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THE ARCHAEOLOGY OF THE FORMER SIM'S FOUNDRY SITE AT SWAN STREET, MORPETH: REVISED REPORT AND STATEMENT OF HERITAGE IMPACT OF PROPOSALS FOR RESIDENTIAL REDEVELOPMENT OF THE STUDY AREA

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Prepared for: **GHT Holdings Pty Ltd**

by: **MAXIM Archaeology & Heritage**

Project No 190101

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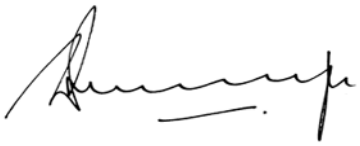	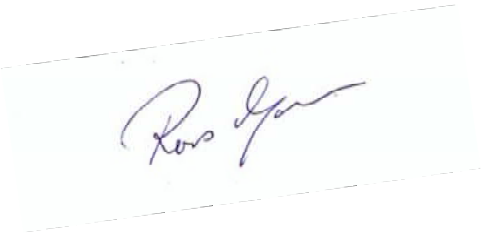
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Principal Archaeologist	Senior Archaeologist
Date 28 June 2021	Date 26 June 2021

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GLOSSARY

Term/Abbreviation	Meaning
Act	NSW Heritage Act 1977
BDM	The NSW Birth, Death and Marriage Registers
Conv/Mtge/Reconv Bk No	Conveyance/Mortgage/Reconveyance under the Old System, registered Book [n] Number [n]+
Division	The Heritage Division of the OEH (former title)
Commonwealth Department	Department of Sustainability, Environment, Water, Population and Communities of the Australian Government
cgi	Corrugated iron/steel sheet cladding of walls/roof or other structure
CT Vol Fol	Certificate of Title Volume [No] Folio [No] or Folio Identifier
Council	The Council of the City of Maitland
DP / FP / SP / MPS(OS)	Deposited Plan / Filed Plan / Strata Plan / Miscellaneous Plan of Subdivision (Old System)
EP&A Act	NSW Environmental Planning and Assessment Act (1979)
Heritage	Heritage NSW, one of the five Branches within the Community Engagement Group in the Department of Premier and Cabinet
LGA	Local Government Area
LEP	Maitland Local Environmental Plan, 2011
'm' and 'mm'	Respectively, metre(s) and millimetre(s)
Maxim	Maxim Archaeology & Heritage, a wholly owned subsidiary of Maxim Multicon Pty Ltd (formerly Maxim Archaeology & Heritage Pty Ltd)
MM	The *Maitland Mercury* newspaper
MMP	Morpeth Management Plan, 2000
Nexus	Nexus Archaeology & Heritage, the name of the unincorporated firm that became Maxim
OEH	NSW Office of Environment and Heritage
Principal	Reference to GHT Holdings Pty Ltd as owner of the study area and proponent herein
Project	The project involves demolition of the residual buildings of the study area, some low grade site surface levelling and construction of a complex of residences in three groups of semi-detached units involving excavations for footings, services and one storm water retention tank

Term/Abbreviation	Meaning
SHI	The State Heritage Inventory
SHR	The State Heritage Register
SM&NSWA	The *Sydney Mail and NSW Advertiser* newspaper
'structural improvements' …	…in the context of the progress of archaeological excavation, is intended to refer to whatever residual material improvements may be exposed of the former Sim s Foundry undertaking and/or the residence and any peripheral structures on the site of Peter Sims house. There has been no suggestion of any other structural improvements with a heritage connotation on the study area.
Study Area	The area bounded on the west by the alignment of Market Street, the northern by Swan Street, the eastern by William Street and, apart from lane access to Close Street, the southern boundary was provided by the northern boundaries of allotments fronting Close Street, containing about 2,870m².

ABSTRACT

This paper further revises earlier reports addressing a large parcel of land with frontage to Swan Street, Morpeth, between Market and William Streets. In the light of the further revision of the previous plans for the project, it documents the further study of historical heritage values within the study area, which reflects differential historical development:

- the eastern aspect had been developed in the-19th Century by the Sim family for residential occupation and for a metal foundry. No residue of this development can be positively identified above ground in this area;

- the development of the western aspect of the study area commenced in the 1940s with the construction of a motor garage and service station.

This study was undertaken by Paul Rheinberger, MAXIM Archaeology & Heritage. The study followed the procedures and observed the criteria respectively of Heritage, the LEP and the Burra Charter.

Research of the archaeological context of the study area was directed at:

- the LEP and MMP;
- the SHR and SHI;
- National Heritage Listing of the Australian Heritage Council; and
- the Register of the National Trust (NSW)

This research indicated that the study area does not in whole or part comprise a resource listed in any of the above references, but falls within the Morpeth Heritage Conservation Area listed on the LEP and SHI.

In terms of archaeological, historical and physical context, the study relied upon research and interpretations about the development history of land within and about the study area. Historical occupation of the study area was related to the establishment, evolution and occupation of manufacturing and processing industry in the former premier Hunter River port and transport hub that was Morpeth. In its latest form, the site of the Foundry appears to have been substantially filled across the majority of its area.

Despite the absence of a formal listing, the study area was formerly assessed by the writer in 2006 as possessing heritage significance (according to present zoning) as follows:

- the site of the former Sim's Foundry and family development on **Zone A** was assessed as rare at the local level;

- the developments on **Zone B** were assessed as possessing little or no significance, although their location in the Morpeth Heritage Conservation Area warranted their archival photographic recording. This recording was completed in 2012 prior to the approval of Council in that year of a DA concerning the demolition of the **Zone B** buildings to ground level. In the result, some CGI annexe buildings at the rear of the former service station were then demolished.

These assessments of cultural heritage significance are adopted/confirmed in this report.

In the related assessments of **Condition** and **Integrity**, the evaluations was assessed on a five-point scale **the Sim and Sons Foundry** component of the study area C**ondition** has been assessed at the level of ***(v) Archaeological Site*** and its **Integrity** at the level of ***(iv)*** **Material Modification.**

Within the framework of relevant articles of the Act and the Burra Charter, additional recommendations have been framed in ***Chapter 4*** of this report. These recommendations:

i. acknowledges the grant of DA for the demolition of existing buildings to ground level;

ii. are conditioned in part by Council's requirements for further investigation of the level and extent of soil contamination, if any, within the study area;

iii. include provision for an appropriate archaeological/heritage induction for personnel engaged in subsurface modification of the study area;

iv. detail methodologies for the appropriate archaeological management of the process of drill testing of the site and, if required, the excavation and removal of contaminated soil from the site. The methodologies were designed to define and interpret any structural residues and/or artefact material evidence referable to the use and occupation of the study area by the former Sim House and the Sim's Foundry.

The adequacy and reliability of the recommended investigation and management procedures has been assessed as satisfying the requirements of:

a. the Act;

b. Regulation 5.10 of the LEP; and

c. Articles 25, 27, 30, 31, 32 and 33 of the Burra Charter.

Otherwise than as above, on the grounds of the historical archaeology and heritage values of the study area, there appears to be no reason for further constraint or modification of the project.

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APPENDICES

1 Listing Detail, Maitland LEP.
2 Copies, NSW State Heritage Register and Inventory Material.
3 Copy: Excavation Permit #S140,2020.006.

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1.0 INTRODUCTION

The Principal, as property owner, commissioned Maxim to undertake additional study, analysis and reporting of the historical archaeology of the study area in the light of further changes made to the style and nature of the development of the project. The study area is projected still for redevelopment for low-rise residential purposes. The project calls for the development approval of the Council, while compliance with the LEP called for referral of the project to Heritage, which has been acknowledged with the issue of an Excavation Permit. Proposed work is subject to the need for management of historical heritage resources that might suffer impact in consequence of the project. The collective works involved in the project are referred to in this report as 'project works'.

This report documents that study and analysis. The study area has been evaluated according to standardised criteria by reference to the determinable individual elements of its past and present structural archaeological and historical heritage and their collective values as components of the historic heritage of the study area and its locality. This report does not address the potential of the study area as a resource for Indigenous cultural heritage.

1.1 OBJECTIVES OF THE STUDY

The objectives of the study are predicated against the incidents of the project and the potential of project works to expose, disturb, discover and/or damage items of material heritage evidence of former use and occupation of the site. The only real potential for heritage significance on the study area lies in the eastern aspect, being the site of Peter Sim's residence and the various buildings comprising Sim's Foundry.

Historical material relating to the development and evolving use of the study area is relatively diverse. This study integrated the results of investigation of the archaeological and historical records and the physical evidence of the study area. The principal objectives of the study were to identify, evaluate and propose appropriate management protocols for material cultural evidence that may be located on the study area and/or at some risk from direct or peripheral effects of the development.

Within the framework of this general objective, the study was undertaken on the basis that it may identify archaeological resources within, and provide insights into the development of, the study area and its occupational, functional and social fabric that are not available from the historical record. In abstract, archaeological interpretation of the study area individually, and collectively/comparatively with other archaeological and historical studies, may advance the pursuit of such relevant themes as:

i. the socio-economic development and use of land and resources in a small community but initially focal transport centre from the mid-19th Century up to the present time (the period);

ii. the social component of developing rural industry and working in a location, originally remote from close settlement, during the period;

iii. the original technologies in land-use, and their evolution during the period;

iv. the relationship between industry, transport, population, effective land-use and external economic forces; and

v. in respect of all of the above, the different emphases and inferences that may attach to the historical phases of use/occupation/development of the study area.

Within this context, this study reviews an earlier evaluation of the cultural significance of the archaeological resource of the study area and makes a formal Statement of Heritage Impact. After reviewing issues and options for management, recommendations are made about the management of the archaeological and heritage values of the study area and its environs, and about the impact on heritage values of the project. The present study will provide the more substantive study of the sub-surface material evidence of the study area that builds on the preliminary studies undertaken earlier by the writer[1]

1.2 FEATURES OF THE STUDY AREA

The study area is located with a frontage to Swan Street in the township of Morpeth, New South Wales. The study area lies at the eastern extent of the business area of the town, on the southern side of the main street, and is readily accessible from Swan Street.

Other relevant information about the location of the study area is shown in **Table 1.1**.

Table 1.1 - Location Data

Topographic Map Sheet	**92324S-Maitland**
Grid reference/range	**$_{3}$71390.$_{63}$78180 (Centre Frontage)**
Cadastral	**Lot 1, DP521620; Lots 1 and 3, DP538510; Lot 32, DP1077466**
Parish	**Morpeth**
County	**Northumberland**
Local Government Area	**Maitland**

The regional location of the study area is shown on **Figure 1.1**, and the study area is defined on **Figure 1.2**.

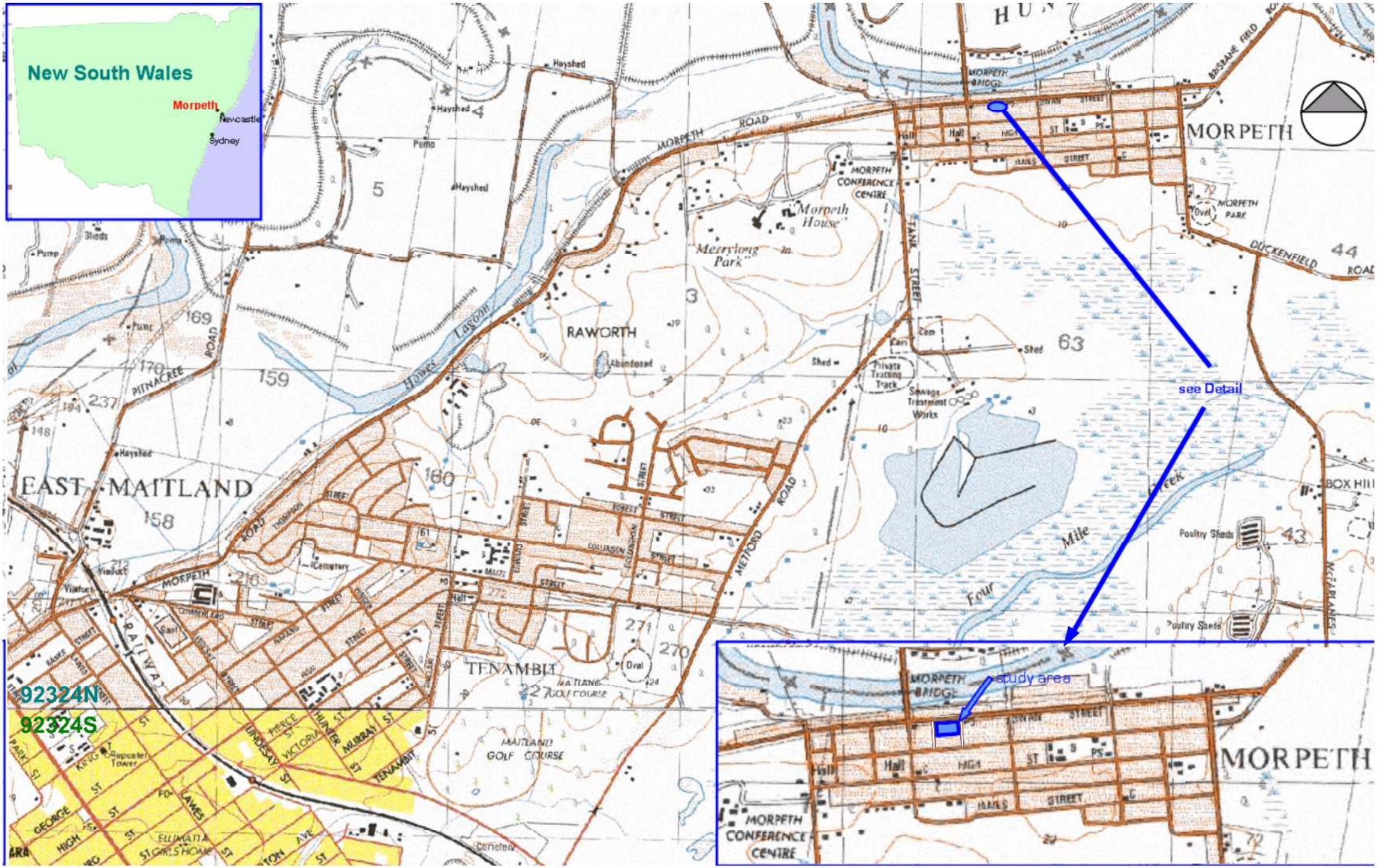
1.3 ZONING AND DEVELOPMENT CONTROLS

The study area falls within the ambit of the LEP, pursuant to which it is located in the Morpeth Zone 3(a) - General Business. Constraints applied pursuant to this zoning include that no development is allowed without development consent, that development will be allowed only with consent in respect of those developments that are not prohibited and that a range of developments are prohibited[2].

Pursuant to the LEP, the study area is also located within the Morpeth Heritage Conservation Area. The implications of this zoning are contained within Part 9 of the LEP, particularly at paragraphs 33

[1] Nexus, 2006 and Maxim 2012.

[2] Prohibited are: brothels, hazardous industries, hazardous storage, industry, light industry, materials recycling depot, offensive industry, restricted premises, vehicle body repair workshop, vehicle repair station.



Archaeology maxim Heritage	Scale: 1.0 Km Grid	Client: GHT Holdings P/L Reference: 190101	Source: LPI: NSW Topo Maps 92324N & 92324S	Title: Regional Location: Study Area	Figure 1.1

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Archaeology maxim Heritage	Scale: See Bar Scale	Client: GHT Holdings P/L Reference: 190101	Source: Survey: Scott, Crisp & Dilley P/L #10467B	Title: Study Area Detail	Figure 1.2

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and 38. As relevant to the present project[3], the requirements of paragraph 33 are that, in a conservation area:

1) *no work, exposure, demolition, destruction, damage, modification or construction of a building or relic can be undertaken without Council's consent;*

2) *Council's consent to a development application may not be given without an assessment of the impact of the projected development on the heritage values of the conservation area;*

3) *– – –*

4) *Restrictions are waived in respect of developments of a minor nature or that do not adversely impact on heritage values.*

Paragraph 38 reflects on developments projected in proximity to a heritage item, requiring Council to assess the impact of the projected development on the proximate heritage element.

DA having been lodged, Council has further required more expansive study of the potential for contamination in the surface and understrata of the study area, a process determined to require exploratory drilling and possible further excavation of contaminated soil.

1.4 METHODOLOGY AND REPORTING

This study and analysis has been undertaken broadly within the framework of the *NSW Heritage Manual* of Heritage and the then Department of Infrastructure, Planning, and Natural Resources, NSW. The sequential steps of the study have been as follows:

i. the relevant context of the study area has been researched and analysed:

a) with particular attention to dominant aspects of its post-contact occupation and land use, the archaeological and historical records of the study area have been researched and abstracted;

b) the physical context of the study area has been determined by field survey, with particular attention to previously identified elements. The observations made during field survey were recorded by field notes and digital photography;

c) on the basis of a synthesis of the elements of context, a predictive model of distribution has been developed. As a reflection of the predictive model of distribution, the curtilage of the study area has been determined and its sensitivity has been zoned into areas of high, moderate and low archaeological potential. The curtilage and zoning of the study area is defined and is shown in plan herein;

ii. the heritage values of the study area have been defined in **Chapter 3**, in respect of which:

a) *the cultural significance of the archaeological resource* has been assessed/reviewed and a formal statement of cultural significance is made;

[3] ie: limited to demolition of existing buildings to surface level

b) *the condition and integrity of the archaeological resource* has been reviewed;

c) *current research themes relevant to the study area*: have been identified;

d) an appreciation of the *physical impact of proposed redevelopment* has been developed and assessed; and

e) a formal *Statement of Heritage Impact* made;

iii. management of the heritage values of the study area, in the light of the project, has been addressed in detail in **Chapter 4**, by reference to:

a) the issues that have been raised for management;

b) the options for management of the archaeological /heritage resource and its values;

c) the research questions that should be directed to the study area in the course of management of the archaeological/heritage resource; and

d) recommendations for the management of the archaeological/heritage resource.

1.5 STUDY PERSONNEL

Paul Rheinberger, Principal Archaeologist, Maxim, conducted the research of the archaeological and physical contexts and the review and research of the historical context for this assessment. He wrote this report, which has been peer-reviewed by Ross Gam, Principal Archaeologist, Maxim.

2.0 THE CONTEXT OF THE STUDY AREA

2.1 THE CONCEPT OF CONTEXT

Archaeology exists within context: that is to say that the material evidence that is the target of archaeological study can only be properly understood in terms of those factors that have contributed to its creation, introduction to a site, use or function, deposition, survival, stratigraphy and exposure. In this environment, material evidence derives meaning particular to its site or location and similarly contributes enhanced meaning to and understanding of its site by complementing the oral or archival record. It is convenient to address the context of a study area in terms of its archaeological context (see **Chapter 2.2**), historical context (see **Chapter 2.3**) and physical context (see **Chapter 2.4**), where the first two headings indicate documentary research and review of previous archaeological and historical studies. The latter refers to the attributes identified in the course of physical inspection of the site.

The integration of the archaeological, historical and physical components of context assists in determining the area within which it is anticipated that archaeological sensitivity may exist. The study area may then be zoned accordingly using a three-level definition of sensitivity to assist in the determination of the extent of the curtilage of a place or relic (see **Chapter 2.5**).

2.2 ARCHAEOLOGICAL CONTEXT

The land-based archaeology of the locality of the study area appears to have been previously studied in some detail with its surrounding area in the course of the heritage studies for the City of Maitland Local Environmental Plan (1993 – the LEP). The study area is not recorded in the LEP, but is located within the Morpeth Heritage Conservation Area.

Furthermore, the LEP recorded and assessed the significance of the following sites and heritage resources in Morpeth, in close proximity to the study area:

Part 1 Heritage items [Excerpt]

Suburb	Item name	Address	Property description	Significance	Item no
Morpeth	Morpeth Bridge over the Hunter River	Northumberland Street	Road reserve	State	I205
Morpeth	White's Factory	7 Robert Street	Lots 3 and 4, DP 592403	Local	I206
Morpeth	Former Queens Wharf and Railway Station	90 Swan Street	Lot 1, DP 714289	Local	I208
Morpeth	Post office and residence	105 Swan Street	Lot A, DP 411508	Local	I209
Morpeth	Former Bond Store group	122 Swan Street	Lots 1, 2, 5 and 6, DP 260922; Lots 7 and 8, DP 628665	Local	I210

Part 1 Heritage items [Excerpt cont]

Suburb	Item name	Address	Property description	Significance	Item no
Morpeth	Former courthouse	123 Swan Street	Part Lot 1, DP 526098	Local	I211
Morpeth	Commercial Hotel	127 Swan Street	Lot 1, DP 744896	Local	I212
Morpeth	Former CBC Bank	149 Swan Street	Lot 10, DP 57156	Local	I213

Part 2 Heritage conservation areas

Description	Identification on Heritage Map	Significance	Item no
Morpeth Heritage Conservation Area	Shown by red hatching and marked "C6"	Local	C6

The study area is not contained in any listing of heritage items for the classification of Morpeth. An annotated map of the heritage resources of Morpeth is attached as ***Figure 2.1.*** The complete listings of heritage resources in the LEP and SHR/SHI are detailed respectively at **Appendices 1 and 2** of this report.

