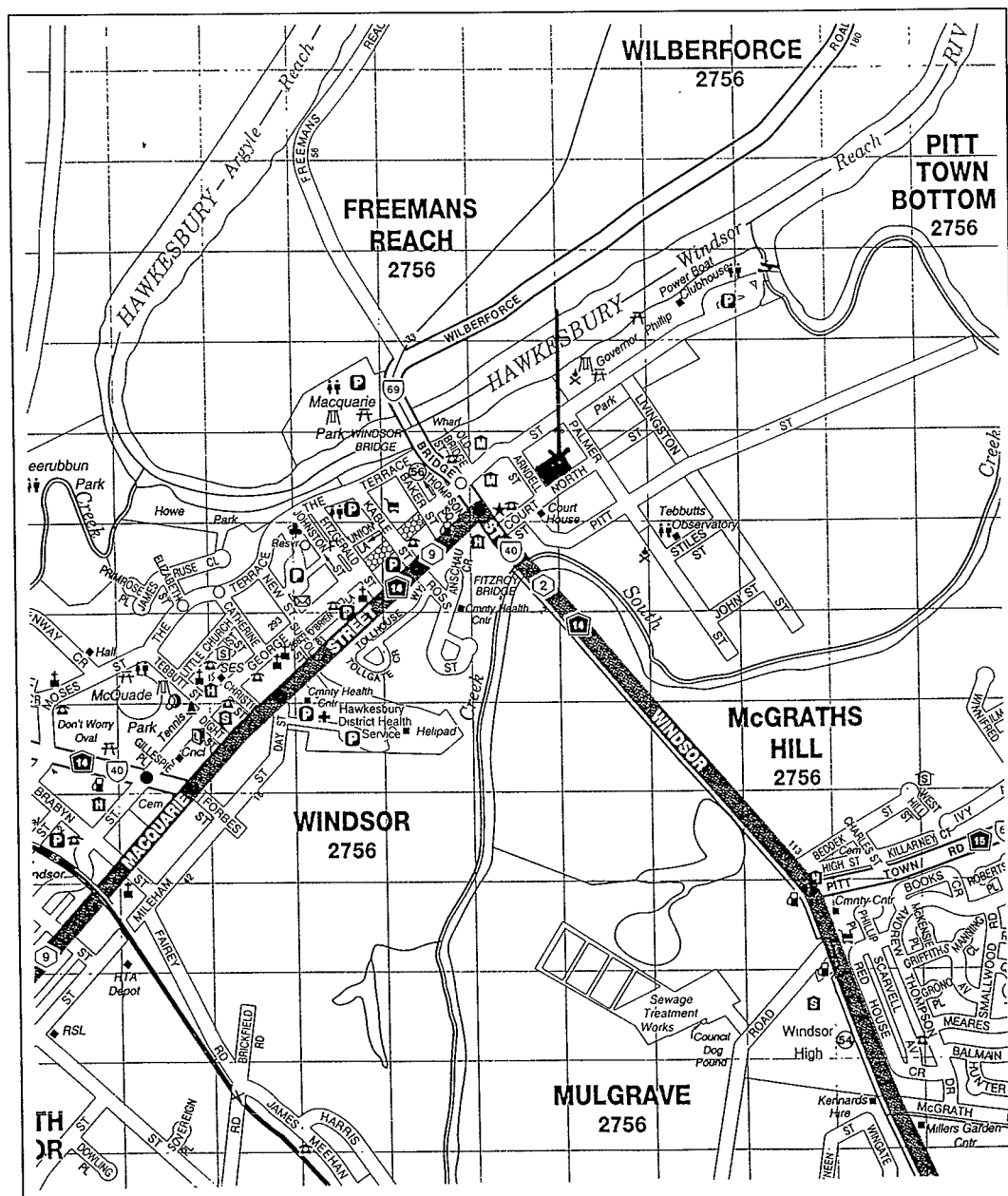
The principal objectives of the work have been to determine the development of the built environment and landscape and, secondly, to identify whether there is an archaeological issue to be addressed prior to and/or during the work proposed for the study area. The report identifies what may be retained in the ground as an archaeological resource, the significance of that material, the impact of the proposed work on that resource and the most appropriate means of managing that impact. To this end the following tasks have been undertaken:

- primary and secondary historical research sufficient to determine the physical development of the site and its principal associations as far as possible from archival sources. This has included but was not limited to analysis of records from the Mitchell Australian Collection Research Library, State Records of NSW, NSW Land Titles Office, NSW Lands Department, Sydney Water Archives and the local history collection of Hawkesbury City Library;
- site survey (visual inspection only)
- a determination of the probable archaeological profile;
- an evaluation of the cultural significance of this resource with reference to standard criteria;
- an assessment of the impact of the work on sub-surface features

- identification of management strategies;
- complete documentation of the programme.

2.6 Authorship, Client and Acknowledgements

This report has been written and researched by Wendy Thorp (Cultural Resources Management) to meet the requirements of Hawkesbury City Council and the NSW Heritage Office. It has been commissioned by Hawkesbury City Council. The work draws on both primary and secondary sources. A complete bibliography is included at Section 7.0 of this report. The author would like to thank Ms Fenella Atkinson for her assistance with the research.



Location of the study area

SECTION 3.0

HISTORICAL PROFILE

This section presents evidence derived from both primary and secondary archival sources. It is used to describe the evolution and occupation of the study area and its principal associations. This narrative provides the basis for assessing what may be retained in the ground as archaeological evidence of that development as well as providing a context for determining the significance of this resource.

The study area is part of a property formally alienated for European purposes in 1794. It was known as Wilcox Farm. This became part of a much larger holding, the Peninsula Farm, which was subdivided in the early 1840s. Some of the buildings occupying the allotments within the study area date from this period.

The archival evidence for this place, at least that available from public repositories, is very limited; for example, no nineteenth century survey of the place or any of its components has been located during this investigation. While the potential exists for more primary evidence to be located through detailed newspaper research and private family papers, time constraints did not allow for an exhaustive search. However, the evidence presented here was considered sufficient to provide a guide for the assessment of archaeological potential, the principal objective of the work.

This evidence is presented in the following sections that describe the initial grant and the history of the various lots that are included within 23-39 North Street. These sections are:

- The Influence of Environment and Aboriginal Occupation
- Wilcox Farm and the Peninsula Farm
- Allotment 18: 37-39 North Street
- Part Allotment 18: 35 North Street
- Allotment 19: 31-33 North Street
- Allotment 20 (part): 29 North Street
- Allotment 20 (part) and 21: 25 North Street
- Allotment 22: 23 North Street

3.1 The Influence of Environment and Aboriginal Occupation

The lower Hawkesbury was home to the Dharug people. There is a considerable body of contact period ethnographic data that provides important evidence for the lives and customs of the original local inhabitants. Archaeological investigation has added detail to this archival resource.

The economy of the Dhaurg was oriented to terrestrial resources, small animals and vegetables, particularly yams found in the banks of the river. The latter also played an important role in providing food particularly water fowl and some fish. Numerous occupation and exploitation sites have been found around the Hawkesbury region but there are no identified sites of Aboriginal occupation within the study area. Its position, though, close to the river and South Creek suggests a potential for relics even though it has been long occupied by Europeans. The recent identification of some Aboriginal relics on the former convict barracks site provides evidence of the durability of these small artefacts despite considerable later disturbance of their contexts.

The importance of the local environment to the Aboriginal people was matched by a corresponding significance for the new European settlers. The initial poor understanding of this landscape by those settlers, though, was to have disastrous consequences. The two overwhelming factors influencing the development of the original settlement was the fertility of the soil and the overwhelming floods that deposited the rich alluvial soil.

The potential for disastrous floods had been recognised by Governor Phillip during his initial surveys of the region. Despite his warnings regarding this likelihood his successor, Francis Grose, encouraged settlement along the river banks. For several years the settlement prospered but in 1795 the river rose by several metres. Much damage was caused particularly near South Creek. It was the beginning of a pattern of widespread, recurrent and ruinous flooding that was to devastate the Hawkesbury settlements over many years.

