

## TUTE'S COTTAGE (FORMERLY HANNAN'S)



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SOHE 2008



h01838 1 tutes cottage  
greenhill road castlemaine  
front elevation she project  
2003



h01838 tutes cottage  
greenhill road castlemaine  
chimney she project 2003



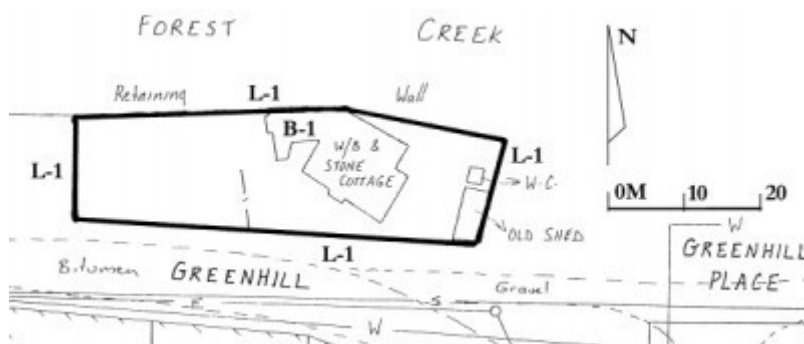
h01838 tutes cottage  
greenhill road castlemaine  
garden she project 2003



h01838 tutes cottage  
greenhill road castlemaine  
verandah she project 2003



h01838 tutes cottage  
castlemaine johncollins1976



tute's cottage plan

### Location

29 GREENHILL ROAD CASTLEMAINE, MOUNT ALEXANDER SHIRE

### Municipality

MOUNT ALEXANDER SHIRE

## Level of significance

Registered

## Victorian Heritage Register (VHR) Number

H1838

## Heritage Overlay Numbers

HO614

## VHR Registration

August 26, 1999

## Heritage Listing

Victorian Heritage Register

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## Statement of Significance

Last updated on - August 23, 1999

### What is significant?

Tute's Cottage is a five-room dwelling constructed of local stone with attached weatherboard kitchen, bathroom and laundry. The Cottage has a small garden containing two very old grape vines, fruit trees and flower beds. The property also includes an empty garden allotment. Tute's Cottage originated with the great Mount Alexander alluvial goldrush. From 1855 gold miners became entitled to a portion of land for a house and garden under the terms of the Miner's Right and Tute's Cottage has been occupied under this right since construction. The Miner's Right of the Cottage's last occupant, Gladys Power, the now-deceased daughter of a miner, expired in 1996 and the property which straddles a municipal road reserve and a Crown Creek reserve, has reverted back to the Crown.

Tute's Cottage evolved through various stages beginning with a two-roomed stone Cottage. From about 1860 to 1903 John Hannan and his family occupied the Cottage. Judging by the earliest surviving rate book entries for Ten Foot Hill it is possible that Hannan may have built the place c1860 or that it may have been the dwelling described in an 1856 rate book entry as a stone house and garden, owned by William Cook. In 1903 the property was advertised for sale as a Stone and W.B. House, 7 rooms with Good fruit garden etc. The buyer was Mrs Margaret Cuddy. James Tute, a miner acquired the Cottage in 1922. When James died of phthisis (Miner's Complaint?) in 1939, his Residence Area and Cottage passed to his wife Elizabeth. Elizabeth died in 1973, bequeathing the property to her daughter, Gladys Power. Mrs Power lived in the Cottage until shortly before her death in 1997.

### How is it significant

Tute's Cottage is of historical, architectural, archaeological and social significance to the State of Victoria.

### Why it is significant

Tute's Cottage is historically significant for its association with a key event in Victoria's history and a defining moment in the development of Australia's character and culture. The Cottage is situated in one of Castlemaine's oldest neighbourhoods. Ten-Foot Hill, as the locality is known, was the site of a gold rush early in 1852, within months of the first gold discovery on Forest Creek. The Cottage was built only 850 metres from the market square at the centre of Castlemaine township and closer still to the bustling stores and hotels of Urquhart Street. Continuously occupied as a private residence from 1860 or earlier until 1996, the Cottage has survived as a mute witness to gold rushes, floods, the arrival of the railway, and the development of Castlemaine as a regional

centre.

Tute's Cottage is architecturally significant as a rare vernacular stone Cottage of the gold rush period. Being crown land held as a Miner's Right residence area the Cottage's various owners made only rudimentary changes to the place resulting in its original form surviving with remarkable clarity. Timber additions were added after 1881. Vernacular stone Cottages were once commonplace in Castlemaine, but all have now either been demolished or been incorporated into modern structures. Tute's Cottage is a remarkable survivor, the last gold rush stone Cottage to be occupied under a Miners Right in Castlemaine.