In brief, research of:

i. the SHR and SHI maintained by the NSW Heritage Council, revealed that;

   a) Morpeth Bridge (Item 206 in the LEP) is entered on the SHR,
   b) all other resources itemised on the LEP are entered on the SHI.

ii. the Registers of the

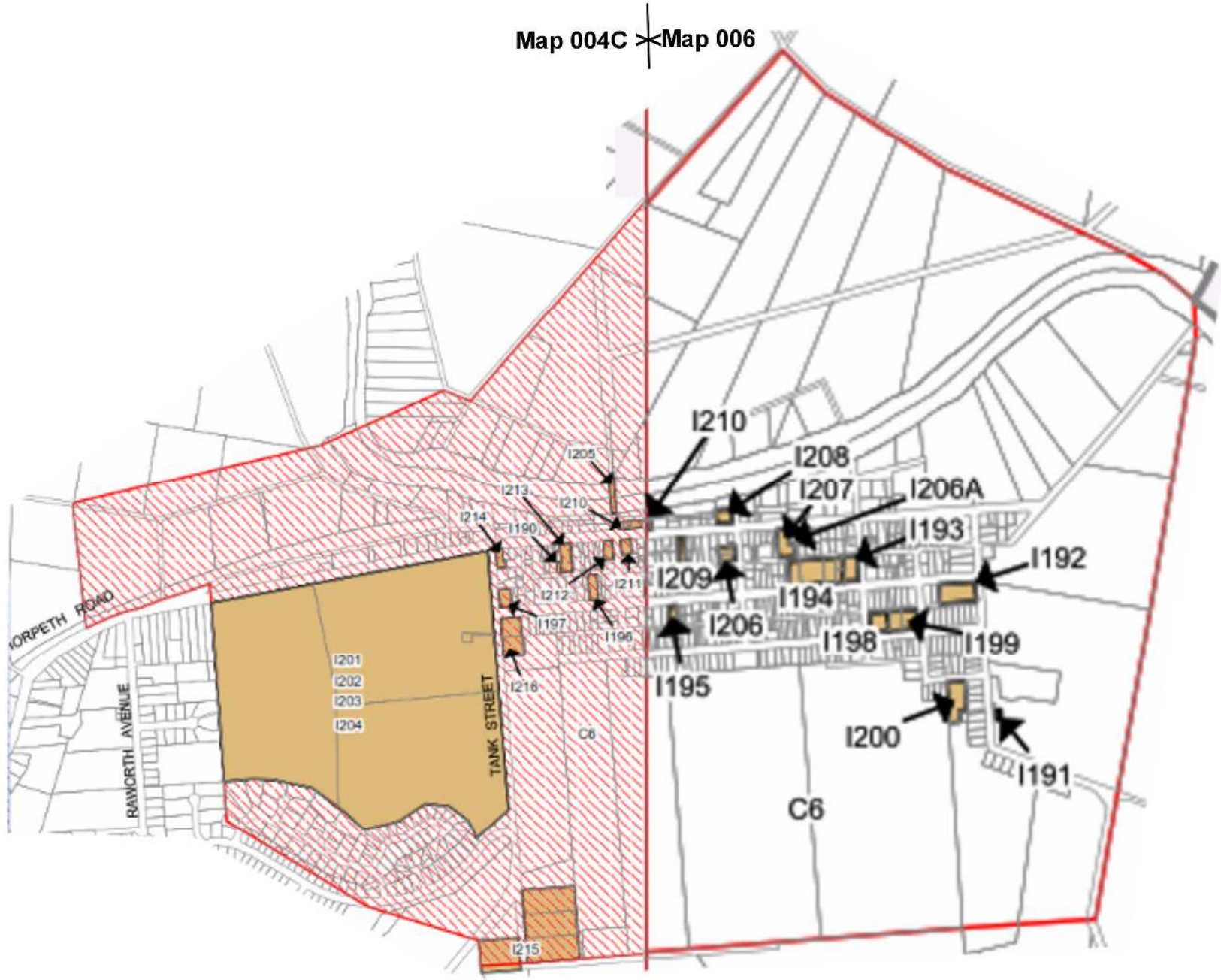
   a) National Estate maintained by the Australian Heritage Commission; and
   b) National Trust (NSW)…

…disclosed no heritage resources within or proximate to the study area that are not disclosed in the LEP.

2.3 HISTORICAL CONTEXT

The historical research of the use, occupation and development of the study area has been limited specifically to those contexts that have a direct relationship to archaeological study and the evaluation of historic heritage of the study area. Observations of the social and industrial development of the study area and its surrounding district acknowledge the work of historian, Cynthia Hunter[4] and an unattributed manuscript[5]. Research has been directed under the two heads that appear relevant to the realisation of the heritage implications of the study area, summarised as the personalities of **Duncan Sim and his family** and the historical development of **the study area** and the **nature and evolution of Sim's business**.

[4] Hunter, C, 1999. Sim's Foundry site, Morpeth, Historical Assessment, unpub.
[5] nd. D Sim & Sons, Engineers &c, unpub.



Archaeology Heritage	Scale: No Scale	Client: GHT Holdings P/L Reference: 190101	Source: Maitland LEP Maps: 004C and 006	Title: Morpeth Heritage Resources	Figure 2.1

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2.3.1 Duncan Sim and his Family

The Sim family of Morpeth was founded by Duncan Sim, born 7 February 1818 at Dumbarton, Scotland to Robert and Margaret (McNab) Sim. In Scotland, he took a trade as a calico printer but the historical record indicates that Duncan arrived in the colony of NSW in 1842 having worked his passage as a steward. He had been promised employment in NSW but found on his arrival that the position offered was as overseer of a prison gang[6]: not to his liking because he could not countenance flogging. As an alternative, he joined Henry Geering as a wheelwright and smith[7] at Hinton, at no great distance from Morpeth but by 1846 was self-employed in that business as a sole trader[8]. In one momentous year, 1849, he was married to Sarah Ingall[9], later moved his business to Morpeth and welcomed the birth of his first child, Hannah[10]. Sarah, born 1828, came to Morpeth about 1839 with her parents Thomas and Hannah. Thomas was a farmer and took a position as overseer/steward with EC Close at Morpeth[11].

Duncan and Sarah appear to have had nine surviving children. Jane was reportedly born 1860 and died in the following year; another daughter, Isabella, was referred to in commercial records, reportedly born 1851, but no registration of birth, marriage or death was located on search. Remaining after Hannah (1849-1934) were: Thomas (1852-1921), Catherine (b1854-nd), Robert (1856-1929), Peter (1858-1935), Duncan (1862-1921), James (1864-1924), Mary (1866-nd [m.Collard 1892]) and Ernest (1868-1911)[12].

In 1853, Sim succumbed to the call of the Victorian gold rush, leaving Sarah and two children in Morpeth. In a relatively short time, he returned to former business and quickly graduated to a foundry for iron and brass wares. Duncan progressively integrated his six sons into various special fields within the family business[13]. Sim's dependence on working as a simple blacksmith evolved into an industrial scale and the wheelwright business took a backward step when John Tobin, set up residence with his family and his business, more as farrier than blacksmith and wheelwright, on the south-western corner of the Swan/Market Streets intersection (see ***Figure 2.2)***. Tobin's business was eventually burnt out in 1890

Within the Morpeth community, Duncan Sims took an active part, having already established himself as a progressive in the movement for a National School at Hinton in 1848[14]. 1851 saw him active on the hustings supporting Mr GR Nicholls[15] and he took part in a meetings at Morpeth in 1853 to complain about road tolls[16], when his community stature appears confirmed by his association in company with Messrs Close, Portus, Telfer, Naisby, Cameron and Captain Bates. Over the 40-odd years of his association with Morpeth, Duncan Sim was a member of the local Council for its first 17 years, mayor for four terms, a member of the provisional committee to construct the railway connection from Morpeth to East Maitland and active in promotion of the national school and School of Arts[17]. He was appointed to the magistracy in 1882 and was a founder of the Farmers and Consumers Cooperative Agency Company.[18]

6 Phong-Annant and Stewart, 1983, 94.
7 In a letter, 1868, to his brother Peter in Boston, Duncan described his initial occupations as '"*Wheelwright and Agricultural implement maker*".
8 Elkin, 1937: 172 *et seq.*
9 McLeod, 1999: *passim*.
10 The *SM&NSWA* observed in an 1897 article that Sim established his foundry business in 1850.
11 Hunter, 1999: 8.
12 Ancestry and NSW BDM. Hunter did not acknowledge Catherine's birth, Jane's birth and death and refers to Susan, born in the same year as Peter, 1858, of whom no reference could be found in BDM.
13 Elkin, *loc cit*.
14 Maitland Mercury newspaper, 8/11/1848, *Hinton Public Meeting*.
15 *Ibid*, 16/8/1851, *To George Robert Nichols, Esq, Sydney.*
16 *Ibid*, 2810/1853 *The Road Tolls-Public Meeting at Morpeth.*
17 Elkin, *op cit.*
18 Turner, 1984, reprinting Morrison 1888.

In the face of these attributes, despite its demonstrated community commitment, probably the greatest contribution of Duncan Sim and his family over ≈77 years to the town and district was **Sim and Sons Foundry**. The business was directed by Duncan Sim until his death in 1892. Joseph S Sim (1903-81, the son of Ernest Sim), in an unpublished manuscript, recalled that in about 1910, of Duncan senior's descendants, sons Thomas ran the Blacksmith's shop, Peter the Machine Shop and Assembly process, Duncan Junior (presumably succeeding his father Robert) the Pattern Department and Woodworking shop and son Ernest the Foundry. Duncan's son Robert had moved from the workshop to administration and by 1897 was joint principal of the business with brother James[19].

In recognition of his contribution, and that of his family, to the financial and social development of Morpeth and the broader district, Duncan Sim was inducted into the Maitland Hall of Fame in 2017.

2.3.2 Study Area and D Sim & Sons

The tracing of Morpeth settlement copied and detailed in **Figure 2.3,** produced on 13 July 1854, plotted the disposition of town allotments, particularly of interest here, along Swan Street. Although there appears to have been already some subdivision occurring, the basic allotment frontage was 203 links (≈140' or ≈42.67m). The tracing identified the site of the study area between Market Street and Post Office Lane (now William Street) and characterised the study area as two adjoining allotments fronting Swan Street. The larger eastern allotment had a full 203 link frontage to Swan Street, with an eastern frontage to Post Office Lane. This allotment was positively identified to 'Sim'. The western allotment was the residue of a full width allotment after the excision of Market Street and had a little less than one-half the frontage of the eastern allotment. It is thus possible that (possibly under a 'Building Lease') Duncan Sim already occupied the greater part of the study area prior to its purchase, but in 1858, he took a conveyance from EC Close of land described therein by metes and bounds, but summarised as westerly from 'Post Office Street', now Williams Street, between Swan and Close Streets (232'3¼" or 70.79m), for a distance to 133'11¾" (40.83m): thus accommodating the frontage of the eastern allotment mentioned above. It was this parcel of land that Sim developed for his business, relying on its Swan Street exposure[20].

One of Sim's early actions was the excision of an irregularly shaped parcel on the easterly extremity for conveyance to Peter Sim as a housing block (see Sim's sketch copied as ***Figure 2.4***). Duncan Sim had both brother and son named Peter, but the Peter Sim of the housing block would appear most likely to have been his brother. His son Peter was not born until 1858 and was subsequently described as living at a house opening to Close Street, behind the works. Brother Peter emigrated to America and was resident in Boston in 1868 when Duncan wrote to him[21]. The housing parcel had a frontage of 28' (8.53m) to Swan Street and projected south at that width for 54' (16.46m) before opening to 55' (16.76m), its frontage to Close Street. The fact that the narrower part of this parcel of land followed the eastern and southern boundaries of foundry building(s) suggests that the latter buildings were already in existence at the time of subdivision. The occupation/construction of features associated with Sim's foundry undertaking is shown on Sim's sketch attached as ***Figure 2.5.***

It will be seen that this sketch identified:

i) an easternmost building containing features that are identified as 'Old House', 'Patterns' [Store?], 'Old Brass' [Foundry?]. The description of parts of the building as 'old' house and 'old' brass suggests that it may have been in existence for a considerable period before the construction of substantial

[19] SM&NSWA, issue 6 March 1897:496

[20] It is presently not clear when he acquired the eastern allotment, but he obviously did so at a later stage, thus taking the full frontage to Swan Street between William Street and Post Office Lane.

[21] Hunter, *op cit,* 10-12

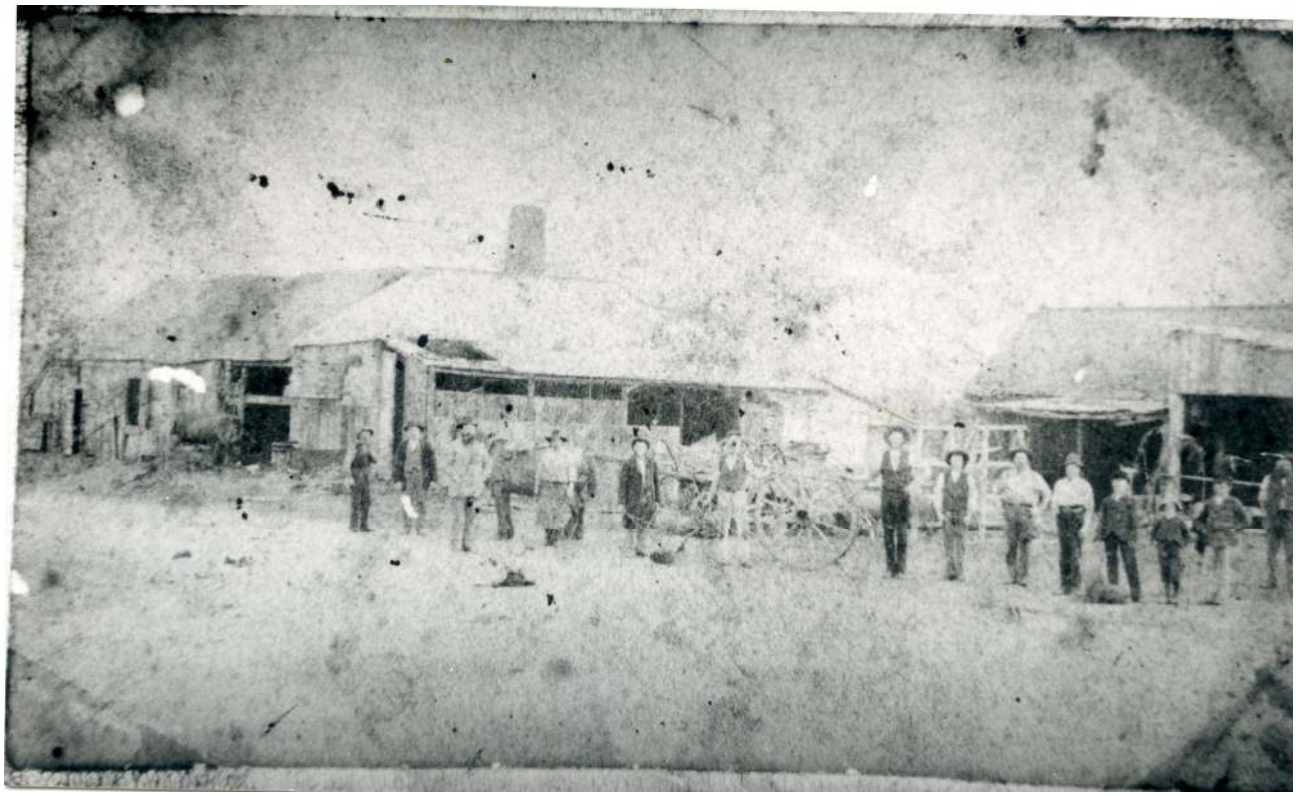

Figure 2.2

Undated, this photograph shows a group of local people outside the smithy operated by John Tobin in the back yard of his cottage, seen at left background, frontage to Swan Street. The right elevation of Tobin's buildings bordered Market Lane.

Source: Living Histories, UoN and Morpeth Museum.

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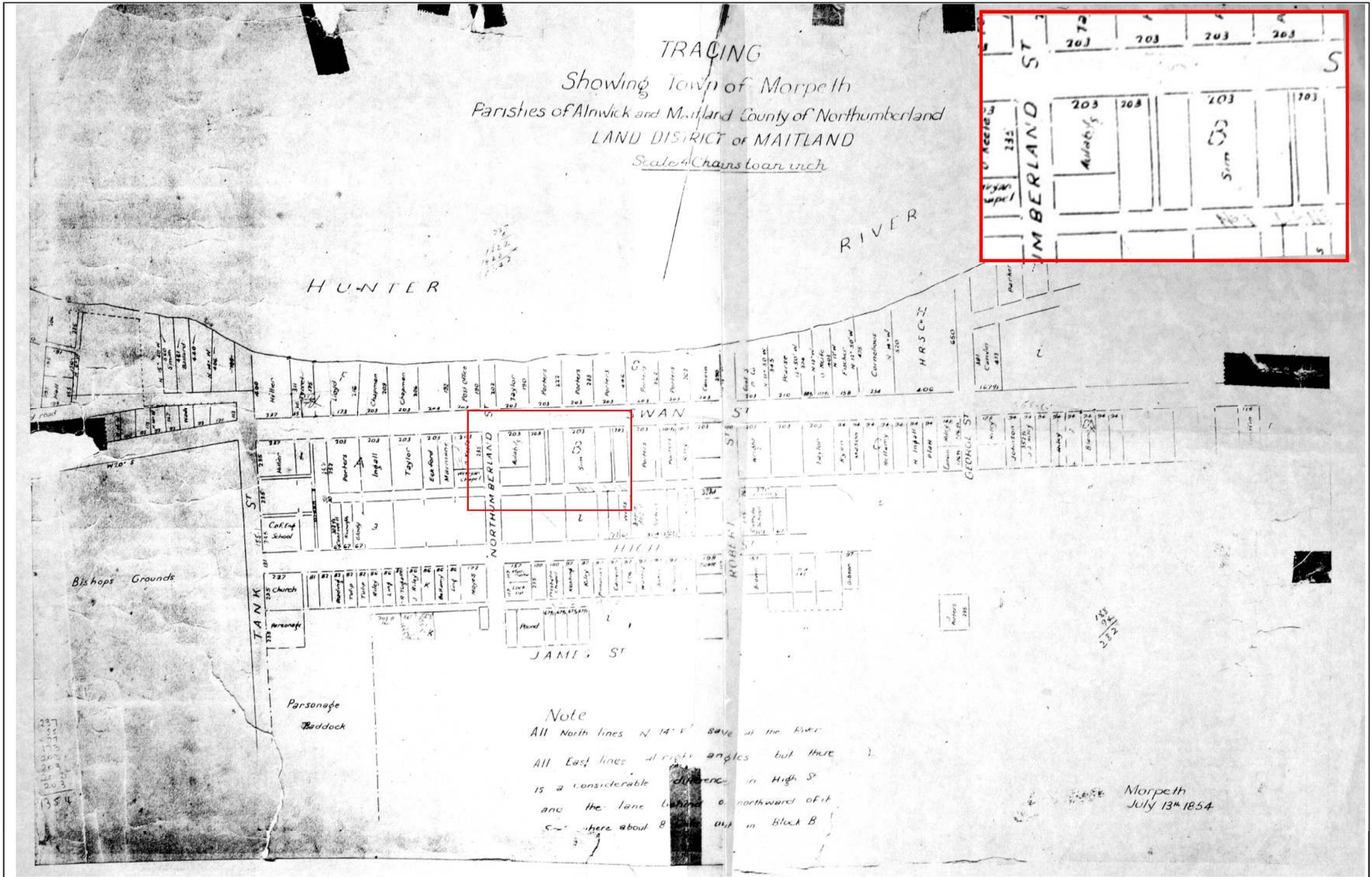