3.2 Wilcox Farm and the Peninsula Farm

In January 1794 a small farming community was established along the banks of the Hawkesbury from South Creek to Pitt Town, east of the study area. Then known as Mulgrave Place the settlement initially comprised twenty-two grants of thirty acres each awarded to a mixture of ex-convicts, privates in the NSW Corp, a marine and one free settler. Throughout that year more grants were made to accommodate the increasing numbers seeking land and those wishing to relocate to the fertile Hawkesbury region. By August 1794 there were seventy settlers on the Hawkesbury and by 1795 there were 546 inhabitants¹.

The first alienation of the land encompassed by the study area for European purposes was made on 19 November 1794. This was a grant of thirty acres made to Samuel Wilcox. The boundaries of the grant were from the banks of the Hawkesbury River half way to South Creek with one corner of the land touching on the creek². He named his property Wilcox Farm; this name was specified in the deed of grant made by Francis Grose³. Wilcox was given the property free of all taxes, fees and other charges for ten years so long as he resided there and commenced to improve and cultivate the land⁴. If he failed to do so within five years the land would revert to the Crown. As he was able to sell his property it infers that improvements were carried out on it although the nature, extent and location of these works are unknown.

At some time between 1794 and 1841 Wilcox sold his property to George Thomas Palmer, a gentleman of Parramatta⁵. Palmer had arrived in NSW as a lieutenant of the 61st Regiment but with permission to settle as a free immigrant. He served for a short time as Provost-Marshal and was appointed Superintendent of Government Stock in 1813. He resigned his position within a year and set up his home near Parramatta. He began to acquire extensive tracts of land around the settlement including 700 acres at Bringelly granted in 1812. He became a prominent member of the community serving on a number of public boards. He died in England in 1854⁶. Palmer Street in the town of Windsor is named for him. Most likely, therefore, Palmer purchased Wilcox Farm after 1813 as well as substantial tracts surrounding it, over one thousand acres.

Although Palmer did not live at the Hawkesbury property it is clear from primary sources that this fertile tract was put to good use for cultivation. The plan prepared for the auction of the estate in the 1840s shows that the study area adjoined a large holding of fenced and cultivated paddocks, with ricks of hay then standing on them. There appear to have been several buildings associated with these paddocks. One of these structures, a small square building labelled "new hut", stood at the back of the later allotment 18, behind 37-39 North Street⁷. This was labelled the "rick yard", that is, a storage yard associated with the fields near-by.

In 1841 Palmer sold a total of 1500 acres including the thirty acres of Wilcox Farm to Charles Campbell, a gentleman of Sydney⁸. Campbell offered what was called the Peninsula Farm for sale as a subdivided estate in 1842⁹. The study area occupies Allotments 18-22 of this subdivision within the building allotments. North Street was

¹ Barkley and Nichols, *Hawkesbury 1794-1994*: 19

² Parish Map of St Matthew ND: SAONSW AO Map SZ138

³ LTO, *Serial 1* p. 300

⁴ *Ibid.*

⁵ There is no record of this dealing that can be traced in the records of land titles. It only becomes obvious that the land has changed hands when Palmer sells the property in 1841.

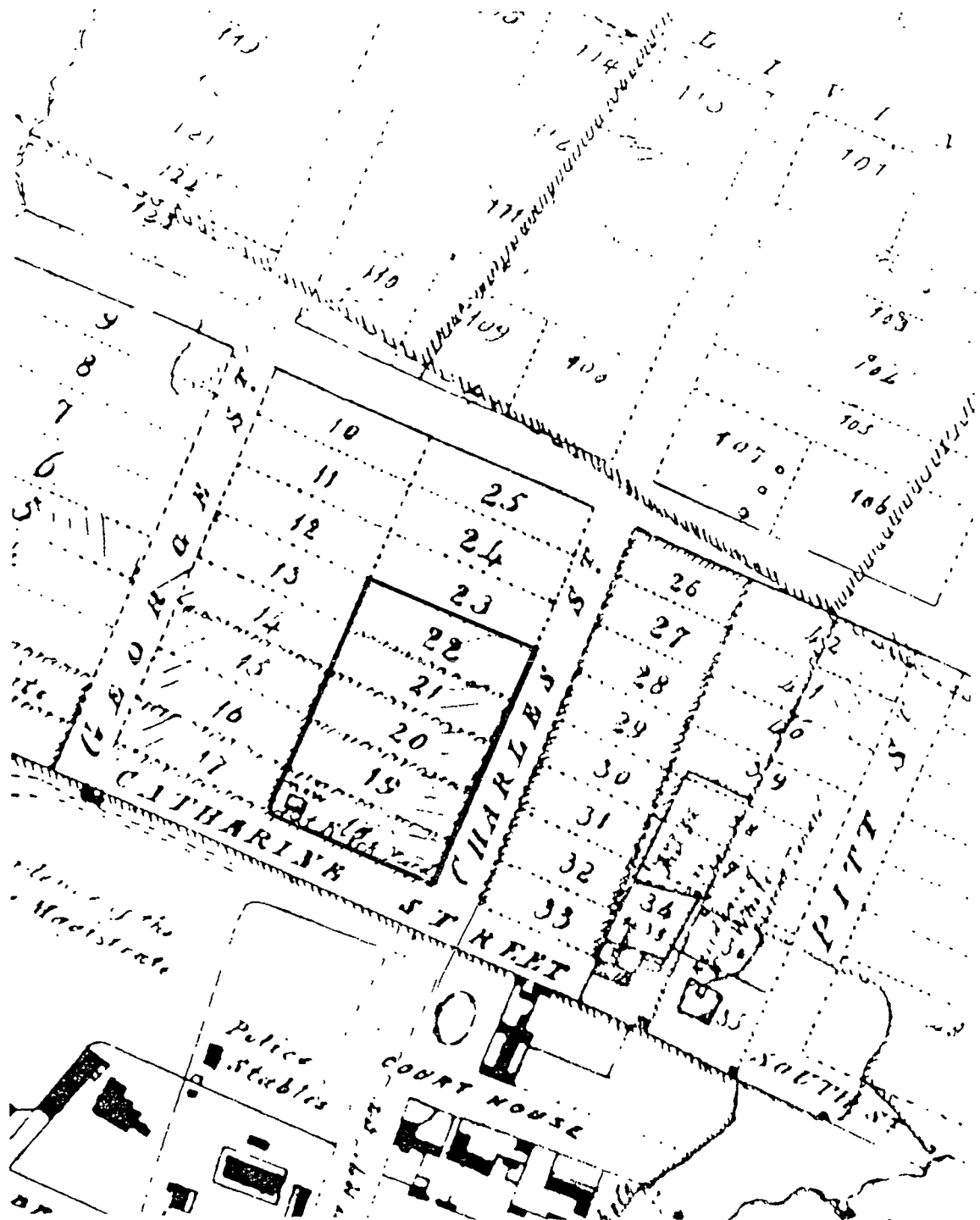
⁶ ADB, *Volume 2*: 308-9

⁷ Plan of CXXIII Building and 24 Cultivation Allotments Comprising the Peninsula Farm Adjoining the Town of Windsor To Be Sold by Auction on 5 February 1842: [ML M2 811.11222/1842/1](#)

⁸ LTO, Old Systems *Book W* No. 971A

⁹ Peninsula Farm Windsor for Sale, *Sydney Morning Herald* 5 February 1842

formed as part of this subdivision. It was named for Lieutenant Samuel North. He arrived in Australia aboard the *Marquis of Hastings* in 1828. He was police magistrate for the district from 1829 to 1843 occupying a Government cottage in George Street¹⁰.



Detail of subdivision plan of Peninsula Farm showing paddocks and buildings on and around the study area in 1842.

(Source: CXXIII Buildings and 24 Cultivation Allotments Comprising the Peninsula Farm Adjoining the Town of Windsor To Be Sold by Auction on 5 February 1842. ML M2 811/11222/1842/1)

¹⁰ D.G. Bowd, *Hawkesbury Journey*: 79

3.3 Allotment 18: 37- 39 North Street

When Wilcox Farm was subdivided the present day 35-39 North Street became Lot 18 of that subdivision. John Shearing, a licensed victualler, purchased it from Charles Campbell on 1 March 1842¹¹. The purchase encompassed an area of 1 rood and fourteen perches as well as other land totalling 1 rood and thirty-nine perches nearby. The total paid for these parcels was £99-10-0¹². His purchase included, as well as 37-39 North Street, the present boundaries of 35 and 31-33 North Street.