Tute's Cottage is socially significant due to local community recognition of the antiquity of the structure and the surrounding area. As early as 1914, Tute's Cottage was being photographed and recorded as a rare gold rush relic. In 1936, a Lands Department report on Mr Tute's residence referred to it as a 'very old house'. The surrounding block, Section 144 of the Township of Castlemaine, once contained dozens of other properties originally held under Miner's Right and, despite its modern houses, is still laid out in its original haphazard fashion which owes far more to the clamour of the gold rush than to the niceties of town planning.

Tute's Cottage is archaeologically significant for its high potential to contain evidence of its former inhabitants due to the relatively undisturbed nature of the site.

## Permit Exemptions

### General Exemptions:

General exemptions apply to all places and objects included in the Victorian Heritage Register (VHR). General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which don't harm its cultural heritage significance, to proceed without the need to obtain approvals under the Heritage Act 2017.

Places of worship: In some circumstances, you can alter a place of worship to accommodate religious practices without a permit, but you must [notify](#) the Executive Director of Heritage Victoria before you start the works or activities at least 20 business days before the works or activities are to commence.

Subdivision/consolidation: Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act 1987* and the application for the planning permit was referred to the Executive Director of Heritage Victoria as a determining referral authority, a permit is not required.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Find out more about heritage permit exemptions [here](#).

### Specific Exemptions:

Yet to be agreed with committee of management

Construction dates        1850,

Heritage Act Categories    Registered place,

Other Names	HANNAN'S COTTAGE, TUTES COTTAGE,
Hermes Number	5995
Property Number	

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## History

### Contextual History:History of Place:

The earliest municipal rates records situate several stone cottages in the neighbourhood of Ten-Foot Hill in 1856. John Hannan, a former miner employed on the construction of the Melbourne-Murray River Railway, took up occupancy of the cottage some time between 1856 and 1858 and lived there until his death in 1903. Continuously occupied as a private residence from the 1850s until 1996, Tute's Cottage (formerly Hannan's) has stood as a mute witness to gold rushes, floods, the arrival of the railway, and the development of Castlemaine as a town.

Perched on the edge of the stone-lined channel which diverted Forest Creek away from the town centre in 1860, the cottage is situated in one of Castlemaine's oldest neighbourhoods. Ten-Foot Hill, as the locality is known, was the site of a gold rush early in 1852, within months of the first gold discovery on Forest Creek. The centre of the embryonic Castlemaine township at that time was a cluster of canvas stores and tents in a curve of Forest Creek directly facing the Commissioner's Camp on the opposite side. Tute's Cottage faces in this general direction.

From 1855, when, under the terms of the new Miner's Right, miners were first entitled to a portion of land for a house and garden, Tute's Cottage has been occupied as a Miner's Right 'residence area'. Such properties were once commonplace in Castlemaine, but all have now either passed into private ownership or reverted to Crown land. Tute's Cottage was the last to be occupied. The Miner's Right of its last occupant—the now-deceased daughter of a miner—expired in 1996 and the Cottage, which straddles a municipal road reserve and a Crown creek reserve, has now returned to public ownership.

Tute's Cottage(formerly Hannan's) and dozens of other properties originally held under Miner's Right in the close vicinity, were laid out in a haphazard fashion owing far more to the clamour of the gold rush than to the niceties of town planning. The shape of the neighbourhood bears practically no resemblance to the street plan and allotments drawn up by a Crown surveyor in the early 1860s. Tute's Cottage—which lost a large slice of its garden in the 1860 creek-channelling and another slice to the roadway soon after—is a unique artefact of the Mount Alexander gold rushes and the origins of Castlemaine.

### History of Place:

The original portion of the vernacular stone and timber cottage at 29 Greenhill Avenue, Castlemaine was built by (or for) John Hannan in about 1858. Hannan, a miner from Westport, County Mayo, on Ireland's Atlantic coast, had been in the Castlemaine district since 1856. His wife, Julia, gave birth to a child—the first of six—in 1858 and the 'stone hut' which appeared in that year's rates assessments presumably marked Hannan's passage from itinerant miner to family man.