Archaeology Maxim Heritage	Scale: See Dimensions	Client: GHT Holdings P/L Reference: 190101	Source: Maitland City Council: Morpeth Maps	Title: Morpeth Layout: Study Area in 1854	Figure 2.2

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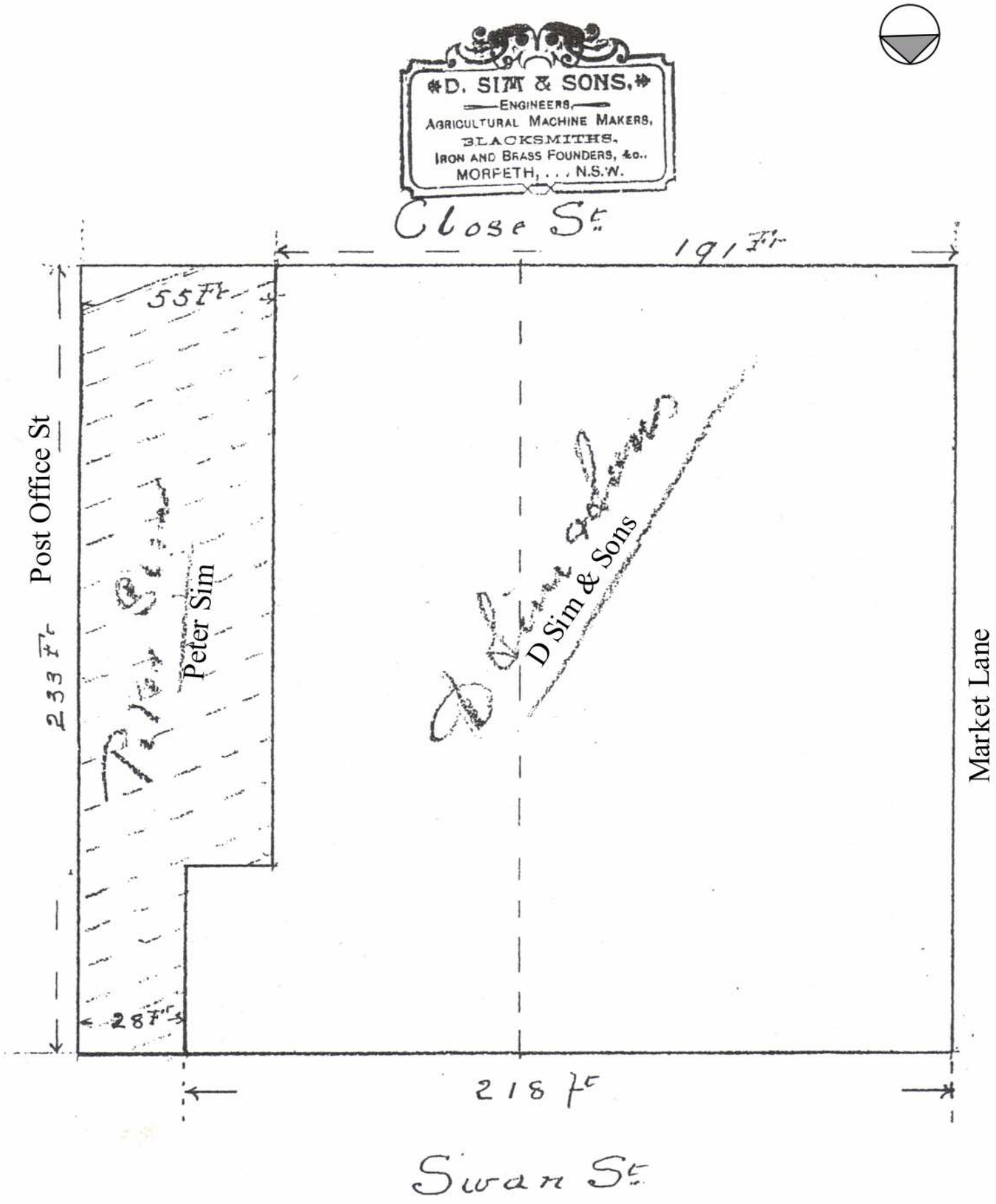

maxim Archaeology Heritage	Scale: See Dimensions	Client: GHT Holdings P/L Reference: 190101	Source: Sim Papers: by courtesy of Mrs J MacLeod	Title: D Sim's plan of his Swan Street holding	FIGURE 2.4

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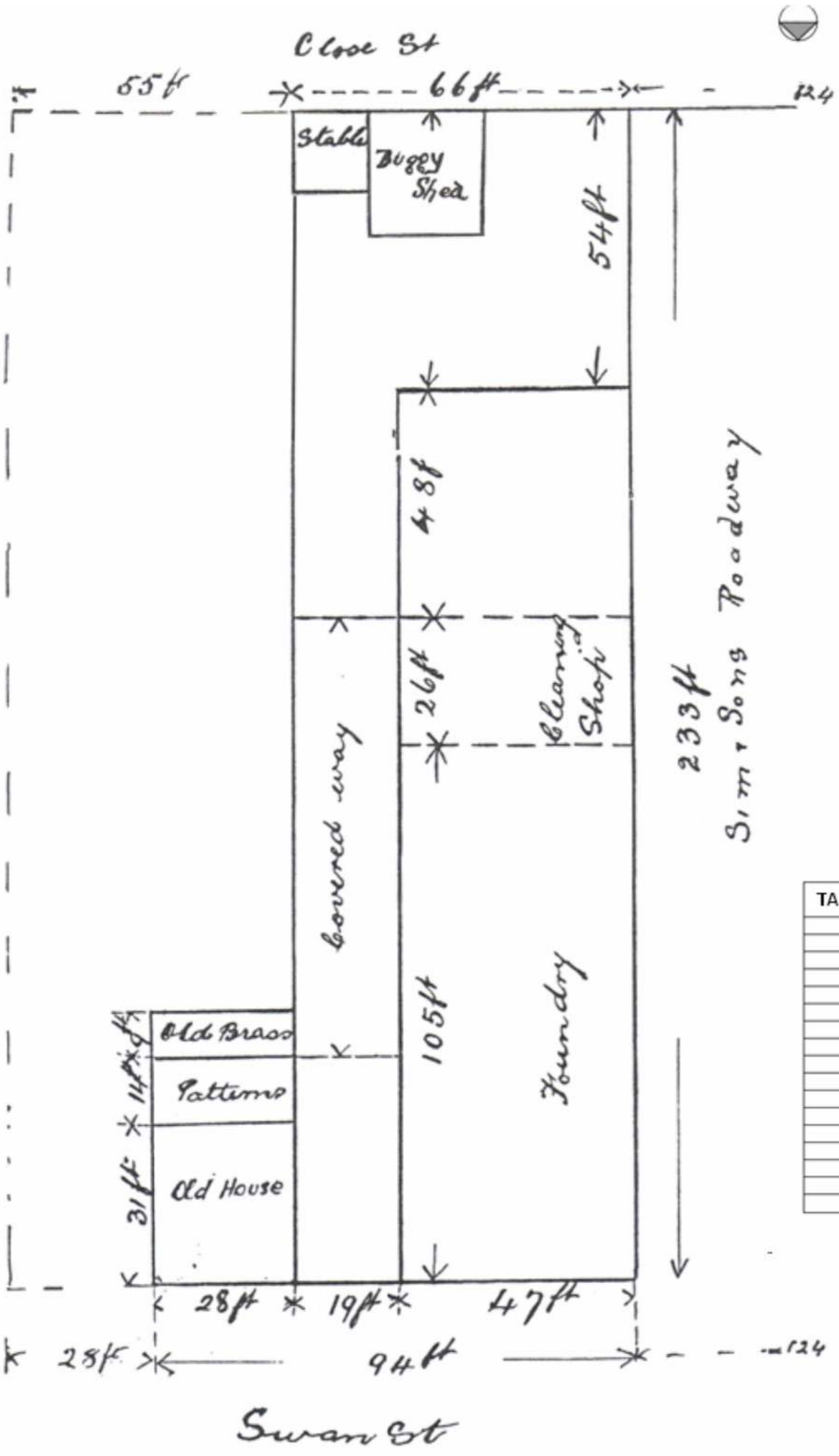

TABLE OF CONVERSIONS	
feet	metres
9	2.74
14	4.27
19	5.79
26	7.92
28	8.53
31	9.45
47	14.32
48	14.63
54	16.46
55	16.76
66	20.12
94	28.65
105	32.00
191	58.21
218	66.44
233	71.01

Archaeology maxim Heritage	Scale: See Dimensions	Client: GHT Holdings P/L Reference: 190101	Source: Sim Papers: by courtesy of Mrs J MacLeod	Title: D Sim's plan of Smelter Infrastructure	FIGURE 2.5

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foundry buildings to the west. Indeed, the building may have been Sim's original home and business premises, perhaps as Hunter suggests, built pursuant to a building lease from Close prior to Sim's purchase of the land;

ii) a passageway of vehicular width passing between the 'old' building and the foundry complex, leading from a 19' frontage to Swan Street to a manoeuvring yard and Stables and Buggy Shed on the Close Street frontage, south of the rear alignment of the Foundry Building(s);

iii) the foundry complex – building(s) with a frontage of 47' (14.32m) to Swan Street, shown as 'Foundry', 105' (32.00m), southerly of which lay a 'Cleaning Shop' 26' (7.92m) deep and an unnamed room or building 48' (14.63m) deep; and

iv) abutting the western side of the Foundry complex, a feature called 'Sim & Sons Roadway'. Hunter observed that if this road was 12' (3.66m) wide, it would neatly round off the total frontage of that parcel of land to Swan and Close Streets.

On the other hand, it seems unlikely that Sim would have been constrained by the boundaries of his above purchase. The clear indication on ***Figure 2.4*** is that, by the time he drew the plan, he had also acquired the land between the western boundary of his above purchase and the alignment of Market Street, between Swan and Close Streets. On ***Figure 2.4*** it will also be noted that while both Peter Sim's block, and the total allotment within the alignments of Post Office, Swan, Close and Market (Lane) Streets are defined by unbroken lines, the western boundary of Sim's above purchase is (approximately) defined by a broken line. Furthermore, the residual northern (218' or 66.44m) and southern (191' or 58.21m) boundaries were measured from the Market (Lane) Street alignment. Similarly, ***Figure 2.5*** did not define the extent of 'Sim & Sons Roadway' but obviously measured the residue of street frontages to Swan and Close Streets at 124' (37.79m) between the western boundary of the Foundry complex and the eastern alignment of Market Street. It will be an exercise of the future study of the historical archaeology of the study area to resolve the issue of its original ownership by inquiry of the Sim Papers or Old System title search. Views of the structures are very limited but ***Figures 2.6 to 2.10*** provide some idea of the nature of the industrial buildings

The output of the business evolved gradually. In 1859 the business was employing a mill hand, two wheelwrights, five apprentices and a general hand[22]. From that point, the employment and focus of the business rapidly expanded. As observed above, the blacksmith shop continued at an industrial level and wheelwright operations took second place to a more ambitious program. The undertaking blossomed: iron and brass foundries, manufacture of machinery for secondary industry, agriculture, mining and railways, as well as the base work of engineering and boiler repairs[23]. Well after Sim died, the foundry employed about 60 persons.

In 1868, Sim wrote to his brother Peter that he had one of the 'largest establishments out of Sydney' and prospered in the face of poor agricultural conditions because he was manufacturing railway trucks of the type known as 'D trucks' (see ***Figure 2.11***), the ubiquitous open goods truck of the period, replaced by the 'S truck' the first quarter of the 20th Century. He had completed one contract for 30 trucks and had just won another contract for 20 more, although his main business revolved around agriculture, road transport and, (oddly enough) broom-making machinery[24]. The varied manufacture of the foundry is survived locally by an oven door from the original Arnott's biscuit oven off Swan Street (***Figure 2.12***) and the cast iron verandah posts of the Commercial Hotel (***Figure 2.13***) In ***Figure 2.6*** three hay rakes featured in 1885 and in 1911, a similar display drew attention at the Maitland Show, recorded by the Daily Mail newspaper (***Figure 2.14***).

22 Hunter, *op cit*: 9.
23 Elkin, *loc cit* and Hunter*, loc.cit.*
24 Letter, Sim to his brother, in Armstrong, J, 1983, *Shaping the Hunter…* Hunter, *ibid.*

In 1892, Duncan Sim died and the undertaking of the foundry passed to his sons, by whom it was operated successfully until its sale in 1926. Peter Sim, the last of Duncan and Sarah's children, was predeceased By James in 1926 but survived until 1935. JD Coulson, who purchased the operation in 1926, continued the undertaking but the depression post-1929 and the competition of heavy industries in Newcastle contributed to its closure in the early 1930s, after which the foundry buildings were demolished. The whole of the plant was auctioned in 1936.

The western aspect of the Swan Street frontage of Sim's parcel of land was purchased in the 1940s by Edward George & Millicent Jeanette Dee, who, in 1947, built a motor service station (later Griffin Motors) in the style of similar facilities of the 1920s, and in a later development, adjoining the commercial premises, a residential building, part of two storeys with a single storey section, all semi-detached (see ***Figure 2.15)***. The whole of these semi-detached premises were the subject of archaeological investigation and report in 2006[25] and photographic archival recording in 2012[26]. In the result, Council approved the demolition of these buildings to ground level only, and demolition commenced shortly after archival recording had been completed. The demolition was not completed at that time but is currently in progress. Furthermore, in association with the latest site use, that of Griffin Motors, a substantial levelling fill was bought on site and a concrete slab poured as the floor of a Volvo truck display and service annexe.

Some conjecture may exist concerning the demolition of the former Peter Sim residence. Hunter suggested that the residence was demolished around 1949 while Insite Heritage suggested that the Swan Street frontage of Sim developments was fully cleared 70 years before that report. An aerial photograph from the Hunter Collection submitted with the report of Insite Heritage (see ***Figure 2.16***) is suggested to date from circa-1949, but clearly shows the two-storey residence extant at the time of the photograph. It seems most likely that demolition took place very late in the 1940s or perhaps early-1950s.

The result of archaeological and historical studies of the study area context indicates that prior to the construction of Griffin's Service Station in 1947-8, the eastern section of the study area had been structurally developed while the western had not. ***Figure 1.2*** clearly indicates that the eastern extent of the existing service station workshop overlies the footprint of the former westernmost foundry building by approximately one metre. By derivation, the former Sim's private road abutting the western wall of the foundry may be expected to lie wholly under the service station building. The only other use to which the remainder of the study may be expected to have been for either access, or perhaps for peripheral open space activities, for example possibly the assembly of machinery, fabrications and horse-drawn and railway vehicles and assembly and storage of larger foundry fabrications. Given these possibilities, the potential for exposure of archaeological material upon excavation of that part of the study area, occupied by the former service station and residence, decreases from a narrow strip on its eastern extremity, through a relatively narrow strip of former roadway to an area of anticipated substantial sterility over the majority to the western boundary on Market Street.

In addition to the above, the location/demolition of the Peter Sim house raises a serious consideration for projected excavation, which is addressed in **Chapter 2.4**.

[25] Nexus, 2006.
[26] - Nexus, 2012.

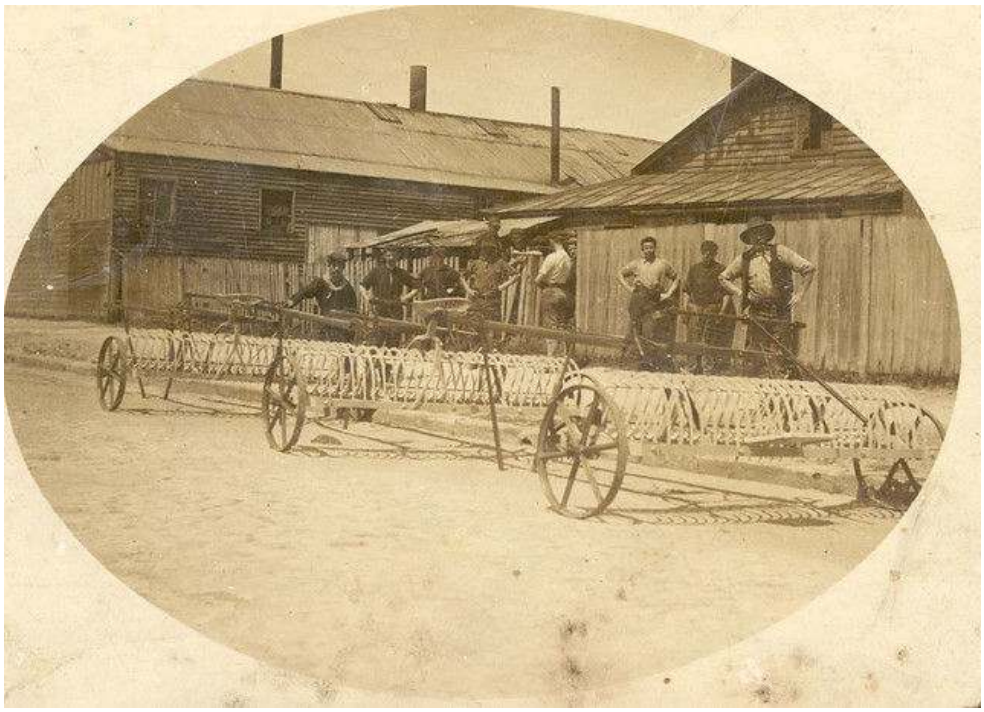

Figure 2.6

Reputed to date from c1885, and reputed to relate yto the 'back of the factory' [disputed by Sim papers holder, Judith MacLeod], this view nonetheless gives a clear indication of the style of building as well as the 'rake' of hay rakes obviously produced on-site.

Source: Picture Maitland, Maitland City Library
No Scale

Figure 2.7

Again representing a view of the rear of the works, here note the extensive use of round timber (tank stand), timber scantling cladding of the large background building showing signs of wear and CGI cladding of the foreground (hot process, note stack) building and all roofing, and elevated water supply.

Source: Picture Maitland, Maitland City Library
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D. SIM AND SONS, AGRICULTURAL ENGINEERS, MORPETH.

Figure 2.8

This engraving, appeared in the Sydney Mail in the 1890s and presents a generally faithful view of the street frontage of the easternmost foundry building. The representation of metal stacks compares favourably with those shown in Fig 2.6. Substantially the same elevation appears in...

Source: Sim Papers, by Courtesy of Mrs J MacLeod
No Scale

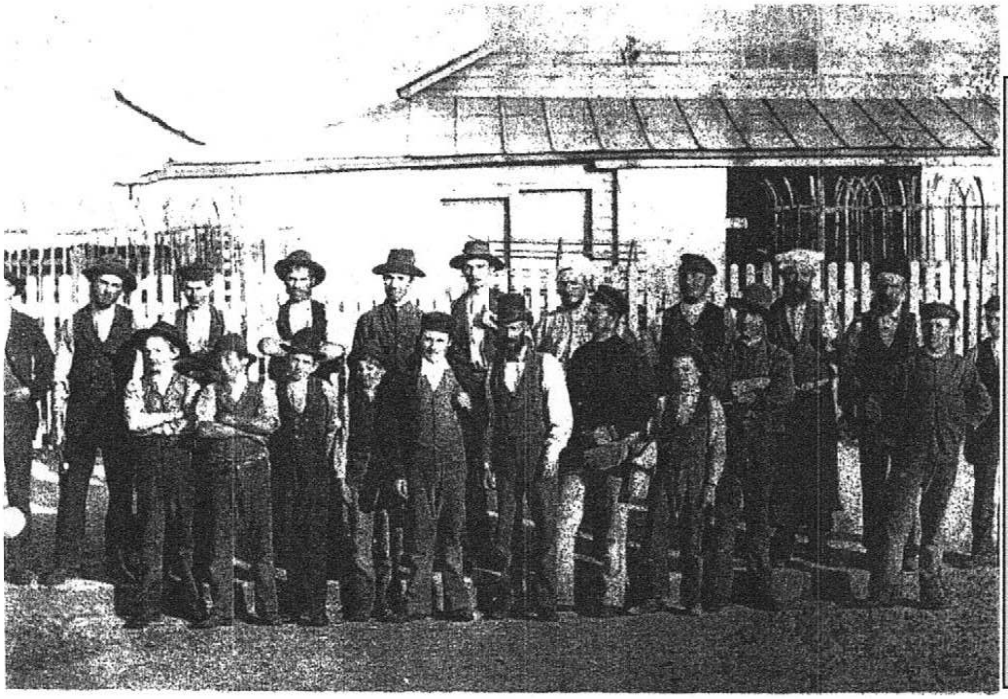

Figure 2.9

...this detail including 21 employees, some obviously young lads, in front of the eastern foundry building. In particular note the profile of the roofing metal, so distinct rom the more common CGI. The exposure values of this plate have been digitally enhanced but the scene has not been modified.