The size of his land was probably intended to support the business he established on this site between 1842 and 1846. The building still occupying the corner allotment, 37-39 North Street, was constructed there by Shearing as a dwelling and hotel. There is a tradition that this building was originally called the Peninsula Hotel, named for Shearing's experiences in the Peninsula War¹³. It could also have derived from the original Peninsula Farm designation.

A traveller's hotel required out-buildings such as stables, possibly a coach house and others. With the hotel on the corner it suggests that any out-buildings of this type associated with the hotel were located either behind it or to the east on the remainder of the land that Shearing had purchased in 1842. 31-33 North Street may have been constructed by Shearing, or the subsequent owner of the hotel, as an adjunct to that business (refer Section 3.5).

On 4 November 1846 the property was sold by John Shearing to Uriah Moses of Windsor, shopkeeper. It included the messuage or dwelling house erected upon it. The total cost of the purchase was £250 with a further £100 being paid on 17 April 1847¹⁴.

The first publican's licence was granted in 1846-48 for the Court House Hotel¹⁵. The Court House refers to the 1820s Greenway-designed court house along the road; the inn is said to have provided accommodation for the visiting magistrates and officials attending the court¹⁶.

Uriah Moses died in December 1847 and his wife Ann Moses inherited the property. She defaulted on the mortgage and it reverted to Agnes Shearing (the wife of John Shearing who had died in 1851) in October 1861. Immediately she sold the property to Thomas Chaseling for £800 on 21 October 1861¹⁷. It is said to have been used as a private residence for some time¹⁸ although it may have reverted to use as a public house by the later 1870s. James Steele recalls it being kept by a Robert Leddra as the Court House Hotel in 1877¹⁹.

By the early 1880s the building had come into use as one of several private schools in the Windsor District. A Mr G.J. Young is said to have been in charge of what was known as the High School²⁰. Credence for its use as a girls' school is given by the find of one of its owners of graffiti scratched into the lead ridge capping. This took the form of several names and dates, being Ethel and Maud Beck 1881, Beryl Fraser October 9

¹¹ LTO, Old Systems Book 2 No. 545.

¹² Ibid.

¹³ Local History Collection, Pamphlet Files North Street Buildings

¹⁴ LTO, Old Systems Book 11 No. 831

¹⁵ Helen Proudfoot, The Historic Buildings of Windsor and Richmond: 25

¹⁶ Local history collection, Pamphlet File Notes North Street Buildings

¹⁷ LTO, Old Systems Book 75 No. 414

¹⁸ Local History collection, Pamphlet Files North Street Buildings

¹⁹ James Steele, Early Days of Windsor: 177

²⁰ Ibid.: 129

1885, R.M. Hassal 1890 and Maud Isadore. She suggested that it might have been an initiation rite for some of the girls educated there²¹. The date when the building ceased to be used as a school has not been found during this investigation. In the early part of the twentieth century the building is said to have been divided in half with a family in each half²².

Thomas Chaseling willed this property to Thomasina Smith who also inherited the house adjoining at 35 North Street in 1922. She died in December 1945 leaving the estate to her five daughters. The executors of the will of Thomasina Smith sold 37-39 North Street (along with 35 North Street) in January 1952 to Thelma Mullinger for £850²³. The property stayed with the Mullinger family for many years. On the death of Thelma Mullinger the executor of her will, James William Mullinger, transferred the property in August 1973 to a family company Mullinger Properties Pty Ltd²⁴.

Mullinger Properties Pty Ltd sold 37-39 North Street (and 35 North Street) to John Fisher of Cammeray in 1974 for \$27,500²⁵. One month later Fisher sold the property to the National Trust of Australia (NSW) for the same price²⁶. At some time during the twentieth century the building had been subdivided and leased as two flats. The National Trust classified the property in 1976 and undertook substantial repairs and renovation returning it to a single dwelling. It is now in private ownership.

There are no surveys of the property throughout the nineteenth century. A survey prepared in the c. 1930s for Windsor drainage shows what may have been a small, double earth closet or privy on the back, northern fence line and another small building on the boundary with 35 North Street²⁷. These had been demolished by 1978 when a survey of that date shows a "rough timber shed" at the back of the property²⁸.



The Court House Inn c. 1950s?

(Source: Hawkesbury Library Historic Photograph Collection
Z:\PROGRAMS\PICLIB\PICLIB1\jpeg\002\002720.jpg)

²¹ *National Trust Finds New Ways to Keep the Past Alive: Local History Collection Pamphlet File, North Street Buildings.*

²² Local History Collection, *Pamphlet Files North Street Buildings*

²³ LTO, Old Systems Book 2202 No. 320

²⁴ LTO, Old Systems Book 3151 No. 172

²⁵ LTO, Old Systems Book 3156 No. 45

²⁶ LTO, Old Systems Book 3156 No. 46

²⁷ Hawkesbury City Council, *Sewerage Plan Windsor c. 1930s*

²⁸ LTO, DP 593791

3.4 Part Allotment 18: 35 North Street

Until 1863 the land upon which was built the tiny cottage adjoining the former Court House Inn was a part of that property owned by Shearing and then Moses until the default in the mortgage led to its return to the Shearing family. On 8 July 1863 Agnes Murray (a daughter of John Shearing) and her husband Robert Murray sold a total of ten rods of land adjoining the corner allotment to Richard Henry Seymour²⁹.

It is generally accepted that the tiny cottage at 35 North Street was built in the 1860s³⁰. If this is the case then Richard Seymour must have been responsible for its construction. Some consideration, though, should be given to an earlier date for this building. It is built hard against the eastern side wall of the former hotel, blocking a window of that building. If it was built in 1863, by that date, the former hotel is likely to have been in use as a private house. It seems very generous that the residents of that building would willingly block one window of their house to allow their neighbour to build his house. While not impossible, it should be considered that the small building might have been built as an annexe to the hotel while it was still part of that property. It would have provided a continuous frontage from the hotel to what is likely to have been an out-building for it at 31-33 North Street at a time when all three properties were owned by the one family (refer Sections 3.3, 3.5). The answer to this will only be found through a detailed investigation of the structure; this is beyond the requirements of the current work.

Whether built in the 1860s or earlier when Seymour died in 1870, the executors of his will, William Irons Crew and William Dean, sold the property to John Dunstan, a farmer of Wilberforce, for £170³¹. At the same time he purchased the adjoining property of 31-33 North Street. Dunstan died in July 1876 and his daughter Mrs Blanch Selina Smith inherited the property³². On her death in 1893 her husband John Smith, a storekeeper of Windsor, inherited the property³³. There is no evidence to suggest that this building ever served as anything but a residential property at least from the 1860s throughout the nineteenth century.

John Smith died in 1922 and he left the house to Thomasina Smith, his daughter. At the same time she also inherited the large shop/house at 37-39 North Street³⁴. On her death in 1945 her daughters inherited the house. It was sold, along with 37-39 North Street, in 1952 to Thelma Mullinger³⁵. On her death the house was transferred to a family company Mullinger Properties Pty Ltd, along with 37-39 North Street, in 1973³⁶. In the following year it (along with 37-39 North Street) was sold to John Fisher³⁷. In June 1974 the house and its neighbour was sold to the National Trust of Australia (NSW)³⁸. The National Trust undertook repairs and renovations and classified the property in 1976. It is now in private ownership.

Like its neighbour there are no identified surveys of the site in the nineteenth century. The c. 1930s survey prepared for drainage shows no out-buildings on the site. After

²⁹ Referred to in LTO, Old Systems Book 122 No. 239

³⁰ For example, the National Trust listing card for the buildings describes it as built in c.1860 as does Proudfoot (The Historic Buildings of Windsor and Richmond:26) and notes in the local history collection.

³¹ LTO, Old Systems Book 122 No. 239

³² LTO, Old Systems Book 514 No. 194

³³ Ibid.

³⁴ Ibid.

³⁵ LTO, Old Systems Book 2202 No. 320

³⁶ LTO, Old Systems Book 3151 No. 172.

³⁷ LTO, Old Systems Book 3156 No. 45

³⁸ LTO, Old Systems Book 3156 No. 46

1978 an old timber building was relocated and rebuilt in the yard of this property on its eastern boundary³⁹.



35 North Street in 1979

(Source: Hawkesbury Library Historic Photograph Collection
Z:\PROGRAMS\PICLIB\PICLIB1\jpeg\004\004507.jpg)

³⁹ Pers. Comm. Current owner.