Ten Foot Hill had been rushed early in 1852. Rich pockets of gold were found at a depth of just 10 feet and the locality was thoroughly turned over, from the hill itself right down to Forest Creek. Dividing Ten Foot Hill from Forty Foot Hill to the west was the rich Victoria Gully, which today crosses Greenhill Avenue to join Forest Creek at the foot of No. 29's garden. An 1858 painting of Castlemaine from the summit of Ten Foot Hill shows miners still at work on the hill, while the lower slopes and creek flats were peppered with their tents and crude bark huts. It was only 500 metres from Ten Foot Hill to the market square at the centre of Castlemaine township, and closer still to the bustling stores and hotels of Urquhart Street. John Hannan's cottage faced north-west, directly towards the original market buildings (behind the remaining market) which were built during the winter of 1858. Situated at the foot of Ten Foot Hill, Hannan's cottage was approximately 80 metres south of Forest Creek, the tortuous course of which at that time encroached upon the southern edge of the market square. Since its inception in 1856, the Municipal Council had been seeking government assistance to straighten that portion of the creek by means of a channel. Early in 1860 that assistance was forthcoming and, before the end of winter that year, the creek was diverted along the new channel. It was a simple cutting with earthen banks, a construction which was

soon shown to be susceptible to flood damage. Within a year, the Council was agitating for the creek channel to be faced with stone, but it would be 1869 before that work was carried out.

The creek channel had cut through Hannan's garden and left his cottage teetering on the very edge of its south bank, as it still does today. 'One or two persons' who were to be displaced by the re-routing of the creek had been advised by the Public Works Department, in May 1860, to remove their property; they and several others unsuccessfully sought compensation for their losses. It is possible that John Hannan was one of those advised to move, but in the absence of compensation he may well have opted to stay put.

Hannan and his neighbours at Ten Foot Hill occupied their land under the provisions of the Miner's Right, which, in addition to a mining claim, entitled the holder to occupy a Residence Area, a parcel of land not exceeding 20 perches for the purposes of a house and garden. Although close to the town centre, the land to the south of Forest Creek had been withheld from survey and sale until after the creek was re-routed. When finally surveyed in 1862, Section 144 of the Township of Castlemaine was neatly divided into 21 oblong allotments—on paper, that is. The survey ignored the reality that Section 144 (the neighbourhood of Hannan's cottage) was already occupied, albeit in a haphazard fashion, by a dozen or more dwellings on Miners' Residence Areas. Only two of the surveyed allotments were sold in 1862; most of the remaining land in Section 144 (including portions of the surveyed roadway) continued to be occupied under Miner's Rights until the turn of the century and beyond. A government survey plan of 1881 shows Hannan's cottage as an L-shaped stone structure, with a separate kitchen to the west and a shed and outhouse to the east. At some later date, the kitchen was apparently linked to the main house by means of a wooden verandah and washhouse. Julia Hannan died in 1896 and following her husband's death (at age 80) in 1903, their daughter Queenie sold the cottage. It was advertised as a 'Stone and W.B. House, 7 rooms' with 'Good fruit garden etc.' The buyer was Mrs Margaret Cuddy, who lived in nearby Vincent Street. To be eligible as transferee of the Residence Area on which the cottage stood, Mrs Cuddy had to take out a Miner's Right.

Since 1865, it had been possible to register one's Residence Area and sell any 'improvements' on the land. The land itself, however, remained the property of the Crown. Fifty years or so after the introduction of the Miner's Right, the purpose of Residence Areas (originally to give miners some tenure over their place of residence) had been so far distorted that it was common practice for capitalists to hold a number of residence areas as investment properties. Changes to the Lands Act in 1898 enabled holders of some Residence Areas to apply to purchase their allotments from the Crown. Several allotments in Section 144 were acquired in this way during the first decade of the new century. In 1906, an exasperated surveyor, requested by the Lands Department to conduct a survey of one such allotment preparatory to its sale, wrote of the Section 144 Residence Areas that: the holders have not paid any attention to the original [1862] survey, but have fenced in a very irregular manner, their holdings have dovetailed into each other, having in most cases narrow and crooked rights of way between. One of the holdings is taken to the edge of the new channel and another is across Vincent Street.

Even the Greenhill Street roadway had been forced, by the continuing presence of Hannan's cottage and others, to take an entirely different route than the one laid out on paper in 1862.

James Tute, a miner, and his family occupied the cottage at 29 Greenhill Street from 1922. William Cuddy had inherited the cottage from his late mother and Tute bought it from him by instalments. In 1924, the Residence Area was transferred from Cuddy to Tute. Following a further amendment to the Lands Act in 1935, James Tute, along with most of the other remaining Residence Area holders in Section 144, applied to purchase their land from the Crown. Tute's application was refused, on the grounds that his Residence Area was entirely on a road reserve. However, a Lands Department officer noted 'the Council are unlikely to force applicant to vacate the area occupied until his very old house is no longer habitable'. Most of Tute's neighbours who obtained freehold of their Residence Areas either replaced or substantially upgraded the buildings upon them. The one or two who, like Tute, were unsuccessful in their applications, within a short time gave up their Residence Areas and the structures thereon were removed.