With regard to a matter that will be raised later, attention is drawn to the level of building floors, ie: virtually level with the natural ground of the roadway.

Source: Morpeth Museum
No Scale

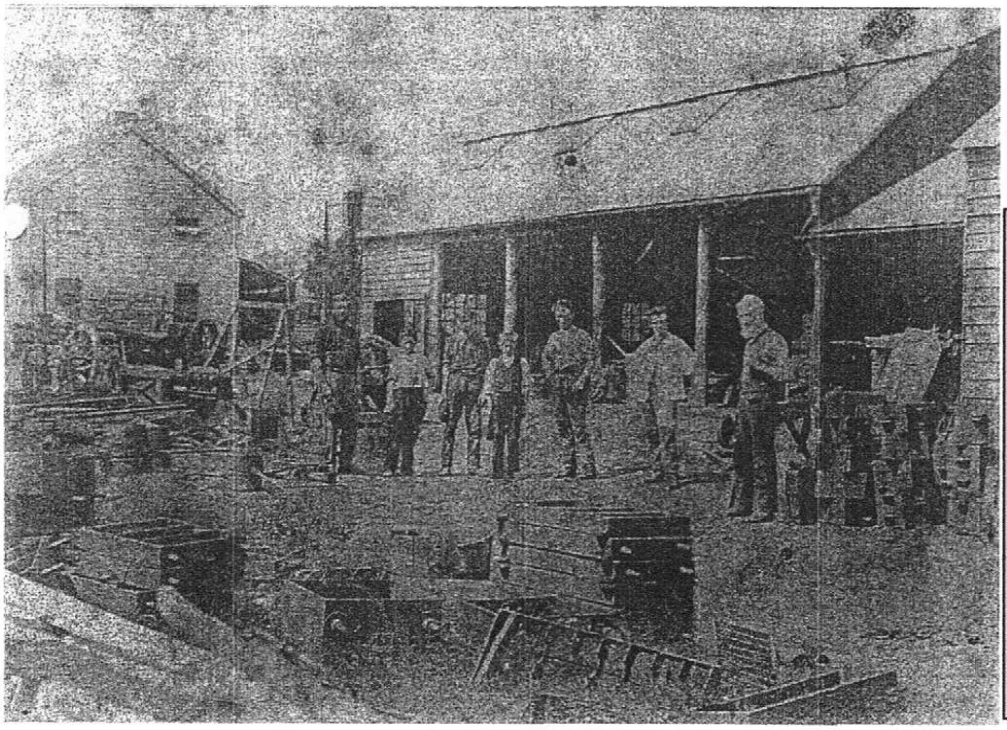

Figure 2.10

This plate was obviously in very poor condition and its exposure values have also been enhanced; no other modification has been made. Principally taken to record the employees, the plate nonetheless provides some view of what appears to be a mould storage area and possibly an assembly space. There is insufficient evidence to be more specific.

Paul Rheinberger
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Figure 2.11

Example of a 'D' type, general goods rail wagon, of the pattern being manufactured by Sim's Foundry in the late-1860s. This example was built by Clyde Engineering for use on the Newnes-Wolgan Valley shale oil refinery railway spur of Commonwealth Oil Refinery and remained in use until the 1930s. Class nominal dimensions were 18' long, 8' wide, with 3' side boards and capacity 10 tons.

Source:Clyde Engineering Archive
No Scale

ArcivesFigure 2.12

An early oven door manufactured by Sim before his sons involvement in the business. The door was supplied to the Arnott biscuit maker who established firstly on the northern side of Swan Street.

Source: Arnott Archives
No Scale

Figure 2.13

A row of cast iron verandah posts showing the Sim brand, along the Swan and Northumberland frontages of the Commercial Hotel

Source: Picture Maitland, Maitland City Library
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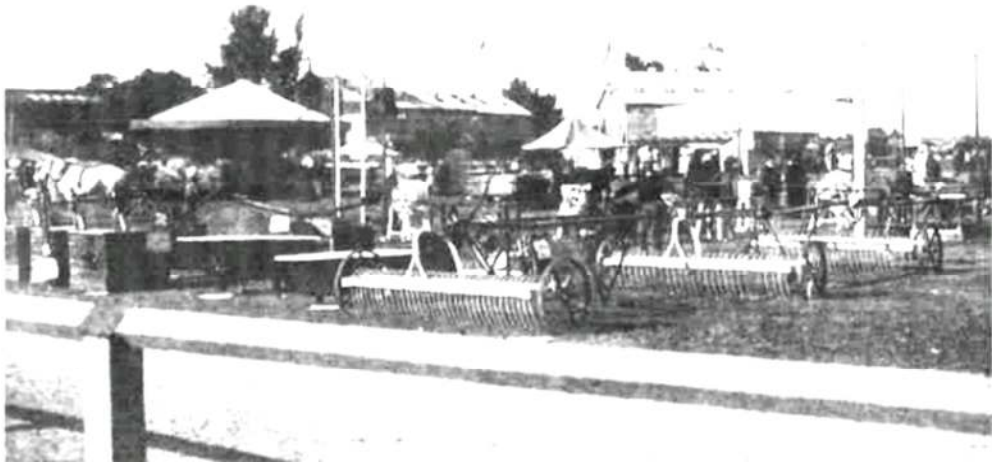

Figure 2.14

Captured by the Daily Mail photographer at Maitland Show in 1911, three hay rakes from the Sim and Sons works drew extravagant praise

Source: Picture Maitland, Maitland City Library
No Scale

Figure 2.15

A view of the Service Station and residential quarters built on the western sector of the study area: the photograph dates from the early 1980s

Source: Picture Maitland, Maitland City Library
No Scale

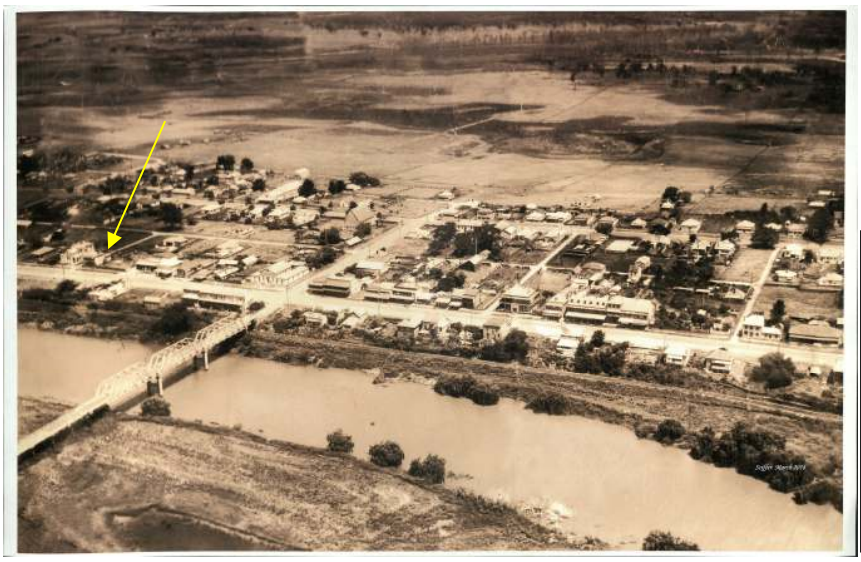

Figure 2.16

This aerial photograph of Morpeth dating from the 1940s, nominally 1949, confirms that at the time of capture, the two storey building formerly of Peter Sim, was still standing (indicated by yellow arrow).

Source:
Picture Maitland, Maitland City Library
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2.4 PHYSICAL CONTEXT

2.4.1 Methodology

The assessment of physical context results from observations made in the course of a physical archaeological surface survey of the study area. The study area was readily accessible from Swan Street, Market Street and William Street. At this time, access was not sought to buildings on the site, detailed photographic recording having been undertaken by us in 2012 (see below) . In general, the survey was confined to that part of the study area located easterly of the former Griffins Motor Garage structures and sought to identify and make a preliminary identification of material potential of that area.

Surface survey was undertaken to inquire of the study area whether there was any overt surface evidence of historically significant:

- structural, functional and transport platforms, earthworks and/or infrastructure;
- structural and machinery footings;
- residential and industrial/commercial operations and infrastructure;
- artefacts related to the use and occupation of that part of the study area.

2.4.2 Results of Field Surveys

Given the degree to which the western component of the study area has been studied and the limited archaeological potential it is anticipated to present, compounded by the continued presence of archaeologically insignificant structural development, no further comment appears warranted other than to acknowledge that the eastern aspect of the former service station and of overlies a ≈1.0m strip of the western side of the western foundry building and a wider strip of the former Simi and Sons road. This situation demands attention during the excavation process.

In respect of the eastern component of the site, the following observations are material:

i) There is good reason to believe that the area has been filled gradually:

a) from the eastern wall of the service station at which there appears to be little if any fill although the surface has been significantly disturbed by the laying of a bitumen road surface;
b) from the eastern edge of bitumen, a gradual rise over ≈15m, elevating the surface by ≈600-700mm;
c) to the eastern boundary of the study area at which it appears that the area has been filled to a depth of between 700 and 800mm;
d) the elevation of ground level is retained by a buttressed double brick wall ranging between seven and nine courses.

In this latter regard, we draw attention to the matter of ground level in the household footprint demonstrated by ***Figures 2.17***, and in particular to the indication of the height of the verandah floor of the house, a single step above footpath level. It might be expected that this step would be of the order of ≈150mm and any step from the verandah to the floor of the dwelling would be similar. The dwelling ground floor might then be expected to have a minimal ≈300mm clearance from ground level, not unusual for the mid-19th Century. In fact the floor clearance may well have been a good

deal less, because ***Figure 2.18*** suggests that the ground floor of the dwelling was probably at the same level as the verandah. Fragments of the structure of the verandah floor have survived *in situ*.

The retaining wall, running along the Swan Street frontage and returning along William Street, is shown in ***Figure 2.19***. The fabric and bulk of the retaining wall are demonstrated in an example near the Swan and William Streets corner at ***Figure 2.20***. In ***Figure 2.21*** detail of the brickwork and the verandah footing and floor survivor can be seen in conjunction with a concrete buttress.

There is no real room for doubt that the retaining wall is in place to ensure the security of a large body of earth fill extending over the greater part of the eastern sector of the study area.

ii) The ground surface of the exposed sector of the study area was observed to contain a well-grown mat of vegetation, which inhibited ground visibility except where ground had been disturbed:

a) by the construction of a bitumen road, as mentioned, where the ground was concealed in any event; and
b) by the construction of a very large concrete slab, formerly the workshop floor of the Volvo truck agency. The floor appeared to be of raft slab construction and appeared likely to have involved little disturbance of the sub-surface; and
c) the most recent excavations to remove contaminated soil, resulting from the escape of distillate from fuel tanks adjacent to the workshop floor. These excavations opened ground that had previously opened on two occasions previous, on the first occasion to install the bulk fuel tanks and on the second occasion when the tanks were lifted and removed. The excavation on the western side of the concrete slab was ≈700mm deep and its exposed surface had been covered with material. That on the southern side ranged from ≈300mm to ≈450m. In the light of the filling that has taken place and previous excavations, neither appeared to have the capacity to have disturbed the original surface; and
d) in spots in the footprint of Peter Sim's house yard, by surface erosion exposing a limited scatter of fragmented glass, ceramic and metal, none of it appearing diagnostic. These exposures are viewed with some caution because of the probability of filling and of the material having been introduced to the site in this process;
e) for construction of two *in situ* features:
   - a strip of concrete having the appearance of footing, ≈2.3mlong and ≈200mm wide, and
   - a plug of concrete ≈400mmd square with rounded corners with, rising from its centre and then bent flat, a rusty nail or length of rod

   both located close to the edge of the bitumen roadway.

These properties and features of the study area are illustrated in **Figures 2.22 to 2.29.**

It should be noted that, in the interim, strategic sub-surface testing has been undertaken to determine the level and location any residual soil contamination (if any) across the study area. The contamination study was monitored by the archaeologist in terms of the Excavation Permit: the results of that monitoring study are the subject of a separate report but it can be summarised that some equivocal and fragmentary evidence of former structural/industrial development were located at three of over 20 drilling sites. The contamination study determined that no further removal of contaminated soil is called for.

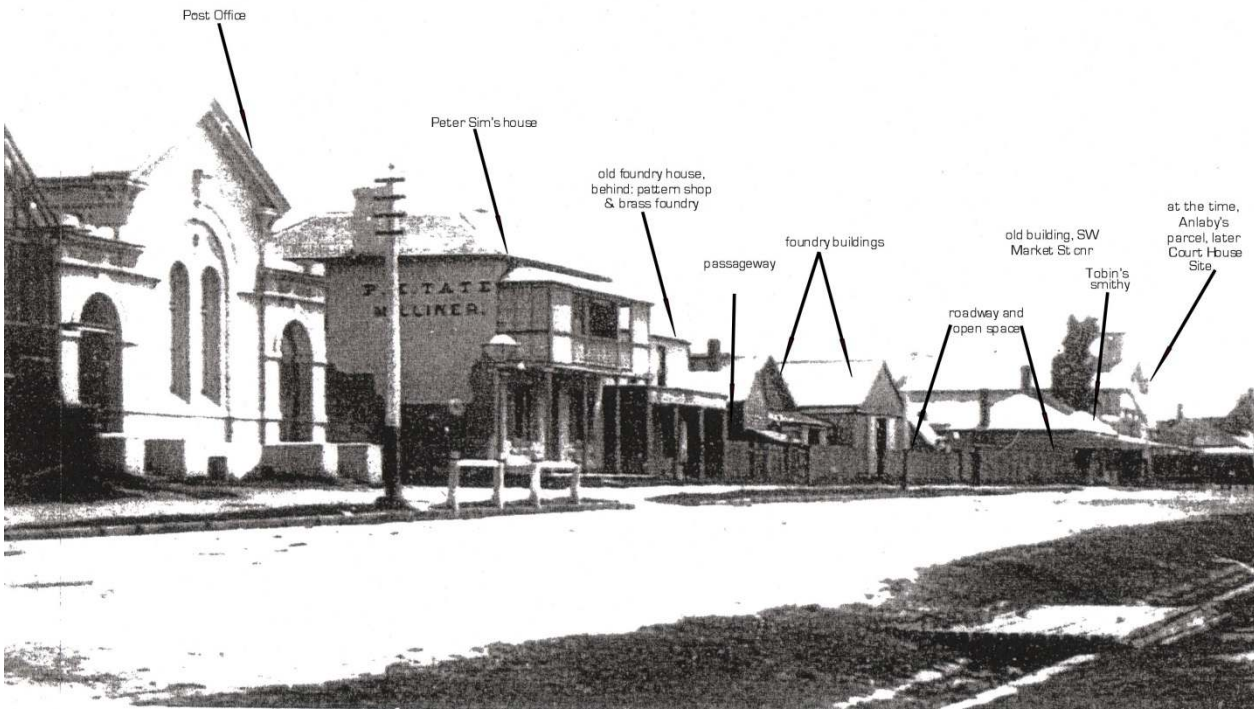

Figure 2.17

We have taken the liberty of annotating this pre-1949 view but particularly draw attention to indication of the height of the verandah floor of the P Sim house, a single step above the footpath. It might be expected that this step would be of the order of 150mm and any step from the verandah to the floor of the dwelling would be similar, however…

Source: Picture Maitland, Maitland City Library
No Scale

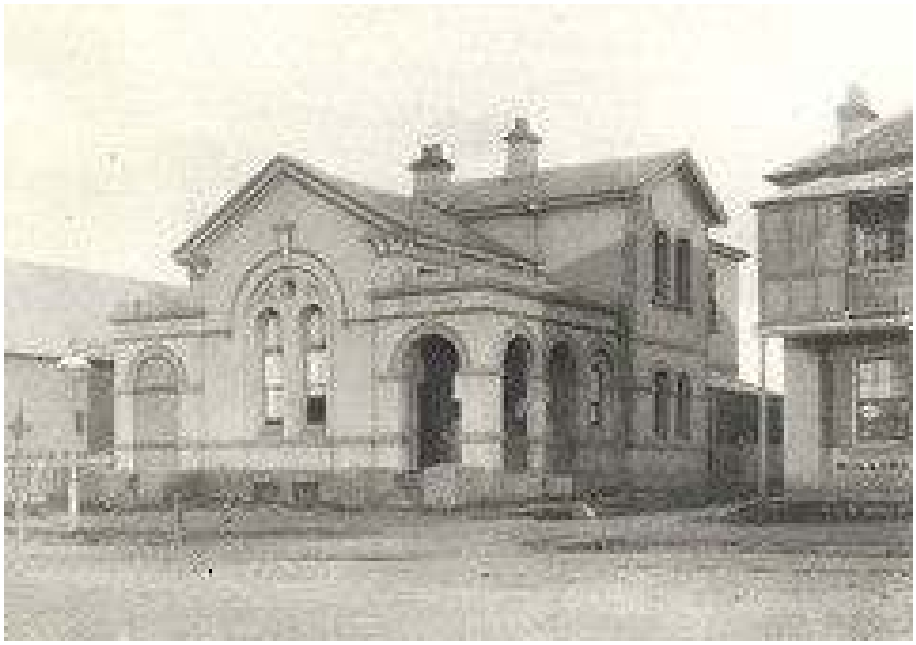

Figure 2.18

…this 1885 photograph catches only a fragment of the Sim house but sufficient to confirm the low clearance of the verandah floor. In this view the height of the ground floor window sill suggests that the ground floor will have been at the same level as the verandah.

P Source: Picture Maitland, Maitland City Library
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Figure 2.19

Here can be seen the full extent of the brick retaining wall, from left to right commencing at the termination of a metal fence on the western side of William Street and running north to the Swan Street corner, then running west with five concrete buttresses to the point at which the surface declines to road level

Paul Rheinberger
No Scale

Figure 2.20 [left]

Showing an exemplary sector of retaining wall, close to the Swan/William Streets corner: In this sector, the remains of verandah footing and floor can be seen protruding below brickwork. The upper surface exposed at this level was the edge of a concrete floor of a workshop constructed in connection with the Volvo truck franchise of Griffin Motors –probably the reason for introduction of fill.

Paul Rheinberger
Scale: 200mm

Figure 2.21 [right]

Detail of the footing and verandah floor fragment. The brick retaining wall used the former footing and floor as its own footing. Also shown is an example of the concrete buttresses.

Paul Rheinberger
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Figure 2.22

From SE, this view looks along the E boundary of the study area. It can be seen that a slab of concrete extends virtually to the boundary and lies across a substantial depth of the site of Peter Sims dwelling. At left background, the body of contaminated soil from excavation lies piled under plastic on the concrete slab

Paul Rheinberger
No Scale

Figure 2.23

This pan view takes in the heavily grassed S sector of the foundry site as well as the expanse of the S contamination works and the W extent of the body of contaminated soil, with the residue of the service station filling in the background.

Paul Rheinberger
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Figure 2.24

Looking now from the NW corner, this pan covers the foundry site in the study area from S to E. The body of contaminated soil is obvious on the concrete slab, the depth of which is clearly defined, and an indication of the position of the W contamination excavation lies in middle ground.. Across the foreground and down photograph left, the bitumen paving can be seen.

Paul Rheinberger
No Scale

Figure >2.25

Looking N from centre S shows the bitumen paving and emphasizes the projection of the service station building that projects across the W foundry site and the private road.

Paul Rheinberger
No Scale

Figure 2.26

Detail of the S contamination excavation, looking SE.

Paul Rheinberger
No Scale

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Figure 2.27

As an example of the artefacts eroding from scours in the house yard was this cutlery residue.

By courtesy of Tegan Harris
Ruler Scale

Figure 2.28

This view concentrates on the strip of concrete but the concrete plug can also be seen at right background

Paul Rheinberger
Scale: 200mm

Figure 2.29

Detail of the concrete plug. The metal projection from the centre of the surface suggests that the plug's function was to provide a solid fixture to a structural or mechanical feature.