3.5 Allotment 19: 31-33 North Street

31-33 North Street occupies Allotment 19 of the Peninsula Farm Subdivision. The land, 1-rood fourteen perches, was purchased by John Shearing in June 1843 for £60⁴⁰. A year earlier Shearing had purchased the land occupied by 35-39 North Street.

It is generally accepted that this building was constructed in the 1840s, possibly as an inn. Although the architectural details and form appear to confirm this date and possible function the likelihood of this being constructed as an inn while the Court House Inn was in operation one door away seems improbable. It seems more likely that the Shearing family may have constructed this building as an adjunct to their inn while they were in possession of the entire frontage from 39 North Street to 31 North Street, that is between 1842 and 1846. More extensive research would need to be carried out to investigate this possibility.

On Shearing's death in 1851 31- 33 North Street was inherited by his daughters Mary Ann and Agnes⁴¹. In January 1862 Mary Ann sold her portion of the property to Richard Seymour, a saddle and harness maker of Windsor, for £120⁴². In February of the following year Agnes sold her rights in the property to Seymour, then described as a tanner, for £170⁴³. At the same time Seymour purchased 35 North Street. There is no evidence to indicate whether Seymour used the combined 31-35 North Street for his business activities.

Seymour died in 1870 and the trustees of his will sold 31-33 North Street to John Dunston for £170⁴⁴. On the same day Dunstan also purchased 35 North Street.

Dunston died in 1876 and 31-33 North Street (along with 35 North Street) was bequeathed to his daughter Blanche Smith⁴⁵. On her death in 1893 her husband John inherited the property. In 1900 he sold 31-33 North Street to Thomas Barter, a farmer of Cumnock, for £300⁴⁶. Smith retained ownership of 35 North Street.

When Barter died in 1911 his daughter Mrs Isabella Ross inherited this property⁴⁷. In 1964 Isabella Ross sold it to John Molloy, a farmhand of Windsor, for £1000⁴⁸. The National Trust classified the property in 1976.

Molloy sold 31-33 North Street to Geoffrey and Joy Roberts in 1981 for \$75,500⁴⁹. It remains in private ownership.

⁴⁰ LTO, Old Systems Book 3 No. 772

⁴¹ Ibid.

⁴² LTO, Old Systems Book 76 No. 294

⁴³ LTO, Old Systems Book 82 No. 574

⁴⁴ LTO, Old Systems Book 122 No. 239

⁴⁵ LTO, Old Systems Book 514 No. 194

⁴⁶ LTO, Old Systems Book 657 No. 715

⁴⁷ LTO, Old Systems Book 951 No. 72

⁴⁸ LTO, Old Systems Book 2807 No. 665

⁴⁹ LTO, Old Systems Book 3489 No. 357

3.6 Allotment 20 (part): 29 North Street

On 5 February 1842 Charles Campbell sold Allotment 20 of the Peninsula Farm Subdivision to Joseph Windred, a farmer of Windsor⁵⁰. Windred kept this property until 1872. Windred, therefore, is responsible for the construction of the free-standing cottage upon this allotment, at 29 North Street, that appears always to have been used as a private residence. This building is likely to have been built in the early 1840s, possibly 1842, after his purchase of the land.

In January 1872 Joseph sold Allotment 20 (as well as other land) to William Windred for £80⁵¹. In December 1873 Windred sold the site to Aquila Hagger, a farmer of Windsor for £70⁵². In 1884 Hagger's son William purchased a small part of the adjoining Lot 21 for £130⁵³ from his brother-in-law John Ewing.

Hagger died in October 1899 and his two children Sarah and William inherited his property. Sarah sold her share to her brother William for £100 in November 1912⁵⁴. William died in 1915. There is some uncertainty at this point of the ownership of this land and the adjoining 25 North Street. In 1915 a few months after her husband's death Annie Hagger sold part of Lots 20 and 21 to Arthur Reynolds for £205⁵⁵. It is not clear to what this refers nor does the subsequent sale in 1919 of the same property from Reynolds to Ted Turnbull for £250⁵⁶. Turnbull purchased 25 North Street in 1922 (refer Section 3.7). It seems likely that Annie had some claim to one of the semi-detached cottages that comprise 25 North Street. More research would be required to identify the precise details of the properties involved; it does not materially affect the objectives of this investigation.

In 1960 Reginald Ford, who was administering the estate of William Hagger, sold the land (and other adjoining properties) to Frederick Eather a labourer of Windsor for £270⁵⁷. Eather also purchased at the same time for £270 the small portion of Lot 21 that William Hagger had purchased in 1884⁵⁸.

In March 1963 Eather sold his property to Peter Mullinger (the owner then of 35-39 North Street) for £200⁵⁹. He also sold to Mullinger the small part of Lot 21 in his possession for £200⁶⁰.

In 1971 29 North Street was sold to James Lynch and his wife⁶¹. In 1976 the Lynchs sold the house to the National Trust of Australia (NSW) for \$30,000⁶². In the same year the Trust classified the property having undertaken some restoration work on the house. It is now in private ownership.

There are no surveys of the site from the nineteenth century. A survey prepared in the c. 1930s shows there to be no out-buildings on the property. A survey plan of 1977 shows some galvanised iron and wooden sheds behind the buildings including a garage added to the eastern boundary.

⁵⁰ Referred to in LTO, Old Systems Book 128 No. 876

⁵¹ LTO, ibid.

⁵² LTO, Old Systems Book 141 No 232.

⁵³ LTO, Old Systems Book 296 No 573

⁵⁴ LTO, Old Systems Book 982 No 491

⁵⁵ LTO, Old Systems Book 1067 No 878

⁵⁶ LTO, Old Systems Book 1168 No 330

⁵⁷ LTO, Old Systems Book 2640 No 160.

⁵⁸ LTO, Old Systems Book 2640 No 160

⁵⁹ LTO, Old Systems Book 2645 No 652

⁶⁰ LTO, Old Systems Book 2645 No 652

⁶¹ LTO Old Systems Book 2997 No 231

⁶² LTO, Old Systems Book 3255 No. 376.

3.7 Allotments 20 and 21 (parts): 25 North Street

25 North Street is built on land that encompasses part of Lot 20 of the Peninsula Farm Subdivision and the adjoining Lot 21. The house appears to be largely built over the Lot 21 land. James Bell of North Richmond and Robert Stewart, a watchmaker of Windsor, purchased this allotment from Charles Campbell in August 1844. Bell paid £40 and Stewart £20⁶³. Between 1844 and 1865 Stewart came into sole possession of the property. The house that is built on the site, therefore, was either built as a joint venture by Bell and Stewart or solely by Stewart.

Stewart died in 1865 and his daughter Anne inherited it. She sold 25 North Street to James Ewing, a tanner of Windsor, in September 1884 for £300⁶⁴. James Ewing's wife was Sarah, the daughter of Aquila Hagger. The latter had purchased the adjoining property in 1873 meaning that Sarah had grown up next to her new home. The day after he purchased the house Ewing sold part of allotment 21 to Sarah's brother William for £130⁶⁵.

Sarah inherited 25 North Street when her husband died and on her death in May 1922 her children, Aquila (after his grandfather), Stephen and Bertie inherited the house and land. They sold 25 North Street in July 1922 to Ted Turnbull, labourer of Windsor, for £75⁶⁶. In August 1939 Turnbull sold the property to John Walker of Sydney for £200⁶⁷.

Walker, who moved to Windsor to live in the house died in 1947 intestate and the Public Trustee sold the property to Thelma Mullinger for £700⁶⁸. This was the first of the properties the Mullinger family purchased along North Street with 35-39 North Street following in 1952 and 29 North Street in 1963.

When Thelma Mullinger died in 1955 her sons inherited the property. James sold his share of the property to his brother Peter Mullinger in 1961⁶⁹. Peter Mullinger sold the site to the National Trust Australia (NSW) in 1974 for \$21,000⁷⁰. The Trust carried out restoration work on the property. It is now in private ownership.

There are no surveys of this site in the nineteenth century. The c. 1930s survey shows only the house with no out-buildings elsewhere on the property.