James Tute stayed on, however, and when he died of phthisis ('Miner's Complaint') in 1939, his Residence Area and cottage at 29 Greenhill Street passed to his wife Elizabeth. Elizabeth died in 1973, bequeathing the property to her daughter, Gladys Power. In 1975, Mrs Power sought to have the Residence Area converted to freehold. In refusing her request, the Lands Department cited the same reason given to her father—that the land occupied part of the roadway—and reiterated that 'Occupation of the area was allowed to continue until such time as the dwelling was no longer habitable and this situation has continued to the present day'. Mrs Power lived in the cottage until her death in 1997.

Upon falling vacant, Residence Area properties situated, like this one, on reserved Crown land, have in the past been demolished by the Lands Department and its successors. The cottage beside the creek in Greenhill Avenue is the last of them in the district, making it a unique artefact of the Mount Alexander gold rushes and the origins of Castlemaine.

## **Assessment Against Criteria**

## Criterion A

The historical importance, association with or relationship to Victoria's history of the place or object.

Tute's cottage (formerly Hannan's) is historically significant for its association with a key event in Victoria's history and a defining moment in the development of Australia's character and culture. The cottage is situated in one of Castlemaine's oldest neighbourhoods. Ten-Foot Hill, as the locality is known, was the site of a gold rush early in 1852, within months of the first gold discovery on Forest Creek. The cottage was built only 500 metres from the market square at the centre of Castlemaine township, and closer still to the bustling stores and hotels of Urquhart Street. The cottage faced north-west, directly towards the original market buildings (behind the remaining market) which were built during the winter of 1858. Continuously occupied as a private residence from the 1850s until 1996, the cottage has survived as a mute witness to gold rushes, floods, the arrival of the railway, and the development of Castlemaine as a town.

b. The importance of a place or object in demonstrating rarity or uniqueness

c. The place or object's potential to educate, illustrate or provide further scientific investigation in relation to Victoria's cultural heritage

Tute's cottage (formerly Hannan's) is archaeologically significant for its potential to contain evidence of its former inhabitants.

d. The importance of a place or object in exhibiting the principal characteristics or the representative nature of a place or object as part of a class or type of places or objects

Tute's cottage (formerly Hannan's) is architecturally significant as a rare vernacular stone cottage of the gold rush period. Being crown land held under Miner's Right 'residence area' the cottage's various owners made little change to the place resulting in its original architectural style surviving with remarkable clarity. Timber additions were added after 1881. Vernacular stone cottages were once commonplace in Castlemaine, but all have now either been demolished or been incorporated into modern structures. Tute's cottage is a remarkable survivor, the last stone cottage to be occupied under a Miners Right in Castlemaine.

e. The importance of the place or object in exhibiting good design or aesthetic characteristics and/or in exhibiting a richness, diversity or unusual integration of features

f. The importance of the place or object in demonstrating or being associated with scientific or technical innovations or achievements

g. The importance of the place or object in demonstrating social or cultural associations

Tute's cottage (formerly Hannan's) is socially significant due to local community recognition of the antiquity of the structure and the surrounding area. As early as 1914, Tute's cottage was being photographed and recorded as a rare gold rush relic. The surrounding block, Section 144 of the Township of Castlemaine, that once contained dozens of other properties originally held under Miner's Right, despite its modern houses, is still laid out in its original haphazard fashion owing far more to the clamour of the gold rush than to the niceties of town planning.

h. Any other matter which the Council deems relevant to the determination of cultural heritage significance

## Extent of Registration

### NOTICE OF REGISTRATION

As Executive Director for the purpose of the Heritage Act, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 1836 in the category described as a Heritage place:

Former Tute's College, 29 Greenhill Road, Castlemaine, Shire of Mt Alexander.

EXTENT:

1. All the buildings marked B-1 (stone cottage, weatherboard kitchen, bathroom and laundry) on Diagram 608448 held by the Executive Director.

2. All of the land marked L-1 on Diagram 608448 held by the Executive Director, being all of Crown Allotment 4B, Section 144, Township of Castlemaine, Parish of Castlemaine as shown on Certified Plan No. 119017 lodged in the Central Plan Office.

Dated 20 August 1999.

RAY TONKIN

Executive Director

[Victoria Government Gazette G 34 26 August 1999 p.1986]

[NOTE: register number is actually H1838]

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*This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 2017. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place source.*

*For further details about Heritage Overlay places, contact the relevant local council or go to Planning Schemes Online <http://planningschemes.dpcd.vic.gov.au/>*