Paul Rheinberger
Scale: 200mm

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2.5 DISCUSSION

On a historical basis, the archaeological potential is primarily tied to the possible residues of…

i) …Peter Sim's house at the north-eastern corner of the study area fronting Swan and William Streets intersection (see ***Figure 2.17***). The precise footprint of this building and any outbuildings is not known. Potential here, in the light of project works, is limited by the degree of fill introduced to this site. The building was a two-storey brick house last used for commercial purposes and demolished in the late 1940s. If the demolition was undertaken only to below the projected level of fill, which seems unlikely, there may be residual wall sections. Otherwise, at and below the historical ground level, it is likely that footings may remain *in situ* but beyond the range of construction excavations (see ***Figures 2.19, 2.20*** and ***2.21****)*. It is not known what, if any, use Peter Sim or subsequent occupants put the southern part of that allotment.

ii) …the former buildings of Duncan Sim foundry business lying within the study area. The following can be oriented by reference to Sim s measured drawing (see ***Figure 2.5***); the residues are likely to be either…

- …industrial work floors, anticipated to be rammed earth or perhaps some bitumen. It would not be expected that timber floors (perhaps in the *Old Cottage* and workshop offices) will have survived deterioration, demolition and/or fill covering; and/or

- … evidence of the construction of buildings, structural attributes and framing of both external and internal walls. As can be seen in ***Figures 2.6*** to ***2.10*** inclusive, all the buildings of which historical, pictorial evidence is available are indicated to be timber framed weatherboard with metal roofing. The only structural elements visible in those figures are timber posts, typical of shed building of the period. It is possible that the ***Old House*** containing the ***Pattern Store*** and ***Old Brass*** *[Foundry?]* may have had a more residential style of framing and support so that it is possible that the walls were on bed log footings, brick piers or timber stumps. Otherwise, evidence of the nature and disposition of buildings: the ***Old House***, the ***Foundry*** and the northern part of the ***Cleaning Shop*** is likely to comprise post holes which will be relied upon also to indicate the location of the ***Tank Stand*** and peripheral structures and services (see ***Figures 2.6*** to ***2.10****, inclusive)*. In passing, it seems that while labelled as the ***Foundry*** and as a single building, the operation of the foundry function may well have been comprised an assemblage of discrete operational structures with individual roofing and tightly connected.

- …artefacts referable to the storage of fuel and raw materials, finished product, equipment and tools of trade and worker personalia.

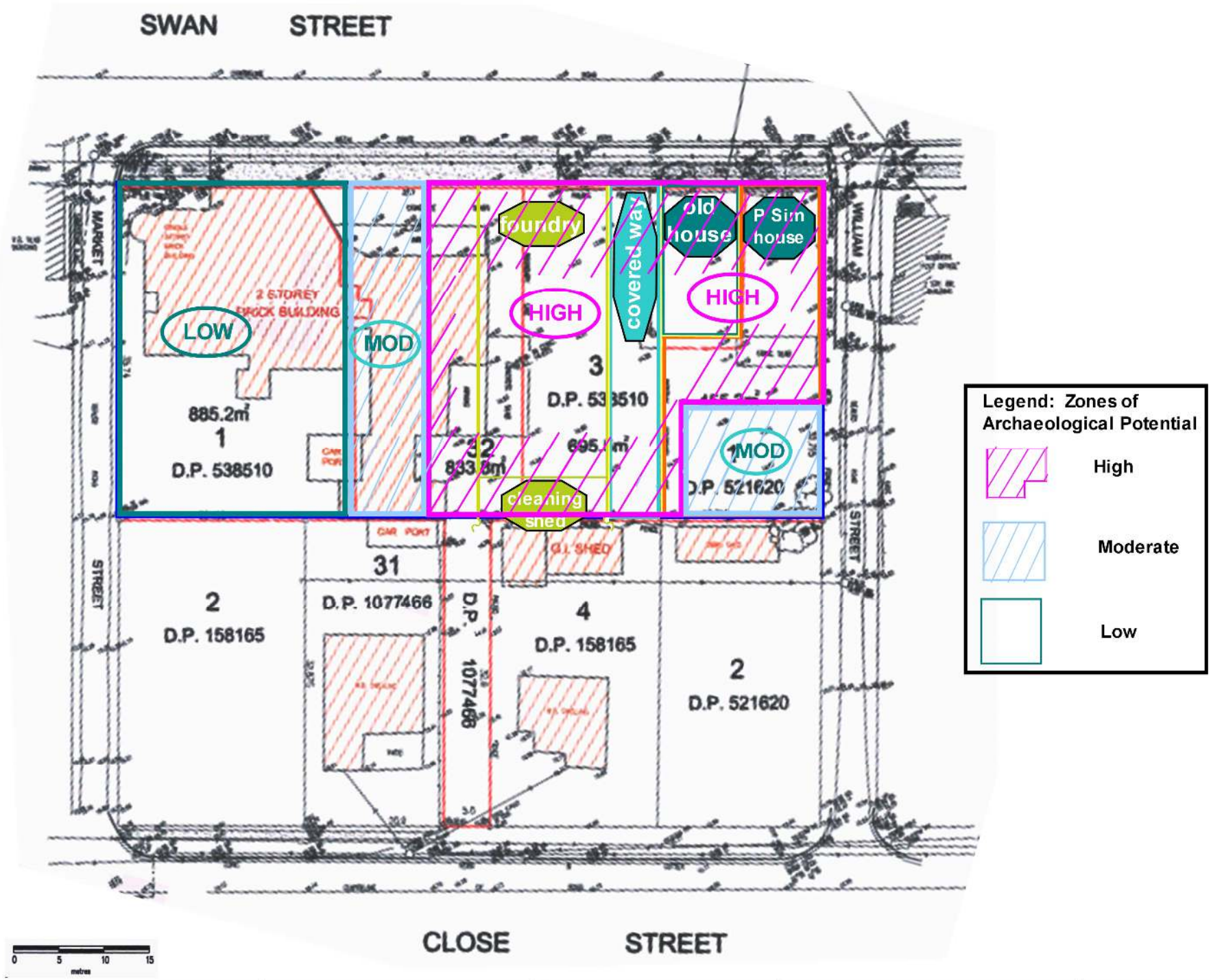
iii) the covered way between the ***Old House*** and ***Foundry*** complex, which may include some level of flooring and, unless the ***covering*** was slung between the buildings for part of its length, some residual evidence its structural support. This component may also yield artefacts related to the movement of men, machinery and product.

It will be noted that the southern part of the ***Cleaning Shop*** and the whole of the ***Back Room*** of the foundry complex lies under the subdivided residential allotment with frontage to Close Street, as do the ***Buggy Shed*** and Stable identified on Sim's measured plan (see ***Figure 2.5***).

The area west of the western alignment of the ***Foundry*** complex may contain artefact material related, perhaps related to product assembly and/or preparation for delivery. Apart from the residual western wall of the ***Foundry*** complex underlying the eastern sector of the former motor garage (to which comments on the ***Foundry*** relate), the only likely material evidence

would be expected to be artefacts discarded, abandoned or lost from products or by workers. The eastern and northern sectors of this zone will have been seriously disturbed or destroyed by post-1940s building: the motor garage, service workshops and subjoined residence.

On the basis of the above, the areas of archaeological potential can be expressed and plotted as high, moderate or low over the study area. These zones are defined on ***Figure 2.30***.



Archaeology Maxim Heritage	Scale: See Bar Scale	Client: GHT Holdings P/L Reference: 190101	Source: Base: Survey: Scott, Crisp & Dilley P/L #10467B; Annotations: Maxim	Title: Zones of Archaeological Potential	Figure 2.30

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3.0 HERITAGE VALUES OF THE STUDY AREA

3.1 INTRODUCTION

Fundamental to any consideration of the cultural heritage values of a non-indigenous place or thing (a 'relic' – see below) is an appreciation of the impact of the Act which defines heritage items to be:

> *Those buildings, works, relics or places of historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic **significance** for the state of New South Wales.* [Our emphasis]

and defines *a relic* falling within that definition to be:

> *... 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.*

Essentially, the evaluation of the heritage values of a relic depend upon the assessment of its significance, the level of its condition and integrity and, as a corollary, the potential it may possess to expand the existing level of knowledge. An appreciation of these factors qualifies the proper estimation of the impact that any disturbance, damage or destruction may have on such heritage values.

These aspects are dealt with in this section as follows:

i.) the significance of the study area and its components is explained and assessed in **Chapter 3.2**;

ii.) the condition and integrity of the study area and its components is evaluated at **Chapter 3.3**;

iii.) the research themes that are relevant to the study area and its components are defined at **Chapter 3.4**;

iv.) the physical impacts that are foreseen to affect the study area and the consequent heritage impacts are determined in the Heritage Impact Statement contained in **Chapter 3.5.**

3.2 ASSESSMENT OF SIGNIFICANCE

In the context of this report, significance is the measure of the value and importance of elements of the archaeological record to cultural heritage. While the fabric of the archaeological record is the subject of the assessment of heritage significance, the assessment itself is conditioned by the environmental and historical context of the site at the time of the assessment. In this environment, significance can be seen as a variable quality. It follows that the evaluation of heritage significance is not static quality, but rather is evolutionary as a function of changing community perspectives and cultural values. The concept of significance derives from:

3.2.1 Australia ICOMOS (The Burra Charter) under the Act

The approach to the assessment of heritage significance affirmed by Heritage adopts as a foundation the four values of the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (the Burra Charter).

3.2.1.1 Classification Criteria

The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (the Burra Charter) adopts as the foundation of classification the four value types of ***historical***, ***aesthetic***, ***scientific*** and ***social*** significance. The implications of these classifications are as follows:

- ***Historical significance*** considers the evolutionary or associative qualities of an item with aesthetics, science and society, identifying significance in the connection between an item and cultural development and change.

- ***Aesthetic significance*** addresses the scenic and architectural values of an item and/or the creative achievement that it evidences. Thus, an item achieves aesthetic significance if it has visual or sensory appeal and/or landmark qualities and/or creative or technical excellence.

- ***Social significance*** is perhaps the most overtly evolutionary of all classifications in that it rests upon the contemporary community appreciation of the cultural record. Evaluation within this classification depends upon the social spiritual or cultural relationship of the item with a recognisable community.

- ***Scientific significance*** involves the evaluation of an item in technical and/or research terms, considering the archaeological, industrial, educational and/or research potential. Within this classification items have significance value in terms of their ability to contribute to the better understanding of cultural history or environment and their ability to communicate, particularly to a broad audience within a community[27].

3.2.1.2 Value Criteria

As a component of the holistic concept of significance, archaeological significance has been described as a measure by which a site may contribute knowledge, not available from other sources, to current research themes in historical archaeology and related disciplines[28]. Archaeology is concerned with material evidence and the archaeological record may provide information not available from historical sources. An archaeological study focuses on the identification and interpretation of material evidence to explain how and where people lived, what they did and the events that influenced their lives.

Considerations material to the study of the archaeology of a relic include:

- whether a site, or the fabric contained within a site, contributes knowledge or has the potential to do so. If it does, the availability of comparative sites and the extent of the historical record should be considered in assessing the strategies that are appropriate for the management of the site.

- the degree and level at which material evidence contributes knowledge in terms of 'current research themes in historical archaeology and related disciplines'.

- In relation to 'current research themes in historical archaeology and related disciplines' (see **Chapter 4.1**), the assessment of cultural significance is conditioned by considerations of historical, scientific, cultural, social, architectural, aesthetic and natural values:

[27] Marquis-Kyle, P and M Walker, *Australia ICOMOS: The Illustrated Burra Charter*. Australia ICOMOS, Sydney, 1992, 21-23.

[28] Bickford, A and S Sullivan, 'Assessing the research significance of historic sites', in Sullivan, S and S Bowdler, (eds), *Site Survey and Significance Assessment in Australian Archaeology*, Department of Prehistory, Research School of Pacific Studies, ANU Canberra, 1984 19-26

- ***Historical value*** lies at the root of many of the other values by providing a temporal context and continuity, thereby providing an integrating medium for the assessment of social, cultural and archaeological significance.

- ***Scientific value*** depends upon the ability of an item to provide knowledge contributing to research in a particular subject or a range of different subjects.

- ***Cultural value*** attaches to material evidence that embodies or reflects the beliefs, customs and values of a society or a component of a society and/or have the potential to contribute to an understanding of the nature and process of change and its motivation.

- ***Social value*** derives from the way people work(ed) and live(d) and from an ability to understand the nature, process of change and its motivation. Social significance is closely related to cultural significance, in its concern with the practicalities of socio-cultural identification.

- ***Architectural value*** depends on considerations of technical design (architectural style, age, layout, interior design and detail), the personal consideration (ie. the work of a particular architect, engineer, designer or builder) and technical achievement (construction material, construction technique, finish).

- ***Aesthetic value*** addresses the manner in which an item comprises or represents creative achievement, epitomising or challenging accepted concepts or standards.

- ***Natural value*** attaches to items that either support or manifest existing natural processes and/or systems or provide insights into natural processes and/or systems.

3.2.1.3 Degree Criteria

In order to provide a ready reference to the ***degree of significance*** *or* ***the distinctiveness*** of an item in general terms, the item may be described as being either '**Rare**' or '**Representative**' within its community/cultural/geographical level.

3.2.1.4 Level Criteria

The final denominator of significance is the ***level of significance*** of an item. *Level* is nominally assessable in two classifications, depending upon the breadth of its identifiable cultural, community, historical or geographical context. Thus, within a New South Wales context, a relic may be recognised at the:

- ***Local level*** identifies the item as being significant within an identifiable local and/or regional cultural and/or community group and/or historical/geographical heritage context;

- ***State level*** identifies the item as being significant within an identifiable State-wide cultural and/or community group and/or historical/geographical heritage context;

On a broader front, by derivation, a relic may be recognised at the:

- ***National level*** identifies the item as being significant within an identifiable national cultural and/or community group and/or historical/geographical heritage context;

- ***International level*** identifies the item as having implications of significance for an identifiable cultural and/or community group both nationally and abroad and/or a world-wide historical/ geographical heritage context.

By the simple application of the principles outlined above, a subjective element was present in the significance assessment regime that opened the potential for skewed assessment. As a counter to this potential, Heritage has adopted a set of standardised assessment criteria

3.2.2 Heritage Standard Criteria

Heritage[29] defined a series of criteria that will be used by the Heritage Council of NSW as an assessment format within NSW. The seven criteria address:

Criterion (a) the importance of an item in the course or pattern of the cultural or natural history of NSW or a local area [ie: *historical*].

Criterion (b) the existence of a strong or special association between an item and the life or works of a person or group of persons important in NSW or local cultural or natural history [ie: *historical*].

Criterion (c) the importance of an item in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW or a local area [ie: *aesthetic*].

Criterion (d) the existence of a strong or special association between an item and the social, cultural or spiritual essence of a particular community or cultural group within NSW or a local area [ie: *social*].

Criterion (e) the potential of an item to provide information that will contribute to an understanding of the cultural or natural history of NSW or a local area [ie: *scientific*].

Criterion (f) the quality of an item to possess uncommon, rare or endangered aspects of the cultural or natural history of NSW or a local area [ie: *rare* degree of significance].

Criterion (g) the demonstration by an item of the principal characteristics of a class of cultural or natural place or cultural or natural environment within NSW or a local area. [ie: *representative* degree of significance].

Within the framework of the same criteria, where this is relevant, the individual contribution of separate elements or components of a relic may be evaluated according to a five-stage grading system, where:

Exceptional indicates that is a rare or outstanding element, contributing directly to the assessment of an item's significance at the appropriate level;

High indicates that an element exhibits an advanced degree of original fabric and is a key element in the assessment of an item's significance at the appropriate level;

Moderate indicates that an element has been modified or has degraded, with little individual heritage value, but that makes an interpretive contribution in the assessment an item's significance at the appropriate level;

[29] Division, *Assessing Heritage Significance*, NSW Heritage Office, Sydney, 2001, 9.

Little indicates that an element has been modified or has degraded to a degree that detracts from the assessment of an item's significance at the appropriate level;

Intrusive indicates that an element is damaging in the assessment of an item's significance at the appropriate level;

3.2.3 Evaluation of the Significance of the Study Area

In this section, the heritage significance of the study area is addressed in terms of the criteria discussed in **Chapter 3.2.1** and **3.2.2**. In the following sub-sections, a general statement is firstly made concerning the significance of the study area. Thereafter, we provide an overview of significance against the criteria adopted by the NSW Heritage Council.

3.2.3.1 General Statement of Significance

The study area is significant in that it includes:

i.) the site and probable subsurface residues of the former residence of Peter Sim and family, a first-generation member of a family (and himself initially) vitally associated in the social and commercial/industrial development of the Morpeth town and community from the mid-19th Century;

ii.) the site frontage and more than 70% of the depth of the former Sims foundry and the adjacent private road and open area (which latter *may* have had *ad hoc* use as an attribute of the industrial plant).

The material evidence, if any, relevant to these former occupations of the study area will be subsurface; it may have been, in part, compromised by the construction of the surface elements presently located on the study area and the likelihood of any exposure is possibly compromised by substantial filling across the site (see below).

Such material evidence, if any, is considered rare at local level, and is assessed as capable of making a high-level contribution to the heritage values of the Heritage Conservation Area and the township. It is noted that project works on the study area will involve disturbance of the subsurface.

Set against this broad assessment is the strong probability that the site of the Sim residence/Sim and Sons foundry has been substantially filled with introduced soil, to the extent that the limited excavation for the project is unlikely to penetrate to the depth of original ground while surface artefact material, at least, presently indicates that a product of the filling operation has probably introduced a complicating contamination of site archaeology.

3.2.3.2 Significance by Relevant Criteria

The study area it significant because:

Criterion (a) [Historical – cultural associations]	– in the archaeological potential possibly retained from its former involvement in Peter Sims residence, Sim's Foundry and private road, the sub-surface of the study area represents the residue of an undertaking that was of enormous importance to the development of the town and district;
Criterion (b) [Historical – association with person(s)]	– in the archaeological potential of its eastern sector and in its broad location within the town centre, has a strong relationship with Duncan Sim and his family, people intricately involved in the social and community development of Morpeth, and the foundation and maintenance of its industrial and commercial basis, during its first century.
Criterion (c) [Aesthetic – creativity &/or technical achievement]	– it represents the evolution of an iron (and brass) foundry and iron manufactory in a remote transport hub, a noteworthy degree of technical achievement but will not reveal its potential without the intervention of archaeological investigation, and may not do so even then.
Criterion (d) [Social – essence of cultural identity]	– it was originally part of the site of foundry and manufacturing activities of the family of Duncan Sim and in this capacity has an essential association with the historical cultural development and identity of the township, particularly in parallel with its contribution to concurrent local industrial and commercial identification in the town: White's Joinery, transport by water and rail, flour mill, milk factory, the surrounding rural activities and the town as a regional centre.
Criterion (e) [Scientific – investigative potential]	– in terms of the former Sim family undertaking(s), is an archaeological site, showing little surface evidence of its original activities but, from an archaeological standpoint, with appropriate archaeological investigation, may have the potential to yield information about the nature and style of the use of the study area in the hands of the Sim family business and its successor
Criterion (f) [Rarity]	– the site of the former Sim family undertaking is rare at the local level.
Criterion (g) [Representational potential]	– may prove to be representative in the context of comparative former iron foundries in the Maitland area and early copper smelting activities in the Newcastle area.

The locality to which the expression 'local level' is deemed in this assessment to refer is the LGA of the City of Maitland.

3.3 CONDITION AND INTEGRITY

This section addresses matters that combine with the assessment of significance to allow a formal *Statement of Heritage Impact* to be appropriately validated. *Condition* considers the physical state of the fabric of the resource and its potential for survival. *Integrity* observes the degree to which the residual material evidence is an appropriate representation of the resource in its original form.

Potential Impact assesses the nature and extent to which the resource will be modified as the result of the projected development.

3.3.1 Condition

The condition of heritage resources and/or individual elements that have been identified above is assessed on a five-stage scale, that is to say:

i.) *intact*, where the material evidence allows a complete recording of the resource without archaeological hypothesis;

ii.) *substantially intact*, where the material evidence is incomplete but the recording of material evidence will be sufficient to allow an accurate archaeological reconstruction, with hypotheses based on the archaeological record only;

iii.) *standing ruin*, where the material evidence is incomplete and the recording of material evidence will be sufficient to define the footprint of the resource and some of its elevations and features but will be insufficient to allow an accurate archaeological reconstruction of the resource without hypotheses based on the archaeological record and on a range of outside sources

iv.) *ruin*, where the material evidence is incomplete and the recording of material evidence may be sufficient to define part, or the whole, of the footprint of the resource but will be insufficient to allow an archaeological reconstruction of the resource/its features, perhaps spatially and certainly vertically, without hypotheses based on the archaeological record and on a range of outside sources, and in circumstances where the validation of the reconstruction cannot be assured.

v.) *archaeological site*, implying a mostly sub-surface residue, where the material evidence suggests the former presence of an archaeological resource that cannot be defined without sub-surface investigation..