⁶³ LTO, Old Systems Book 8 No. 175

⁶⁴ LTO, Old Systems Book 296 No. 572

⁶⁵ LTO, Old Systems Book 296 Folio 573

⁶⁶ LTO, Old Systems Book 1268 No 850

⁶⁷ LTO, Old Systems Book 1853 No 208

⁶⁸ LTO, Old Systems Book 2132 No 580

⁶⁹ LTO, Old Systems Book 2575 No. 702

⁷⁰ LTO, Old Systems Book 3167 No. 415

3.8 Allotment 22: 23 North Street

Like the other North Street properties Charles Campbell was the original owner of this allotment purchased by him in 1841. Unlike the others there is no evidence that Campbell sold this land during his lifetime. Campbell died in 1888 and the trustees of his estate sold the allotment in 1890 to Thomas Cambridge, letter carrier of Windsor, for £133⁷¹. This purchase also included Lots 10, 11 and 23 as well as Lot 22. There is no evidence to suggest that any substantial improvements were made to the site in this period although an older property may have existed here and been demolished; there is no evidence of such on the c. 1930 survey of the area.

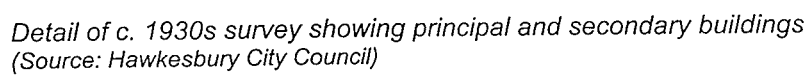
Thomas Cambridge died in 1942 and his property was bequeathed to his children Beatrice and Roy. In 1957 Beatrice and her former sister-in-law Hilda Hirst (married to Roy who had died in 1950 and since remarried) sold the property (being Lots 22 and 23) to Peter Mullinger, owner of 35-39 and 25 North Street for £200⁷².

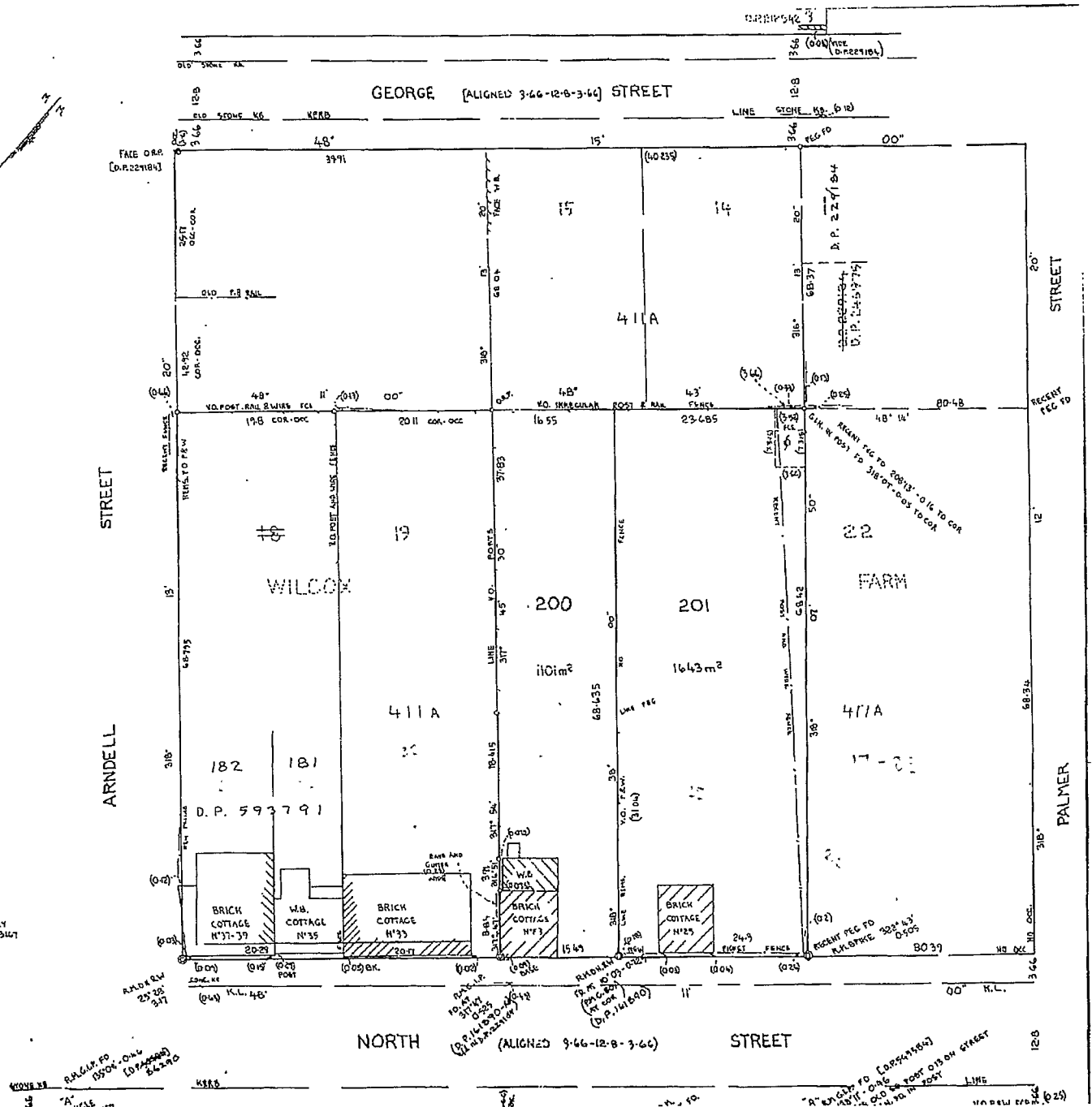
Peter Mullinger died in 1981 and the administrator of his estate sold the property (Allotment 22) to George Whiting in December 1986 for \$43,000⁷³. A private residence has since been built at the northern end of the allotment.

⁷¹ LTO, Old Systems Book 490 No 554

⁷² LTO, Old Systems Book 2433 No 139.

⁷³ LTO, Old Systems Book 3693 No 345





Survey of 1978 demonstrating demolition of several out-buildings
(Source: LTO DP 593790)

SECTION 4.0

THE RESOURCE

4.1 Topography and Landscape

The buildings follow the topography of North Street, which drops, from the highest point at the western end (37-39 North Street) to the lowest level in the study area at the east (23 North Street). There is also a slope from north to south; this is the reason the houses are subject to flooding. The easement intended to resolve these problems is located approximately forty metres from the back walls of the houses and is approximately three metres wide.

All of the facades of the nineteenth century buildings are in a similar alignment and are sited close to the present street separated from it only by a narrow grassed footpath. 23 North Street is set well back from the street frontage. All of the properties have substantial trees behind them and all have landscaped gardens in the immediate environs of the houses.



View of the North Street buildings running down the slope from west to east with the former Court House inn at the farthest end.

SIGNATURE AND SEALS ONLY.

DP 266946

Registered: 8-10-1996

C.A.

Title System: TORRENS

Purpose: PROPOSED EASEMENT

Ref. Map: U8275-14

DP593791, DP745851, DP593790,
Last Plan DP742267, DP743781, DP742749,
DP197134PLAN OF EASEMENT TO DRAIN
WATER 3 & 4 WIDE OVER LOTS
181 & 182 D.P. 593791, LOTS 200
& 201 D.P. 593790 AND LOTS 19, 22,
23, 24, 25 OF WILCOX FARM. (SEE
DP's 745851, 742267, 743781, 742749
& 197134)
Lengths are in metres. Reduction Ratio 1:500

LGA HAWKESBURY

Locality: WINDSOR

Parish: ST. MATTHEW

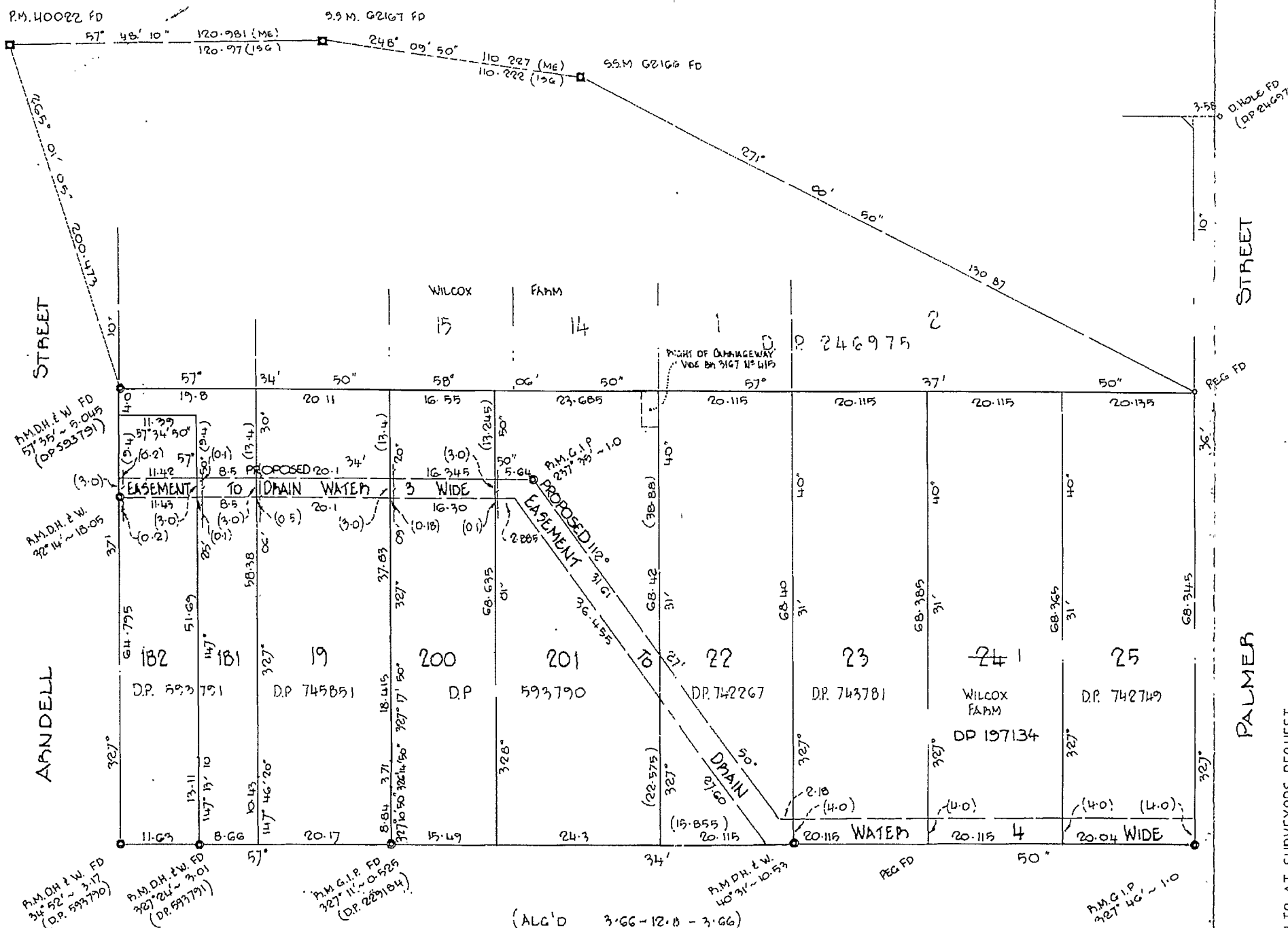
County: CUMBERLAND

This is sheet 1 of my plan in _____ sheet(s).
(Delete if inapplicable).I, GARETH SAMUEL BRADSHAW, of
SUNL 2, 89, GLOUCE ST, WINDSOR, 2750.a surveyor registered under the Surveyors Act 1929, hereby certify
that the survey represented in this plan is accurate, has been made
in accordance with the Survey Practice Regulation 1990 and was
completed on 31st JULY 1990 & 28th AUG. 1996.Signature: _____
Surveyor registered under Surveyors Act 1929.
Datum Line of Azimuth. 55M G2167 &
55M G2166

Plans used in preparation of survey/compilation.

D.P. 58709 D.P. 743781
D.P. 593790 D.P. 246975
D.P. 593791 D.P. 742267
D.P. 742749 D.P. 745851
D.P. 779275
D.P. 227184PANEL FOR USE ONLY for statements of intention to
dedicate public roads, to create public reserves, drainage
reserves, easements, restrictions on the use of land or
positive covenants.HAWKESBURY CITY COUNCIL
INTEND TO ALLOCATE AN
EASEMENT TO DRAIN WATER
3 WIDE AND 4 WIDE OVER
THE LAND OF D.P. 2185
& 197134.

PLAN AMENDED IN LTO AT SURVEYORS REQUEST



Crown Lands Office Approval

PLAN APPROVED.....

Authorised Officer

Land District.....

Paper No.....

Field Book..... pages.....

Council's Certificate

I hereby certify that -
(a) the requirements of the Local Government Act, 1919 (other than
the requirements for the registration of plans), and
(b) the requirements of Part 3 Division 2 of the Water Board Act 1987,
or Part 5 Division 1 of the Hunter Water Board (Corporatisation)
Act 1991have been complied with by the applicant in relation to the
proposed
insert 'new road', 'subdivision' or 'consolidated lot' set out herein

Subdivision No.

Date.

(Signature)

General Manager/Authorised Person

Council File No.

* This part of certificate to be deleted where the application is only for a
consolidated lot or the opening of a new road or where the land to be sub-
divided is wholly outside the areas of operations of the Water Board and the
Hunter Water Corporation Ltd
Delete if inapplicable

SURVEY PRACTICE REGULATION 1990, CLAUSE 22(2)

MAMM	13 G CO-ORDINATES		Zone	Acc.
	EASTING	NORTHING		
55M G2166	283731.769	1280390.784	56/1	2
55M G2167	283629.445	1280289.787	56/1	2
P.M. H0022	283527.078	1280225.330	56/1	2

SOURCE: SCIMS B/B/96

COMBINED SCALE FACTOR: 0.99994

4.2 The Buildings

37-39 North Street is a two-storey building constructed from sandstock bricks with sandstone lintels, sills and verandah flagging. There is a cellar beneath the house. It has a number of out-buildings.

35 North Street is a single storey timber house that has as its western wall the brick wall of the adjoining 37-39 North Street. It has a rusticated boarded front, four-pane windows and four-panel doors. It has a simple pitched roof with curved iron sheets covering the verandah. The latter is edged with a picket fence. A weatherboard extension has been made to the back of the building. There is a large timber outbuilding that has been imported to the site.

31-33 North Street is built from sandstock brick. The walls rest on stone foundations. There is also a stone-paved verandah that is edged with a picket fence. The house has a hipped iron roof. There are twelve-pane windows and glazed French doors.

29 North Street is a free-standing sandstock brick cottage. It has sandstone foundations, lintels and sills. Windows are twelve-pane and doors are four-panel. The roof is covered in iron and is hipped to house and bellcast to the timber verandah. This has a timber picket fence.

25 North Street comprises semi-detached cottages with two front doors now used as a single occupancy house. It is built from sandstock brick above a sandstone cellar and foundations. The verandah paving and sills are also formed from sandstone. There are twelve-pane window sashes and six-panel doors. There is a jerkin head roof with dormer windows. It is hipped to the verandah. The centrally placed chimney reflects the two former occupancies. There are out-buildings behind

23 North Street is a c. 1980s brick-built single storey house. It is set well back from the street frontage; there is a shed closer to the street.



The Court House inn (37-39 North Street) in the foreground with 35 North Street abutting it (view east).



35 North Street (above) and 31-33 North Street (below)



29 North Street (above) and 25 North Street (below)

4.3 Geo-Technical and Archaeological Evidence

There is no geo-technical evidence available for the site. None of the sites have been investigated or sampled for archaeological purposes. The only archaeological work in the near vicinity was the excavation of the former Windsor Guardhouse site in 1977 close to the junction of Bridge and Court Streets. This work revealed nothing of relevance to the present site. The occupants of the houses report considerable quantities of small artefacts, broken ceramics and glass, found in the gardens.

4.4 Aboriginal Relics

There are no known sites of Aboriginal occupation on or near the study area. However, the situation of the site close to the river and creek in a fertile area suggests that it is likely to have been attractive to indigenous peoples. Although there was extensive early nineteenth century agricultural activity here as well as the later periods of construction it is possible that some relics of Aboriginal occupation may be preserved within the study area.