3.3.2 Integrity

The integrity of archaeological resources and/or individual elements that have been identified above is assessed on a five-stage scale, that is to say:

i.) *Intact*, where the resource has remained virtually unchanged its form and/or design and/or function can be totally discerned from the material evidence;

ii.) *Minor Modification*, where the resource has been modified or deteriorated cosmetically and/or in a manner that does not inhibit the discernment of its form and/or design and/or function by archaeological interpretation of the material evidence;

iii.) *Material Modification*, where the resource has been modified so that its form and/or design and/or function cannot be discerned only by archaeological interpretation and without reference to external sources;

iv.) *Major Modification*, where the resource has been so modified that attempted discernment of its form and/or design and/or function cannot be achieved by archaeological interpretation of the material evidence and requires a heavy reliance on external sources and in circumstances where discernment of one or more elements may be equivocal;

v.) *None*, where the integrity of the resource has been completely destroyed and the evidence for its form and/or design and/or function is totally external.

3.3.3 Summary of Condition and Integrity

The condition and integrity of the heritage resources of the study area is summarised in **Table 3.1.**

Table 3.1 - Summary of Condition of Resources

Resource	Description	Condition	Integrity
Site of Sim's road, the Foundry buildings and Peter Sim's residence	**The various buildings and related undertakings located on the plan copied as *Figure 2.5***	**Archaeological site**	**Material modification**

3.4 CURRENT RESEARCH THEMES

The heritage values of individual heritage elements and study areas may derive significance as the result of what they contribute to the cultural essence of, and/or the reflection or consequence cast on them by, their context and environment. Consideration of heritage values in this perspective involves an appreciation of the underlying historical influences that have shaped and continue to shape the context and environment. Historical themes have been developed to allow categorisation of the major forces or processes that have historically been involved in the development of a heritage context or environment and provide a framework within which the heritage significance of an item can be addressed.

Historical themes are considered at National, State and local levels:

- the nine National themes address broad issues of the development of Australia as a nation, with classifications related to Australia's natural evolution, peopling the nation, developing a range of economies, settling the country, work, education, government, cultural development and the phases of life in Australia;

- the 38 State themes, sub-classified under the National themes, address:

  - (Australia's natural evolution) the natural environment;
  - (peopling the nation) Aboriginal, convict and ethnic origins, and migration;
  - (developing a range of economies) agriculture, commerce, communication, the cultural landscape, events, exploration, fishing, forestry, health, industry, mining, pastoralism, science, technology and transport;
  - (settling the country) urbanisation, land tenure, utilities and accommodation;
  - (work) labour;
  - (education) education;
  - (government) defence, government and administration, law and order and welfare;
  - (cultural development) domestic life, creative endeavour, leisure, religion, social institutions and sport;
  - (the phases of life in Australia) birth and death, persons.

Local themes reduce the National and State themes to their association with and/or impact upon or from the activities of local society and the inter-relationships between people, social groups, the environment and their cultures and values.

On the basis of the historical and archaeological research and with reference to themes adopted for use in the NSW heritage management system, the study area is material to the themes set out in **Table 3.2**.

Table 3.2 - Historical Themes

National	State	Local Themes/Application
(3) Developing local, regional and national economies	Agriculture	Activities relating to the cultivation and rearing of plant and animal species, usually for commercial purposes, and can include aquaculture: manufacture of agricultural machinery.
	Commerce and industry	Activities relating to: • the manufacture, marketing, maintenance and repair of goods and • the buying, selling and exchanging goods and services.
	Towns, suburbs and villages	Activities relating to: • the establishment of industry and commerce in a town, thereby creating an economic base and • the provision of employment locally within a town, thereby laying the foundation for a stable population base.
	Pastoralism	Activities associated with facilitating the breeding, raising, processing and distribution of livestock for human use: manufacture of agricultural machinery.
(4) Building settlements, towns and cities	Towns and villages	Activities relating to the promotion of social, commercial and industrial activities in the cultural life and development of a town community.
(8) Developing Australia's cultural life	Domestic life	Activities associated with creating, maintaining, living and working around premises, houses and institutions.
(9) Marking the phases of life	Persons	Activities of and associated with identifiable families and communal groups.

3.5 PHASES OF DEVELOPMENT WORK

The project sequence of industrial intervention upon the study area to complete the project falls under four phases, as under.

3.5.1 Phase 1

The first phase of work involves the exploration of the level and physical extent of soil contamination across the site, in response to the requirements of Council. To this extent the potential for soil contamination was initially planned to be tested spatially and stratigraphically by drilling, at most in a ~5.00m grid, using a nominal 100mm auger bit and penetrating to a depth of up to ~3.00m. The basic pattern of such drilling is represented on ***Figure 3.1*** and represents a total of ~80 operations. Upon consideration of the results of these investigations, up to 20 further drill sites may be determined in order to further clarify the spread vertically and horizontally and the degree of any suggested contamination.

This initial process was subsequently modified to one involving 19 machine drills as above and two manual drills, see below.

3.5.2 Phase 2

After determination of the incidents of any soil contamination, it may become necessary to remove contaminated soil by bulk excavation. Spoil will then require removal from site and either remediation or appropriate disposal. On present indications, it seems unlikely that contamination, if any, would be likely to extend more that ~1.00m below ambient surface.

3.5.3 Phase 3

The final surface/sub-surface phase involves the ground preparation for construction of the projected residential building. A preliminary step will be the removal of all vegetation and extraneous material from the surface, including completion of the demolition of former buildings. Bulk excavations will then be undertaken to accommodate the construction of:

i.) a large sub-surface water tank at the site of former contamination removal;

ii.) concrete surfaces and paving, floor and footings of buildings; and

iii.) trenches for the reticulation of gas, electricity, water, sewerage and communications services throughout the projected building.

3.5.4 Phase 4

The last phase of work involves the construction of the proposed residential building, sequentially following the laying of footings and connection of services in Phase 3 excavations. While this will have no additional impact on sub-surface heritage material evidence, the structure is particularly relevant to visual impact upon the streetscape and proximate listed heritage resources.

3.6 PHYSICAL AND HERITAGE IMPACT

3.6.1 Summary of Physical Impact

The project is likely to have the following maximum physical impact(s) on the study area:

3.6.1.1 Phase 1…

…will involve:

i.) demolition of a presently existing concrete slab and bitumen paving. Concrete will be removed by a process of cutting into manageable slabs by concrete saw or pneumatic drill and slab removal off-site for further reduction. Bitumen will be removed by machine scrape using a suitable tined bucket, the overburden then being removed from site. Both reduced concrete and bitumen may be returned to site for backfilling;

ii.) *as originally planned*, penetration of the ground surface and understrata to a depth of ~3.0m by a drill of diameter ~100mm, in a surface planned grid pattern of up to ~5.0m square, amounting to a total of up to 80 original drill operations but allowing up to ~20 further drills for further and better interpretation (see ***Figure 3.1***)**.**

It may now be observed that a more strategic approach to drilling, as a preliminary step, resulted in the opening of 21 drills, 19 by machine and two manual, to a nominal depth of 2.0m. The results of this process are separately subject of an introductory report but, within the terms of the Excavation Permit, will be formally reported at the conclusion of Phases 1 and 2. The present outcome is that no further drilling is currently envisaged but further assessment may be made upon removal of residual buildings and the areas of bitumen and concrete paving of the surface. Some possible evidence of former structural and/or industrial development was identified in three machine drills in areas of high and moderate archaeological potential.

iii.) maintenance of a bore log in respect of each drill, recording soil horizons, the presence or otherwise of contaminants and any suspicion or example/s of cultural material evidence;

iv.) in the course of all the above all activities, evidence of contamination and/or cultural material will be separately flagged and plotted on the surface grid plan.

3.6.1.2 Phase 2…

…will involve:

v.) using earthmoving plant [such as excavators, front-end loaders and scrapers] for the disturbance of the surface and understrata for the removal of any contaminated soil identified in the courses of **Phase 1** drilling;

vi.) loading and removal from site of any contaminated material for off-site management.

3.6.1.3 Phase 3…

…will involve:

vii.) removal of vegetation cover across the whole of the study area;

viii.) deep excavation in the region of already existing contamination-removal operations for the construction of a subterranean water (detention) tank;

ix.) within the projected footprint of the proposed residential development of the site, broad excavation to a depth of up to ≈300mm to provide a level building surface;

x.) trenching for perimeter and intermediate beams and footings for the projected residential building;

xi.) trenching for services from residential units to internal mains and to utility mains across and from the study area…

These broad statements are refined as follows:

a) Removal of vegetation will be undertaken by grader or excavator to remove the hump from the centre of the north-south alignment of the study area south to the southern boundary. The excavation will open up to 600mm at the southern boundary and grade back to 0mm at a distance of ≈17.5m north of the southern boundary. This area of impact is shown on ***Figure 3.2***, which also carries a plot of the footprints of historical buildings.

b) The foundations of the project building will combine…

- …screw piles at strategic locations, rather than drills with reinforced concrete infill and will project from the cleared surface to contact with underlying rock at ≈1.10mm with…
- …a waffle pod extending from not greater than 400mm below cleared surface to the building ground floor, well above that ground surface.

c) Excavations for services will similarly have an invert level not greater that 400mm below cleared surface.

d) For the appropriate management of storm water, a concrete sub-surface detention tank is proposed underneath the centre of the carpark at the western rear of the building. This tank is proposed to be 1.10m deep (ie: resting on the rock shelf) and measuring 5.40m square. There are no known archaeological features at the proposed site.

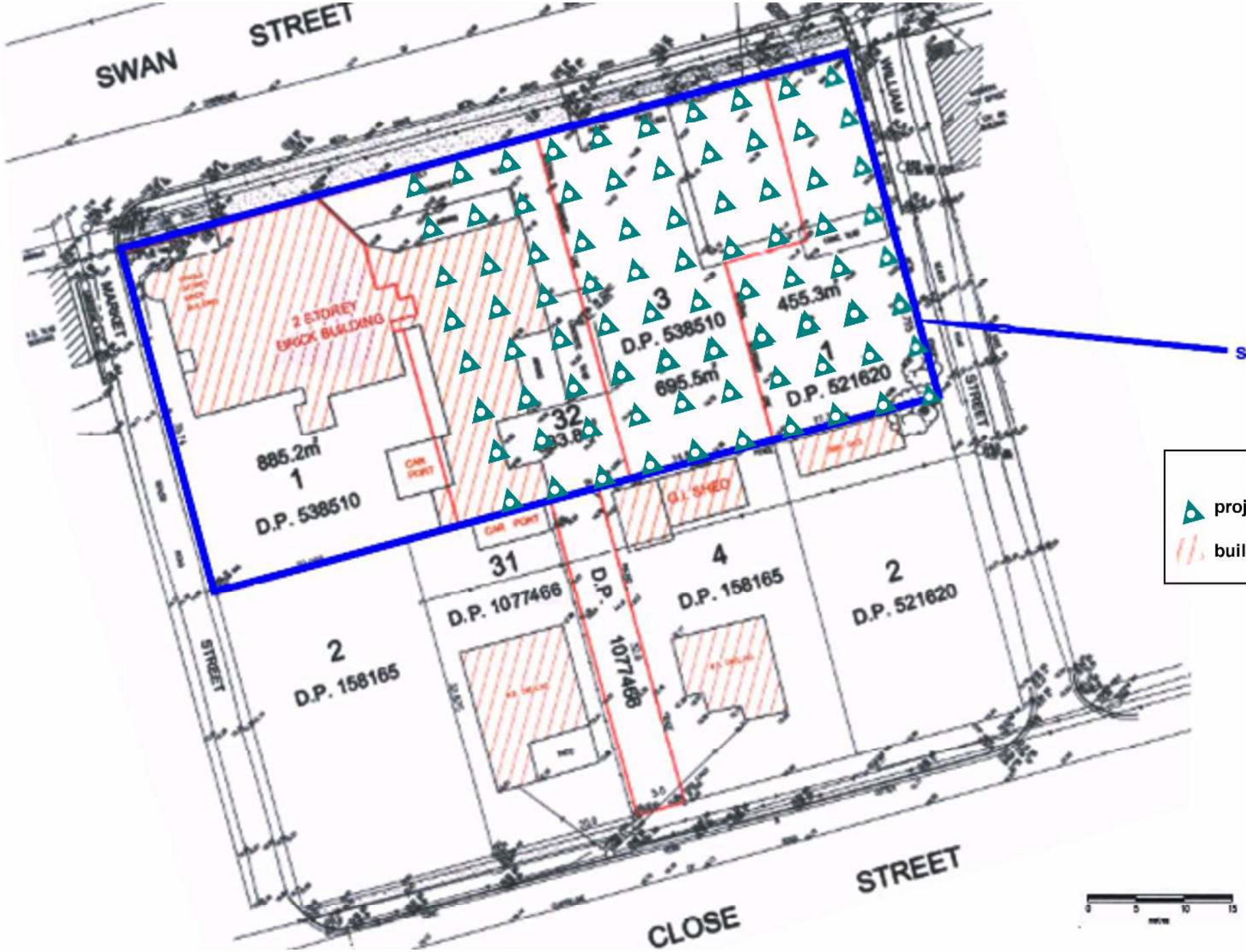
3.6.1.4 Phase 4

Will involve the construction of the Building upon the footings poured in footings trench and supplied with services reticulated through service trenching, all the subject of Phase 3 above.

Work in all phases, *including Phase 4*, will of necessity involve the placement on site of site workshops, convenience buildings and office(s) and the movement of machinery, vehicle and workers across the exposed surface of the study area.

3.6.1.5 Cumulative Physical Impact

The cumulative impact of development may cause limited disturbance, damage or destruction of any residual material evidence and/or artefacts that may be located in the sub-surface of the study area. It is anticipated that archaeological study of excavation works of the project will be limited to the location and depth of those works in all phases of the project.



Archaeology maxim Heritage	Scale: See Bar Scale	Client: GHT Holdings P/L Reference: 190101	Source: Base: Survey Scott Crisp & Dilley P/L #10467B; Sites by Deduction	Title: Pattern of Proposed Primary Drill Sites	Figure 3.1

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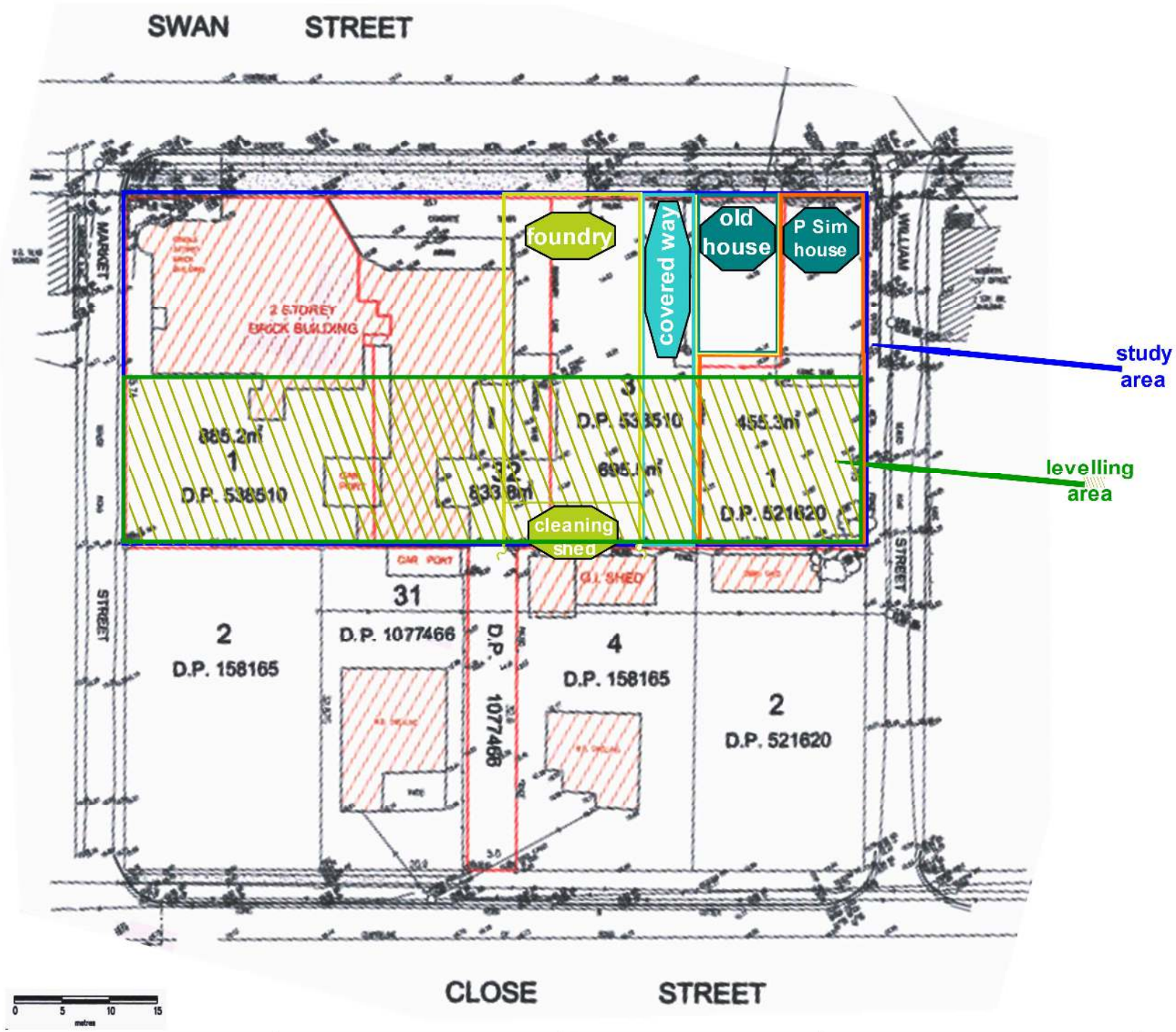

Archaeology Maxim Heritage	Scale: See Bar Scale	Client: GHT Holdings P/L Reference: 190101	Source: Base: Survey: Scott, Crisp & Dilley P/L #10467B; Annotations: PAR/Maxim	Title: Area proposed for Levelling Excavation	Figure 3.2

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The level of bulk/mechanical intervention for removal of concrete and bitumen, for removal of vegetation and trenching for structural footings and services is described in ***paras 3.1.6.1.i)*** and ***3.1.6.3***, and can be amplified by observing that the mechanical operation will be monitored throughout and, if necessary, manual excavation will be implements only to the depth of disturbance, at that stage.

Although the initial program of drilling has been in described at ***para 3.6.1.1.ii)*** and demonstrated by ***Figure 3.1*** the actual impact to date has been substantially reduced. There are no present plans for further drilling although the situation may require re-appraisal upon the completion of removal of residual buildings, bitumen and concrete surface sealing. The results of monitoring of the drilling operation may provide a useful tool for further investigation of potential across all zones of *High* archaeological potential and most zones of *Moderate* potential. It was not anticipated that at this stage of project works, the exposure by drilling would be further investigated manually, however monitoring and archival recording of the results of exposure has been, and will be, in terms of the ***Chapters 4.5.3 and 4.5.4*.**

3.6.1.6 Structural Considerations

It is patent that the project imports the construction of a large, relatively low residential building containing multiple residential units that will project a view from Swan Street that will be in nominal contrast to the form and architecture of heritage-listed structures in relatively close proximity. The buildings, of relatively low relief, will contain multiple residential units that will project a view from Swan Street. In this environment, the project may nominally have the potential for a bearing on the visual values of some proximate listed heritage resources. In a direct southerly frontage view the perspective of the Building in its streetscape context is shown in the architectural construction of ***Figure 3.3***, in which the comparative displacement and attributes of the Building are detailed in relation to the location and visual/structural attributes of the River Royal Inn, the former Post Office and Court House, the Commercial Hotel and a range of more remote heritage resources with particular reference to its restrained style, horizontal and vertical displacements and non-intrusive colour scheme. Where the view in ***Figure 3.3*** looks directly south, opposed oblique views of the southerly street front development are shown in the two views in ***Figure 3.4***.