23 North Street from the street frontage

4.5 Site Formation

These are the processes, conditions and uses that are likely to have influenced the formation of the study area:

- A pre-settlement environment likely to comprise substantial tree-stands subject to periodic flooding, the latter also a feature of the post-settlement period.
- Possible Aboriginal occupation and use, probably intermittent, pre- and post-1788.
- European use between 1794 and 1841 that certainly comprised clearance and agricultural activities as well as some buildings works.
- Subdivision in the 1840s with substantial development on several allotments soon afterwards. This occupation appears to be primarily residential in nature including the development of an inn.
- Development of individual allotments with gardens, out-buildings and services.

4.6 Archaeological Profile

With the exception of 23 North Street the principal buildings remain from the nineteenth century use of the place. The archaeological resource is likely to encompass evidence that could relate to secondary buildings, yard and garden improvements, services and/or domestic wastes of approximately the mid-nineteenth century onwards. It is unlikely, though possible, that evidence earlier than that date will be found during the work.

Because of the very limited primary archival evidence that is available for the study area and the lack of visible surface indicators it is almost impossible to define any specific archaeological feature and the small area that will be physically impacted upon by the excavation required for drainage compounds this problem. For these reasons the archaeological profile for the study area must be expressed in the most general of terms as follows:

- Evidence of the pre-settlement environment may be preserved as micro-flora in relict top-soils but these are likely to have been substantially disturbed through agricultural and construction activities.
- Some evidence of Aboriginal occupation might be found within the excavation area. This association would be identified through remnant artefacts.
- Evidence of environmental change including deforestation and flooding may be seen through alluvial soil strata and possibly charcoal and other deposits associated with fire clearance.
- Evidence of early nineteenth century agricultural activity could be preserved as micro-flora in soil profiles.
- Possible evidence of structural development associated with Peninsula Farm's agricultural area, specifically a small hut behind 37-39 North Street that could be

identified by foundations or cultural deposits. Flattened or tramped work surfaces associated with the rick yard might also be found in this area.

- The potential for structural evidence of out-buildings, particularly privys, associated with the former inn at 37-39 North Street behind this and the buildings at 33-35 North Street. The potential also for services, yard improvements and relics of the inn dating from the 1840s-1860s.
- The potential for structural evidence of out-buildings, particularly privys, behind all of the other North Street buildings covering a broad period from the mid-nineteenth century to the early twentieth century.
- The potential for disused services for all of the buildings including drainage, sewerage, gas, electricity.
- The potential for domestic wastes from all buildings in the form of discarded artefacts.

SECTION 5.0

CULTURAL SIGNIFICANCE

5.1 Evaluation Criteria

"Heritage significance", "cultural significance" and "cultural value" are all terms used to describe an item's value or importance to our own society. Heritage items are those which remind us of who we are, how we came to be here, our interests, concerns, tastes and needs at particular times. They are visible landmarks of community development. Their value or significance may be contained in the fabric of the item, its setting and relationship to other items, the response that the item stimulates in those who value it now and in the historical records which allow us to understand it in its own context. An assessment of what is significant is not static. Significance may increase as more is learnt about the past and as items become rare, endangered or are found to document and illustrate aspects that have acquired a new recognition of importance.

Determining cultural value is at the basis of all planning for places of historic value. A clear determination of significance permits informed decisions for future planning that will ensure that the expressions of significance are retained, enhanced or at least are minimally impacted upon. A clear understanding of the nature and degree of significance will determine the parameters for and flexibility of any development.

An analysis of archival evidence provides the context for assessing significance. This analysis is presented in Section 3.0. An assessment of significance is made by applying standard evaluation criteria to what is known of the item's development and associations. These criteria are divided into two categories:

- Nature of Significance
- Comparative Significance

The four basic criteria used to assess the nature of an item's significance, for what reason it is significant, are those of **Evolution and Associations** (Historic), **Creative and Technical Accomplishment** (Aesthetic), **Community Esteem** (Social) and **Research Potential** (Scientific). Comparative significance, or the degree to which an item is significant, is assessed according to its value as a rare or representative element. Items have value if they meet at least one of the nature of significance criteria and are good examples of either of the comparative criteria.

In the revised heritage assessment procedure seven criteria have been identified that may singly or in combinations contribute to the cultural significance of a place. These criteria are:

- An item is important in the course or pattern of NSW's cultural or natural history or of the local area

- An item has strong or special association with the life or works of a person, or group of persons, of importance to the natural or cultural history of the state or local area
- An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW or the local area
- 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
- An item has the potential to yield information that will contribute to an understanding of NSW's cultural or natural history or of the local area
- An item possesses uncommon, rare or endangered aspects of NSW's or the local areas natural or cultural history.
- An item is important in demonstrating the principal characteristics of a class of NSW's or the local areas cultural or natural places or environments.

These are the inclusion criteria for demonstrating cultural heritage. There are parallel exclusion criteria that relate to factors that weaken the claim of an item to those criteria.

Comparative significance, or the degree to which an item is significant, is assessed according to its value as a rare or representative element. Items have value if they meet at least one of the nature of significance criteria and are good examples of either of the comparative criteria. The comparative criteria or grading applied to cultural significance is categorised according to an ascending scale of Intrusive, Little, Moderate, High and Exceptional⁷⁴.

⁷⁴ Heritage Office NSW, Assessing Heritage Significance: 9-11

5.2 Assessment of Significance

5.2.1 An item is important in the course or pattern of NSW's cultural or natural history or of the local area

The study area has associations with the earliest settlement of this area although this is unlikely to be extensively demonstrated in the archaeological record except by evidence of environmental change. The most substantial evidence relates to a significant period of town development in the 1840s; this is one of the most intact groups from that period in Windsor. The former inn is particularly important as a long term landmark in the town.

5.2.2 An item has strong or special association with the life or works of a person, or group of persons, of importance to the natural or cultural history of the state or local area

Although several of the properties have long associations with a number of local families none have any particular historical significance to the area.

5.2.3 An item has the potential to yield information that will contribute to an understanding of NSW's cultural or natural history or of the local area. ALSO An item is important in demonstrating the principal characteristics of a class of NSW's or the local areas cultural or natural places or environments.

Archaeological relics that may be associated with these buildings would have significance for their potential to more comprehensively document the development of these individual sites, now poorly preserved in archival sources. This could add considerably to revealing domestic life in the nineteenth century town. Archaeological evidence relevant to the inn would also have relevance for the wider field of enquiry into nineteenth century hostelry.

5.2.4 An item possesses uncommon, rare or endangered aspects of NSW's or the local areas natural or cultural history.

With the exception of potential Aboriginal relics and those associated with the nineteenth century management of the hotel the majority of the potential archaeological resource would not be considered uncommon, rare or endangered.

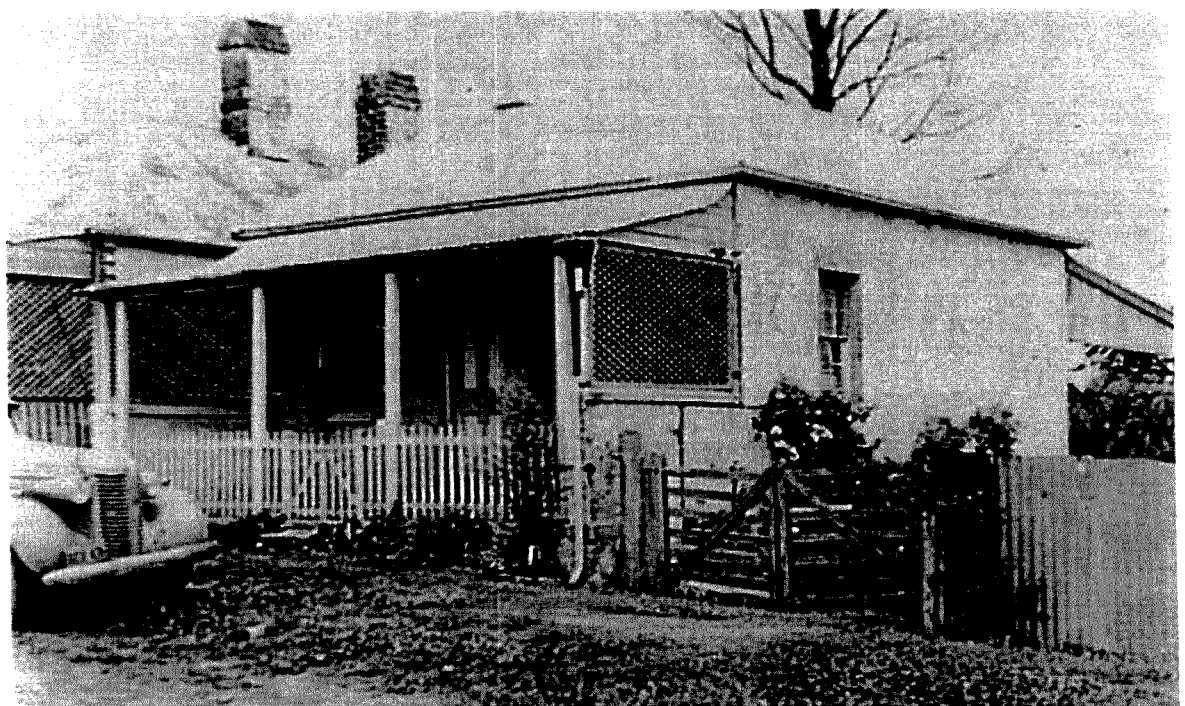
5.2.3 Degree of Significance

The majority of evidence that may be recovered from this site would have moderate local significance for its ability to more accurately document the development and management of these important local properties.

5.3 Statement of Significance

The study area has associations with the earliest settlement of this area although this is unlikely to be extensively demonstrated in the archaeological record except by evidence of environmental change. The most substantial evidence relates to a significant period of town development in the 1840s; this is one of the most intact groups from that period in Windsor and is representative of domestic life in the nineteenth century. The former inn is particularly important as a long term landmark in the town.

Archaeological relics that may be associated with these buildings would have significance for their potential to more comprehensively document the development of these individual sites, now poorly preserved in archival sources. This could add considerably to revealing domestic life in the nineteenth century town. Archaeological evidence relevant to the inn would also have value for the wider field of enquiry into nineteenth century hostelry. This ability to more accurately document the development and management of these important properties would have moderate local significance.



27 North Street in 1960

(Source: Hawkesbury Library Historical Photograph Collection
Z:\PROGRAMS\PICLIB\PICLIB1\jpeg\002\002724.jpg)



SECTION 6.0

MANAGEMENT

6.1 The Work

The site is flood prone and has been subject to several recent cases of flood that adversely impact upon the fabric of the SHI registered buildings. Council is proposing to use an easement along the back of the site to construct a drainage line that will capture and direct water away from the properties.

The construction of this drain will entail the excavation of a trench approximately 1200mm wide and 1200mm deep. It is located approximately 40 metres from the back of the houses running east-west behind these properties. At 23 North Street it runs diagonally towards the street. The excavation will be undertaken by a mechanical excavator.

6.2 Impact Assessment

The absence of archival material for the sites, specifically surveys and plans, and the lack of any visible surface indicators means that it is impossible to determine whether the drainage line will impact upon archaeological relics. The preceding assessment indicates that the land associated with each house is likely to contain relics, possibly of out-buildings, services, yard improvements and domestic wastes. Because of the absence of both archival and visual clues to specific sites it can only be concluded that the excavation for the drainage line may impact upon significant archaeological relics. If relics are exposed it is equally unclear whether the impact would be partial or total until the identity of any features is made clear.

6.3 Statutory Considerations

6.3.1 Hawkesbury City Council Local Environmental Plan 1999

Clauses 27-30 of this instrument provide protection and guidance for management of heritage items. 25, 31-39 North Street are identified as heritage items in Schedule 1 attached to the LEP. The principal provisions of these clauses relevant to the potential archaeological resource require proper assessments to be made of the impact of the proposed work prior to that work. This report fulfils that requirement.

6.3.2 NSW Heritage Act

The principal state statutory requirement with respect to archaeological relics is contained in the NSW Heritage Act. The Act provides automatic statutory protection for historical archaeological relics. When the potential for the retention of "relics", as these are defined by the Act, is identified for a site a number of legislative requirements are made of its owners/managers who will be responsible for the disturbance of that archaeological resource.

Sections 139 to 145 of the Act prevent the excavation or disturbance of land if there is a reasonable cause to suspect relics will be present in that land except in accordance with an approved excavation permit. The Act requires that an Excavation Permit be sought from the Heritage Council of NSW through a Section 140 application. Section 146a and 146b stipulates mandatory and prompt notification to the Heritage Council in the event of relics being discovered. Only one property, 23 North Street can be managed under the provisions of a Section 140 application for an Excavation Permit. This is because the property is not registered as a State Heritage item.

25, 29, 31-33, 35, 37-39 North Street are all inventoried State Heritage Items. In this cases application for excavation must be made under the provisions of Section 60 application. Section 60 applications are required for all State Heritage items requiring approval by the Heritage Council of NSW for the proposed works. The Heritage Office of NSW has advised that a separate Section 60 application will need to be made for each of the properties.

6.4 Protocols and Mitigation Procedures

The impact of the proposed excavation on archaeological relics of this potential degree of significance may be mitigated by documentation as and if they are revealed by the work. Because it is impossible to identify specific potential sites the most appropriate means of management will be by monitoring and recording throughout the duration of the excavation.

On this basis the implementation of the following strategies is recommended:

- An application for a Section 140 Excavation Permit is made to the Heritage Council of NSW for 23 North Street. A research design and excavation methodology should accompany the application. Generally, the permit should request a programme of monitoring and recording as part of a similar programme that will encompass the entire excavation area along the back of the North Street properties.
- Application for five separate Section 60 approvals for 25, 29, 31-33, 35, 37-39 North Street. These will require a similar research design and methodology to be prepared as that for 23 North Street.
- A permanent repository should be identified in the event that portable relics or artefacts are retrieved during the course of excavation. This can be a local museum or historical society archive.
- If relics of Aboriginal occupation are revealed by the work, excavation will need to cease in the immediate area. Council will need to inform the National Parks and Wildlife Service and request advice for ongoing management.
- At the conclusion of the archaeological programme the evidence recorded should be compiled to a single site record. This should be interpreted in light of the primary archival records for the site.
- Copies of this record should be made available to Hawkesbury City Council, the owners of the site and the NSW State Heritage Office.

SECTION 7.0

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7.3 Property Records

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 Book 122 No. 239
 Book 514 No. 194
 Book 2202 No 320
 Book 3151 No. 172
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 Book 82 No. 574
 Book 122 No. 239
 Book 657 No 715
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 Book 3489 No 357
 Book 3715 No 767
 Book 128 No 876
 Book 141 No 232
 Book 982 No 491
 Book 2640 No 160
 Book 2645 No 652
 Book 2997 No 231
 Book 3255 No 376
 Book 8 No 176
 Book 296 No 572
 Book 1268 No 850
 Book 1853 No 208
 Book 2132 No 580
 Book 296 No 573
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 Book 2545 No 652
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 Book 1168 No 330
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 Book 3167 No 415
 Book 490 No 554
 Book 2433 No 139
 Book 3693 No 345

Land Titles Office NSW Primary Application 53558

National Trust Australia (NSW) Listing Cards 25-39 North Street Windsor.

NSW Heritage Office Heritage Register of NSW Items 00107, 0019, 00110,
 00142, 00150

7.4 Maps and Plans

J. Armstrong	<u>Plan of the New and Old Glebe Adjoining the Town of Windsor 1837</u> ML M2 811.1122/1837/1
Hawkesbury City Council	<u>Sewerage Drainage Survey of the Town of Windsor (ND 1930s?)</u>
LTO	<u>Deposited Plan 266946</u> <u>CXXIII Buildings and 24 Cultivation Allotments Comprising the Peninsula Farm Adjoining the Town of Windsor To Be Sold by Auction on 5 February 1842.</u> ML M2 811/11222/1842/1 <u>Parish of St Mathew County of Cumberland x.1830</u> SAONSW AO Map 354 <u>Parish Map County of Parish St Matthew Cumberland ND</u> SAONSW AO Map SZ 138
LTO	<u>Plan of a subdivision of Lot 18 of Wilcox Farm 1978</u> DP 593791
LTO	<u>Deposited Plan 593790 1978</u>
LTO	<u>Plan of Proposed easement North Street Cottages 1996</u> DP 266946

7.5 Images

Matthew MacNally	The Court House Hotel Windsor 1931 ML SPF ZSV1B WIND 1
Margaret Chadwick	Photograph 31 North Street Windsor 1979 Hawkesbury City Library Historic Photograph Collection Z:\PROGRAMS\PICLIB\jpeg\004\004508.jpg
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