The view easterly from the north-western corner of the Swan/Northumberland Streets intersection. Dominating this view is the frontage of the former Court House to Swan Street and the greater part of its depth along Northumberland Street. The perspective outline of the Building can be seen in mid-ground with the former Post Office immediately beyond: these features appear better defined in the upper detail inset. Not shown, because they are on the opposite side of Swan Street, opposite the former Court House, are the former Bond Stores.

The illustrations demonstrate that the Buildings are collectively (not surprisingly) wider than all the nearby heritage buildings: they occupy a substantially wider parcel of land, although the design of the Buildings breaks the continuity of the frontage. The height aspect does not appear to raise any significant visual concern and the project will not dominate the streetscape to the detriment of existing qualities. Similarly, while the features of construction and materials differ noticeably, the design projects a harmonising form, complementing the visual appeal and structural attributes of the heritage items.

Apart from the heritage resources on the southern side of Swan Street, notice is also taken of the former Bond Stores on the north-western corner of the intersection of Swan and Northumberland Streets, buildings are sandstone constructions and all adaptively reused for commercial purposes. These buildings represent a continuing link with Morpeth's history as a major river port. There seems no likelihood that their visual appeal might be diminished by the project. Northumberland Street continues northerly beyond the intersections to cross the (unlisted) corridor of the former East Maitland-Morpeth tramway/railway and the Hunter River by the heritage listed Morpeth Bridge. The

mass of the bridge makes it the dominant feature of the township. On the eastern side of the former Bond Stores several private residences have been built in recent years, one parcel of vacant land having been developed in this way only in the last three or so years. On the western side of Northumberland Street, beyond the small park, a number of early buildings survive but are at sufficient separation as to be in no danger of visual impact.

3.6.2 Statement of Heritage Impact

This ***Statement of Heritage Impact*** forms part of this report and is made in respect of the study area defined in **Chapter 1** of this report. The statement addresses the study area and its components in terms of:

i.) the assessments contained in this report of its/their research potential, significance, and condition and integrity…

ii.) …against the implications of the projected physical impact.

The Statement of Heritage Impact has been prepared, in common with this report, by Paul Rheinberger for the Principal.

In general terms, the following observations are made concerning the planning and proposed realisation of the development:

Having regard to the assessment of cultural significance and the practical impact of the proposed development, it appears that there may be impact upon the heritage values of the study area, as follows:

- *disturbance of the surface of historical ground and artefacts, if any, located in or below the surface may be caused by execution of the works detailed in respect of **Phases 1** and **Phase2***

- ***Phase 3** project construction works will involve excavation for footings and services and may expose and disturb residual material evidence, if any, of the construction of former buildings and similarly of artefacts, if any, associated with the former use and occupation of the study area. The likelihood of this outcome appears to be mitigated by the presence on the study area of a substantial body of earth fill, which has been postulated above. Potential for heritage impact will be mitigated/minimised by the application of management procedures recommended below.*

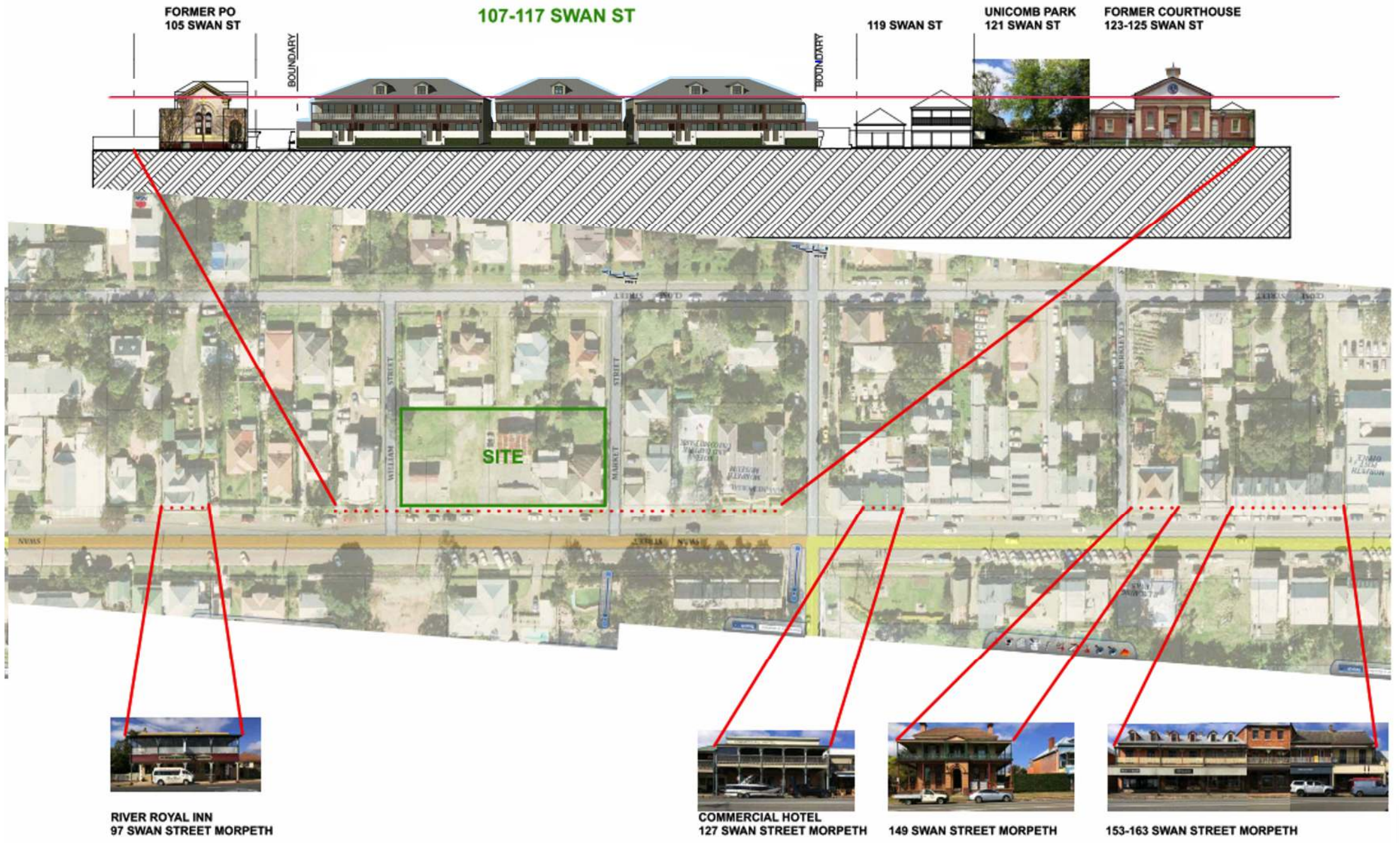
On the basis of all of the above, the following statements are made:

- **The following aspects of the proposal respect or enhance the heritage significance of the study area for the following reasons:**

  - although the project may have impact on elements of material evidence possessing heritage values, the appropriate recording and interpretation of these components will contribute to a more complete understanding of the heritage values of the study area, individually and in the local context in circumstances that are now, and into the future would be, otherwise unavailable.

- **The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts:**

  - the project works are may cause disturbance, damage or destruction of elements of the material evidence of former structures, and residual artefacts (in either case, if any) of the former Sim's



Archaeology maxim Heritage	Scale: No Scale	Client: GHT Holdings P/L Reference: 190101	Source: Seymour Architects: Dwg 4027/216; Annot'n: Sorenson Design Planning: Dwg 2003016;	Title: Project, Heritage Resource Perspectives	Figure 3.3

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the NE view from the N side of Swan Street

the NW view from the N side of Swan/Northmberland Streets intersection

Archaeology maxim Heritage	Scale: No Scale	Client: GHT Holdings P/L Reference: 190101	Source: Sorenson Design Planning: Dwg 2003016:4	Title: Street Elevation: NE-NW Oblique Perspectives	Figure 3.4

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undertaking, but not without the attributes of such components having been appropriately recorded, studied, interpreted and reported in such a way as to be readily available to the local community and the public at large.

- **The following sympathetic solutions have been considered and discounted for the following reasons:**

  - given the limited degree of ground disturbance anticipated in the project and the likelihood that the site of Sim's Foundry has been substantially filled, the reduced potential impact of the project upon heritage values of the study area, township and broader locality, and the scale of recommended archaeological intervention recommended below, further sympathetic solutions have been considered unwarranted..

- **Attachments:**

  - this Statement of Heritage Impact relies upon the attachments to the report generally.

- **References:**

  - The references contained in this Statement of Heritage Impact are detailed at **Chapter 5** of this report.

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4.0 HERITAGE MANAGEMENT

4.1 INTRODUCTION

This section considers the management of the heritage values of the study area by:

- summarising the issues relevant to management of the study area heritage values (see **Chapter 4.2**);
- proposing, qualifying and analysing the options available for study area management (see **Chapter 4.3**);
- identifying the research questions that might be addressed in the course of study area management (see **Chapter 4.4**); and
- proposing and qualifying actions appropriate for the management of study area heritage values.

4.2 ISSUES FOR STUDY AREA MANAGEMENT

Ideally, culturally significant archaeological resources might be conserved *in situ* within the framework of the Burra Charter. Such a course is frequently impossible or impractical and questions are posed by the conflicting claims of cultural heritage on the one hand and progress and development on the other. Relevant to the concurrent questions of site conservation and site management/usage are the following matters:

i.) *heritage legislation*, the major implications of which are summarised in **Table 4.1** (overleaf). In particular this summary addresses the implications of the **Act** and the ***EP&A Act*** ;

Table 4.1 - A Summary of Statutory Provisions (NSW)

The *Heritage Act*, 1977 (NSW – the Act)…	provides for the protection of historic heritage and provides the process and criteria for listing of heritage deposits and/or relics that are of State significance on the State Heritage Register and those that are of Local significance on the State Heritage Inventory. Archaeological sensitivity and the potential for heritage value may be indicated by historical research and/or site-based archaeological study. Where historical research and/or archaeological study indicates sensitivity, the discovery of relics is highly likely if the ground surface is disturbed. The Heritage Act defines a relic as: *... any deposit, artefact, object or material evidence that:* c) *relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and* d) *is of State or local heritage significance.* although deposits, objects or material evidence *may* have heritage significance although not falling within the statutory definition.

Table 4.1 - A Summary of Statutory Provisions (NSW) (cont)

The *Heritage Act*, 1977 (NSW – the Act)…	The Act further provides statutory protection from disturbance/destruction of sites and relics in a range of descriptions (ss.24-34, 35A-55B, 130, 136-7, 139) and for their registration or listing (ss.26(2)(b), 35A,36,37, 44). In particular, it provides that no disturbance or excavation may proceed that may expose or discover relics except with an Excavation Permit and that an excavation permit is required, if a relic is: • listed on the State Heritage Register, pursuant to s60; and • not listed on the State Heritage Register, pursuant to s140.
The *Environmental Planning and Assessment Act* 1979 (NSW)…	contains similar protective measures to those contained in the *Heritage Act*. The act also provides for sites to be in Local and Regional Environmental Plans, as sites in development control plans or subject to development controls and/or as subject to planning controls or additional conservation provisions (ss.24-72, 76).

ii.) ***the Burra Charter***: in the consideration of the needs of heritage management, the heritage values attaching to the resources within the study area and the physical and heritage impacts of the project, decision-making is conditioned by the criteria of the Burra Charter (the Charter). The principles of the Charter are broadly stated in ***Article 2***:

Article 2. Conservation and management

2.1 Places of cultural significance should be conserved.

2.2 The aim of conservation is to retain the cultural significance of a place.

2.3 Conservation is an integral part of good management of places of cultural significance.

2.4 Places of cultural significance should be safeguarded and not put at risk or left in a vulnerable state.

Nonetheless, the Charter acknowledges that in some circumstances, change will become necessary or unavoidable and addresses this situation at ***Article 28***:

Article 28. Disturbance of fabric

28.1 Disturbance of significant fabric for study, or to obtain evidence, should be minimised. Study of a place by any disturbance of the fabric, including archaeological excavation, should only be undertaken to provide data essential for decisions on the conservation of the place, or to obtain important evidence about to be lost or made inaccessible.

28.2 Investigation of a place which requires disturbance of the fabric, apart from that necessary to make decisions, may be appropriate provided that it is consistent with the policy for the place. Such investigation should be based on important research questions which have potential to substantially add to knowledge, which cannot be answered in other ways and which minimises disturbance of significant fabric.

While the Charter has holistically conditioned the preparation of this report and in particular the Research Design that follows at **Section 4.5**, the following ***Articles*** (viz: ***25***, ***27*** and ***30 to 33***) are particularly in point and have been used at the yardstick against which the effectiveness and reliability of management measures should be assessed:

Article 25. Interpretation

The cultural significance of many places is not readily apparent, and should be explained by interpretation. Interpretation should enhance understanding and enjoyment, and be culturally appropriate

Article 27. Managing change

27.1 The impact of proposed changes on the cultural significance of a place should be analysed with reference to the statement of significance and the policy for managing the place. It may be necessary to modify proposed changes following analysis to better retain cultural significance.

27.2 Existing fabric, use, associations and meanings should be adequately recorded before any changes are made to the place.

Article 30. Direction, supervision and implementation
Competent direction and supervision should be maintained at all stages, and any changes should be implemented by people with appropriate knowledge and skills.

Article 31. Documenting evidence and decisions
A log of new evidence and additional decisions should be kept.

Article 32. Records
32.1 The records associated with the conservation of a place should be placed in a permanent archive and made publicly available, subject to requirements of security and privacy, and where this is culturally appropriate.
32.2 Records about the history of a place should be protected and made publicly available, subject to requirements of security and privacy, and where this is culturally appropriate.

Article 33. Removed fabric
Significant fabric which has been removed from a place including contents, fixtures and objects, should be catalogued, and protected in accordance with its cultural significance. Where possible and culturally appropriate, removed significant fabric including contents, fixtures and objects, should be kept at the place.

iii.) the assessments of ***cultural significance***, and ***condition and integrity*** of archaeological resources respectively;

iv.) the relevant ***historical themes*** that are represented in the study area;

v.) the anticipated ***physical impact*** of the project on the study area, and the consequent ***Statement of Heritage Impact***.

4.3 OPTIONS FOR SITE MANAGEMENT

The options for conservation management theoretically available to address the issues raised in the preceding sub-section range from taking no conservation management action to preserving all elements of archaeological resource *in situ*:

Option 1: ***Taking no conservation management action*** would (theoretically) allow development to proceed unobstructed but would almost certainly result in the destruction or irretrievable modification of any archaeological and/or heritage resource. In that the archaeological resource is non-renewable, such an option might result in the loss not only of the archaeological resource but also of the opportunity of recording and interpreting the resource and thereby preserving:

- for future study, an opportunity to incorporate data about the resource into further studies;
- the present and future, a tangible account of the heritage values of the study area.

In present circumstances, this option is considered inappropriate because it seems probable that the study area contains residual material evidence of the structures and operation of the former Sim's Foundry. While this resource is likely to suffer only limited impact:

- **appropriate archaeological study may well provide valuable data about the structures and operation of the business that are not available from any other source; while…**
- **the existence of the residue of the resource and its connectivity may be identified.**

Option2: ***Preserving all elements of the archaeological resource*** would, on the other hand, restrict or prevent any modification or the destruction of the resource and thereby

secure the archaeology at the expense of the projected re-development, in an environment where the existence and implications of any such resource would not be properly investigated, evaluated or recorded.

In present circumstances, this option is considered inappropriate, because the anticipated nature and extent of the heritage resource, its present inaccessibility and the limited impact it is likely to suffer does not warrant the preservation of the whole, at the expense of the project.

Option3: ***Alternative courses*** lie in:

1. ***varying (where necessary) projected or future development*** to minimise impact on the archaeological resource, and/or

2. ***detailed archaeological investigation*** with or without excavation, of any part of the resource that has the potential to be disturbed, damaged or destroyed by development, and/or

3. ***archaeological monitoring*** concurrent with the development process, and/or

4. ***archival photographic recording*** of the structural improvements of the study area ,or

5. ***any appropriate combination of the above***.

   The result of such alternative courses would be that either elements of the archaeological resource would be conserved or that those modified or destroyed would be fully and appropriately recorded and the nett loss in heritage values would be minimised.

In the present circumstances, the fifth alternative course is considered an appropriate management action, involving the combination of the second, third and fourth alternatives, because the process will maximise the archaeological/heritage value of the study area and may provide a body of data contributing to an understanding and interpretation of the initial undertakings in Zone A and the broad evolution of the whole study area as a function of the town centre that will be both appropriate and otherwise unavailable.

4.4 RESEARCH QUESTIONS

In the course of the project, attention should be directed to obtaining responses to the following research questions:

[i.] What information can the structural improvements provide about:

a) the technology employed at various stages in the evolution and operation of the study area?
b) the social component of the operation of study area improvements in terms of people living and at work on the study area?

[ii.] Does the footprint and structural detail of the structural improvements individually and collectively reveal specific details that complement or distinguish archival records and the historical context?

[iii.] What can the material evidence and artefacts reveal of the work practices and techniques of people engaged in working in the study area?

[iv.] How does the material evidence reflect the changing and/or evolving use of the study area.?

[v.] Can all, or any, different stages in the use of the study area and of individual study areas be determined from the material evidence?

[vi.] At a local level, although Sim was the first founder in the locality, by the 1890s there were at least six other operations in the broader Maitland area. How does the Sim undertaking compare with others in the Maitland area, and in other proximate localities in the following aspects, the:

- history of its development and the background and experience of its proprietor(s);
- scope and evolution of its product range and adaptability to market forces and client demand;
- target it adopted from time to time as its market and the manner of its marketing;
- management of its economic survival and market crises, such as the latter part of the 19th Century, depression and wartime;
- employment practices it adopted and the division of labour and employee skills;
- status of its employees, and their skill levels;
- socio-economic condition of its employees and the relationship between management and employees.

vi) What was the part played by the Sim undertaking and its management in the evolution of the township of Morpeth and how does that compare with others in the Maitland area, and in other relevant places.

vii) What were the forces that eventually caused the closure of the Sim undertaking, then under different management and how does that compare with others in the Maitland area, and in other relevant places As a corollary, what part did the growth of the BHP Newcastle undertaking play in this process in Morpeth and the Lower Hunter area. Were similar undertakings in other localities subject to the same sorts of pressures from the establishment of large centralized manufacturers.

viii) What was the impact of the closure of the Morpeth foundry undertaking upon its target market, the operation of business and the condition of the population of the town and district, and how does that compare with other closures of similar undertakings in the Maitland area, and in other relevant places.

4.5 FIELD METHODOLOGY

4.5.1 General Provisions

All archaeological work undertaken in consequence of this methodology will be undertaken by the director who shall be an appropriately qualified and experienced historical archaeologist, in compliance with the NSW Heritage Manual and in keeping with heritage best practice.

In the planning of the project, the Principal and its sub-contractors should make allowance in time and resources for:

i.) the briefing of the Principal, staff, sub-contractors and their employees about the archaeological importance of the study area, the likely nature of material evidence within the study area, the likelihood and probable location of material evidence, the need for recording of material evidence and the implications of the Act.

This briefing should take place prior to the engagement of the Principal, its employees, contractors and personnel in project works, and should address personnel engaged at the inception of the project in a group environment. Personnel commencing work on the project after its inception should be briefed individually prior to their commencing work on the site. A record should be maintained of all personnel who have participated in such briefings.

ii.) the completion of any detailed archaeological study, supervision, investigation, monitoring recording, excavation and reporting within the terms of the procedures recommended below.

Prior to and during the conduct of field studies on the study area, appropriate data will be assembled and documented on MAXIM excavation recording suite formats, as relevant, such as…

i) …site description, recording features and physical evidence, and evaluation

ii) …excavation: context index and recording;

iii) …artefact: origin index; and

iv) …structure: element data, recording and index;

4.5.2 Ground Procedures

4.5.2.1 Drilling and Bulk Excavation: Contamination Works

All drilling in Phase 1 operations will be monitored by the archaeologist according to the protocols of ***Chapter 4.5.2.3***. The archaeologist will have access to the contractor's bore logs and will maintain records of observation of the progress of such operations.

These operations will include:

i.) preparation of a broad contaminated site risk assessment and detailed Job Safety Assessment and adoption of, and compliance with, both by all archaeological personnel;

ii.) drilling (Phase 1) operations will be carried out using a light mobile drilling rig.

iii.) bulk excavation for the extraction of contaminated ground (Phase 1) will be carried out using an excavator of minimal weight commensurate with efficient operation (the machine).

Because of the nature of contamination, it is not intended that spoil from drilling will be manually examined. Spoil will be raked out by machine and inspected during that process. Similarly, it is not intended that manual excavation will be undertaken in contaminated exposure areas. In all other respects, the protocols and implications of ***Chapter 4.5.2.3*** will be implemented.

4.5.2.2 Other Bulk Excavation: Phases 2 and 3

iv.) Bulk excavation for the stripping of vegetation, site levelling, removal of concrete and bitumen surfaces and excavation of topsoil, together with trench excavations for footings and service reticulation, will be carried out using a grader or excavator of minimal weight commensurate with efficient operation (the machine).

v.) The procedure will

a) be continually administered and monitored with the supervision of the director and will be undertaken across the whole impact area;

b) involve machine cuts, to effect the removal, across the surface of any ground determined by any subsequent drilling, testing or investigation to be spatially and/or stratigraphically contaminated;

c) involve machine cuts across the surface to remove any of:

a. the body of the all hard stand surfaces of concrete and bitumen, and
b. vegetation to a depth not exceeding ≈100mm below ambient surface and carry out ground levelling (cut and fill) across the study area to a depth not exceeding ≈300mm below ambient surface, and
c. spoil from trenching for building footings and service reticulation to a depth in either case not exceeding ≈750mm below ambient surface a stormwater retention tank substantially contained within existing excavations for the removal of contaminated soil.

In the course of each operation, any grader will be required to move at walking pace and, any machine will be under the instruction of and accompanied by the archaeologist who will monitor the progress of the machine, ensuring the accuracy of the cut and monitoring the surface of the exposure of the cut for signs of historical occupation and activity.

Any archaeological monitoring will be carried out according to the protocols of ***Chapter 4.5.2.3***.

4.5.2.3 Monitoring

In the course of monitoring any mechanical archaeological and/or bulk excavation, and where appropriate, the archaeologist will have the authority to direct operations in any particular area of work:

i.) to be undertaken using a small bucket or with a mud bucket; and/or

ii.) to remove spoil in shallow benches; and/or

iii.) to proceed in a particular orientation; and/or

iv.) to approach from a particular angle or direction; and/or

v.) to cease in a specific area to allow timely and appropriate detailed:

a. manual archaeological investigation of exposure, and/or

b. examination of the exposed surface/elevation and removed spoil, and/or
c. archival recording…

…to be completed. In any such manual archaeological investigation, the archaeologist will employ small hand tools such as trowels, brushes and the like and/or spade scrape. Where warranted, spoil will be sieved mechanically through a 5.0 mm screen.

The archaeologist will:

vi.) flag and archivally record the exposure, nature and extent of structural material evidence in the manner set out in **Section 4.5.3.1**; and

vii.) record, salvage and manage any artefacts exposed by the excavation(s) in the manner set out in **Section 4.5.3.2**.

4.5.2.4 Manual Archaeological Excavation

Where referred to in this methodology, the expression 'manual investigation' shall be taken to mean that the archaeologist will:

i.) employ small hand tools such as trowels, spade scrape, small tools, brushes and the like and, as appropriate, the sieving of spoil mechanically or manually through a 5.0mm screen

ii.) impose spatial control by:

a. establishment of a permanent datum for horizontal and vertical reference;

b. definition of horizontal location by bearing and distance from datum'; and

c. stratigraphic control by excavating according to stratigraphic contexts and/or in benches or spits of a nominal 100mm depth (the 'z' co-ordinate); and

d. progressively recording the progress of the excavation of each operation and bench and the location/identification of material evidence in Excavation/Survey Context Recording sheets from the MAXIM excavation recording suite;

iii.) flag and archivally record the exposure, nature and extent of structural material evidence in the manner set out in ***Chapter 4.5.3.1***; and

iv.) record, salvage and manage any artefacts exposed by the excavation(s) in the manner set out in ***Chapter 4.5.3.2***.

4.5.3 Archival Recording

4.5.3.1 Structural Elements

In situ structural elements identified in the course of any excavation will be recorded by:

i.) description of provenance, context, nature, type, fabric/material, shape and dimension on Site Feature Recording and Structural Element Data sheets from the MAXIM excavation recording suite;

ii.) plan, elevation and section field drawings as appropriate;

iii.) archival photography according to the minimum standards established by the Branch including the preparation of Photographic Catalogue and Plan sheets from the MAXIM excavation recording suite;

iv.) the salvage of representative samples:

a) where this is relevant and/or appropriate; and
b) in which case individual samples will be treated as artefacts in terms of **Section 4.5.3.2**.

Destruction or modification of a structural element will be countenanced only at the conclusion of the investigation and recording phase, and will be appropriately monitored and recorded.

4.5.3.2 Artefacts

Artefacts and the samples of structural elements exposed, disturbed and salvaged in the course of any phase of excavation, will be recorded by:

i.) documentation in appropriate formats of the MAXIM excavation recording suite, particularly:

a. features of context and orientation by material, mass and observation, spatial location in three coordinates and horizontal and vertical plots in an Excavation/Survey Context Recording Sheet,
b. description of provenance, context, nature, type, fabric/material, shape, dimension and mass, sequentially on an Artefact Origin Index Sheet,
c. plan, elevation, section and detail field drawings of open area context, and similarly
d. drawings of individual artefacts or notable features of artefacts, on a Field Site Sketchblock;

ii.) archival photography in/of found context according to the minimum standards established by Heritage including the preparation of Photographic Catalogue and Plan Sheets from the MAXIM excavation recording suite.

After management as above, artefacts and samples will be basically cleaned to facilitate their field comprehension. They will be secured and individually identified. Each will be separately bagged with an accompanying metal tag, both tag and bag being marked with project reference, date, site origin and identifying number from the Artefact Origin sheet. The salvaged artefacts, with marked tags in discrete bags, will then be transported, by the archaeologist to preliminary safe storage during the reporting process, at Maxim's office at 39A Newcastle Road, Wallsend.

4.5.4 Post-excavation Methodology

The material, information and data produced in the field, contained in the suite of recording material will be analysed and interpreted. Artefacts and the samples of structural elements will be cleaned, identified and, where possible, analysed for implication, significance, provenance and post-depositional effects, and catalogued individually by provenance, nature, type, fabric/material, shape, dimension and mass on standard MAXIM Artefact (Typology) Analysis Sheets. The analysis and interpretation of data sheets and artefacts will be incorporated in the reporting of the archaeological project and in that report will be supported by copies of appropriate analytical documentation.

Upon the completion of examination and analysis and cataloguing, artefacts and the samples of structural elements will be catalogued, appropriately conserved and packed for storage. If appropriate, recommendations for the restoration or preservation of artefacts will form part of the report. All packed material will be deposited with the Principal, or otherwise with such public repository as the Principal may direct, for permanent archiving. A copy of all relevant reports and inventories will be placed with this material.

4.5.5 Reporting

Given the nature of serial phases of work, within one month of the completion of Phases 1 and 2 as above, the progress of both phases will be communicated to Heritage in a short preliminary report. This report will concentrate in terms of the results of monitoring, recording and basic analysis to date. The report will contain such drafting and photography as is appropriate in the orientation and explanation of the results. Thereafter…

…within six calendar months of the date of completion of the total study, the archaeological excavation will be documented in a report that details the field methodology and the stages of the archaeological field process, the results of monitoring, recording, analysis and inventory, together with plans, archival photographs and copies of field records and will otherwise comply with any additional conditions attached to the excavation permit and/or the development consent. Specifically, the report will contain:

- graphic definition of the study area in its region and locality;
- statement of current statutory controls;
- identification of the director and archaeologist conducting the study and preparing the report;
- acknowledgment of data, information and input provided by others in the course of the study; and
- confirmation of the methodology employed in the study;
- short review of the archaeological, historical and physical context of the study area;
- Information about the progress and results of the study:
  - data resulting from the archaeological process by textual description, representation of field recording materials, and by plan and elevation drawing and photographic representations;
  - synthesis and interpretation of the results of the study;
  - an indication of post-study site management;
- address to relevant research themes and questions;
- any further recommendations for the management and communication of heritage values;
- references to the sources from which data/information has been drawn.

Copies of the report will be provided to Heritage, the Principal, the Morpeth Museum, the local studies sections of the Maitland City Library and the Newcastle Regional Library and the State Library of NSW and one copy will be reserved to be maintained with the deposit of artefacts.

4.6 RECOMMENDATIONS

The following strategies for the management of the heritage values and/or further investigation of the study area have been made on the basis of:

- the completion of appropriate archaeological study of the structures either partially demolished or remaining on the study area;
- the synthesis of archaeological, historical and physical contexts of the study area;
- consideration of the archaeological zoning, and potential fabric of the study area and its components;
- the assessment of the significance of the actual and potential material evidence;
- the appraisal of the condition and integrity of the archaeological resource;
- appreciation of the actual and heritage impacts of the proposed development;
- acknowledgement of the issues and options for management of the resource;
- the research questions identified as relevant to the study area.

It is recommended that:

1. In general, in connection with the development, the attention of the developer and all contractors, sub-contractors and employees is directed to the provisions of the **Act** and in particular to:

   (a) the definition of relic under the Act;

   (b) the provisions of sections 24-34, 35A-59, 130, 136-7 139 and 146 of the Act;

   (c) the requirement for, and the conditions that may attach to, a grant of an Excavation Permit under s60 of the Act in respect of a site that is registered on the State Heritage Register or is assessed as possessing heritage values at State level; and/or s140 of the Act in respect of a site possessing heritage values that is not so registered;

   (d) the conditions attaching to Excavation Permit under s140 of the Act #S140/2020/006, copy of which is attached in ***Appendix 3***. (*Having regard to the implications of this recommendation and the present assessment of the significance of the study area, an application was made to the NSW Heritage Council for an Excavation Permit pursuant to s140 of the Act.*)

   (e) the basic requirements that if:

      [i.] a relic is suspected, or there are reasonable grounds to suspect a relic in ground, that is likely to be disturbed damaged or destroyed by excavation;

      [ii.] any relic is discovered in the course of excavation that will be disturbed, damaged or destroyed by further excavation;

the developer must notify Heritage or its delegate and suspend work that might have the effect of disturbing, damaging or destroying such relic until the requirements of Division have been satisfied.

2. In the planning of the project, time and resources should be provided for the completion of any heritage investigation study and recording within in the constraints and strategies of ***Chapter 4.5 Field Methodology*** and otherwise in compliance with the conditions attaching to a grant of excavation permit #S140/2020/006.

3. Otherwise than as above, on the grounds of the historical/industrial archaeology of the study area, there appears to be no reason for further constraint or modification of the proposed re-development.

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Appendix 1

Heritage resources
Listed in the LEP

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Maitland Local Environmental Plan 2011

Historical version for 4 April 2016 to 4 August 2016 (accessed 14 January 2019 at 18:29) **Current version**

Schedule 5

Schedule 5 Environmental heritage

(Clause 5.10)

Part 1 Heritage items [Excerpt]

Suburb	Item name	Address	Property description	Significance	Item r
...					
Mindaribba	*"Mindaribba"*	*532 Tocal Road*	*Lot 1121, DP 1093978*	*Local*	*I189*
Morpeth	Former bakery	98 Close Street	Lot B, DP 161543	Local	I190
Morpeth	Grandstand	20 Edward Street	Lot 7001, DP 1052969	Local	I191
Morpeth	"Kiora"	7 High Street	Lot 1, DP 535966	Local	I192
Morpeth	Police station	32 High Street	Lot 1, DP 904664	Local	I193
Morpeth	Morpeth Public School	36–46 High Street and 35 Close Street	Lot 1, DP 724176; Lot 1, DP 782470; Lot 1, DP 782303; Lots 1 and 2, DP 782304	Local	I194
Morpeth	Former cinema	85 High Street	Lot 1, DP 64366	Local	I195
Morpeth	School of Arts	110 High Street	Lot 1, DP 782444	Local	I196
Morpeth	St James Parish Hall	138 High Street	Lot 200, DP 872144	Local	I197
Morpeth	Roman Catholic Church	James Street	Lot 3, DP 844638	Local	I198
Morpeth	Former Catholic school and convent group	20 James Street	Lots 1 and 2, DP 844638	Local	I199
Morpeth	Georgian house	5 John Street	Lot 1, DP 924593	Local	I200
Morpeth	Morpeth House, Closebourne House, adjoining chapels and Diocesan Registry group	Morpeth Road	Lot 2 and Part Lot 3, DP 841759	State	I201
Morpeth	Avenue of Brush Box trees	363 Morpeth Road	Part Lot 3, DP 841759	State	I204
Morpeth	"Closebourne House" and adjoining Chapel and Diocesan Registry (former)	363 Morpeth Road	Part Lot 3, DP 841759	State	I202
Morpeth	Former Diocesan Registry	363 Morpeth Road	Part Lot 3, DP 841759	State	I203
Morpeth	Morpeth Bridge over the Hunter River	Northumberland Street	Road reserve	State	I205
Morpeth	White's Factory	7 Robert Street	Lots 3 and 4, DP 592403	Local	I206
Morpeth	Villa	67–69 Swan Street	Lot 1, DP 72883	Local	I206A
Morpeth	Marlborough House	75 Swan Street	Lot 631, DP 1091885	Local	I207
Morpeth	Former Queens Wharf and Railway Station	90 Swan Street	Lot 1, DP 714289	Local	I208
Morpeth	Post office and residence	105 Swan Street	Lot A, DP 411508	Local	I209
Morpeth	Former Bond Store group	122 Swan Street	Lots 1, 2, 5 and 6, DP 260922; Lots 7 and 8, DP 628665	Local	I210
Morpeth	Former courthouse	123 Swan Street	Part Lot 1, DP 526098	Local	I211
Morpeth	Commercial Hotel	127 Swan Street	Lot 1, DP 744896	Local	I212
Morpeth	Former CBC Bank	149 Swan Street	Lot 10, DP 57156	Local	I213

Morpeth	Former Campbell's Store	175 Swan Street	Lot 1, DP 735924	Local	I214
Morpeth	General Cemetery	Tank Street	Lots 1–4, DP 775155	Local	I215
Morpeth	St James group	19 Tank Street	Part Lot 63, DP 755205; Lot 631, DP 1137280	Local	I216
Oakhampton	**…**				

Part 2 Heritage conservation areas

Description	Identification on Heritage Map	Significance
Aberglasslyn House Heritage Conservation Area	*Shown by red hatching and marked "C7"*	*Local*
Bolwarra Heritage Conservation Area	*Shown by red hatching and marked "C1"*	*Local*
Central Maitland Heritage Conservation Area	*Shown by red hatching and marked "C2"*	*Local*
East Maitland Heritage Conservation Area	*Shown by red hatching and marked "C3"*	*Local*
Lorn Heritage Conservation Area	*Shown by red hatching and marked "C4"*	*Local*
Morpeth Heritage Conservation Area	Shown by red hatching and marked "C6"	Local
Regent Street Heritage Conservation Area	*Shown by red hatching and marked "C5"*	*Local*

Appendix 2

Copies of SHR and SHI Listings

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Statutory listed items

Information and items listed in the State Heritage Inventory come from a number of sources. This means that there may be several entries for the same heritage item in the database. For clarity, the search results have been divided into three sections.

- **Section 1** - contains Aboriginal Places declared by the **Minister for the Environment** under the National Parks and Wildlife Act. This information is provided by the Heritage Division.
- **Section 2** - contains heritage items listed by the **Heritage Council of NSW** under the NSW Heritage Act. This includes listing on the State Heritage Register, an Interim Heritage Order or protected under section 136 of the NSW Heritage Act. This information is provided by the Heritage Division.
- **Section 3** - contains items listed by **local councils** on Local Environmental Plans under the Environmental Planning and Assessment Act, 1979 and **State government agencies** under s.170 of the Heritage Act. This information is provided by local councils and State government agencies.

Section 1. Aboriginal Places listed under the National Parks and Wildlife Act.

Your search did not return any matching results.

Section 2. Items listed under the NSW Heritage Act.

Your search returned 6 records.

Item name	Address	Suburb	LGA	SHR
Avenue of Bush Box Trees	Tank Street	Morpeth	Maitland	00375
Closebourne House and Adjoining Chapel and Diocesan Registry (former)	Tank Street	Morpeth	Maitland	00375
Diocesan Registery (former)	Tank Street	Morpeth	Maitland	00375
Morpeth Bridge over the Hunter River	Main Road 102	Morpeth	Maitland	01476
Morpeth House, Closebourne House, Adjoining Chapels and Diocesan Registry Group	Morpeth Road	Morpeth	Maitland	00375
St James' Anglican Church Group	19 Tank Street	Morpeth	Maitland	01979

Section 3. Items listed by Local Government and State Agencies.

Your search returned 35 records.

Item name	Address	Suburb	LGA	Information source
Bakery (former)	98 Close Street	Morpeth	Maitland	LGOV
Bond Store Group (former)	122 Swan Street	Morpeth	Maitland	LGOV
Campbell's Store	175 Swan Street	Morpeth	Maitland	LGOV
CBC Bank (former)	149 Swan Street	Morpeth	Maitland	LGOV
Cinema (former)	85 High Street	Morpeth	Maitland	LGOV
Closebourne House and adjoining Chapel and Diocesan Registory (former)	363 Morpeth Road	Morpeth	Maitland	LGOV
Commercial Hotel	127 Swan Street	Morpeth	Maitland	LGOV
Courthouse (former)	123 Swan Street	Morpeth	Maitland	LGOV
Diocesan Registery (former)	363 Morpeth Road	Morpeth	Maitland	LGOV
Emergency Services	32 High Street	Morpeth	Maitland	LGOV

Item name	Address	Suburb	LGA	Information source
General Cemetery	Tank Street	Morpeth	Maitland	LGOV
Georgian house	5 John Street	Morpeth	Maitland	LGOV
Grandstand	20 Edward Street	Morpeth	Maitland	LGOV
Kiora	7 High Street	Morpeth	Maitland	LGOV
Marlborough House	75 Swan Street	Morpeth	Maitland	LGOV
Morpeth Bridge over the Hunter River	Northumberland Street	Morpeth	Maitland	LGOV
Morpeth Bridge over the Hunter River	Northumberland Street	Morpeth	Maitland	SGOV
Morpeth Heritage Conservation Area		Morpeth	Maitland	LGOV
Morpeth House, Closebourne House, adj chapels and Diocesan Registry group	Morpeth Road	Morpeth	Maitland	LGOV
Morpeth Official Residence	32 High Street and George Street, corner of	Morpeth	Maitland	SGOV
Morpeth Police Station, Former	32 High Street and George Street, corner of	Morpeth	Maitland	SGOV

Item name	Address	Suburb	LGA	Information source
Morpeth Public School	36-46 High Street	Morpeth	Maitland	LGOV
OPWS Morpeth Regional Office	90 Swan Street	Morpeth	Maitland	SGOV
Police Station	32 High Street	Morpeth	Maitland	LGOV
Post office and residence	105 Swan Street	Morpeth	Maitland	LGOV
Public Library & Museum	125 Swan Street	Morpeth	Maitland	LGOV
Queens Wharf and Railway Station (former)	90 Swan Street	Morpeth	Maitland	LGOV
Residence, Morpeth	67/69 Swan Street	Morpeth	Maitland	LGOV
Roman Catholic Church	James Street	Morpeth	Maitland	LGOV
Roman Catholic School and Convent Group (former)	20 James Street	Morpeth	Maitland	LGOV
Royal Hotel	97 Swan Street	Morpeth	Maitland	LGOV
School of Arts	110 High Street	Morpeth	Maitland	LGOV
St James group	19 Tank Street	Morpeth	Maitland	LGOV
St James Parish Hall	138 High Street	Morpeth	Maitland	LGOV

Whites Factory	7 Robert Street	Morpeth	Maitland	LGOV

There was a total of 41 records matching your search criteria.
Key:
LGA = Local Government Area
GAZ= NSW Government Gazette (statutory listings prior to 1997), HGA = Heritage Grant Application, HS = Heritage Study, LGOV = Local Government, SGOV = State Government Agency.
Note: While the Heritage Division seeks to keep the Inventory up to date, it is reliant on State agencies and local councils to provide their data. Always check with the relevant State agency or local council for the most up-to-date information.