

## Heritage Council Determination

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<b>Determination date</b>	2 October 2025
<b>Place/Object name</b>	Bendigo Law Courts
<b>Location</b>	71-85 Pall Mall, Bendigo, Greater Bendigo City, Dja Dja Wurrung Country
<b>VHR number</b>	H1466
<b>Category</b>	Registered Place and Registered Object Integral to a Registered Place
<b>Relevant legislative provision/s</b>	Amendment to the Victorian Heritage Register, pursuant to section 62 of the <i>Heritage Act 2017</i>

### Determination of the Heritage Council

The Heritage Council of Victoria determined on **2 October 2025**, in accordance with Part 3 and Part 5 of the *Heritage Act 2017*, that the above Place is to be amended in the Victorian Heritage Register.

The Heritage Council determined to make the following amendments to the Victorian Heritage Register:

- the objects are integral to understanding the cultural heritage significance of a registered place and are to be included in the Victorian Heritage Register in accordance with section 49(1)(ca) of the Act; and
  - to include additional land in the Victorian Heritage Register in accordance with section 49(1)(d)(i) and (ii) of the Act; and
  - the category of registration be amended to Registered Place and Registered Object Registered Integral to a Registered Place; and
  - categories of works or activities may be carried out in relation to the Place and objects integral for which a permit is not required (specific permit exemptions).
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## Executive Director's Recommendation

The cultural heritage significance of the Bendigo Law Courts, located at 71-85 Pall Mall, Bendigo, Dja Dja Wurrung Country ('the Place') was recognised when it was included in the Register of Government Buildings in 1988. Its State-level cultural heritage significance was confirmed in 1998 when it was transferred in the Victorian Heritage Register (VHR).

On **30 June 2025** the Executive Director made and accepted an application to amend the registration of the Place.

On **14 July 2025** the Executive Director made a recommendation to the Heritage Council ('the Recommendation') that the existing registration of the Place should be amended in the VHR. The Recommendation was advertised publicly for a period of 60 days, beginning on **18 July 2025**.

## Section 44 submissions

During the 60-day public advertisement period no submissions were received pursuant to section 44 of the *Heritage Act 2017*.

## The Place

### Description

Extracted verbatim from page 3 of the Executive Director's Recommendation:

*The Bendigo Law Courts is located on the land of the Dja Dja Wurrung people.*

*The Bendigo Law Courts is located on the corner of Pall Mall and Bull Street in central Bendigo. The building is next to the Bendigo Post Office (VHR H1080) designed by the same architect in the same French Second Empire style. Together, these two buildings formed the Sandhurst Public Buildings reserve. Both buildings address Rosalind Park to the northwest and Pall Mall to the southeast.*

*The Bendigo Law Courts is a freestanding building, with four highly decorative facades designed to be viewed in the round in order to address the surrounding context. The Law Courts is entered via a grand flight of steps on Pall Mall that terminate in front of three arches which open onto an entrance arcade. Alternative access is also available from the rear of the building down to the basement level.*

*The layout of the Bendigo Law Courts was informed by the brief for a multi-jurisdictional court, requiring space for the Supreme Court, Police Court and Warden's Court. Unlike the Melbourne Supreme Court, which provides several courts across one level, the architect was limited by site constraints and designed a configuration that created a spatial hierarchy of the three different courts. The building houses the Supreme Court on the first floor, with a large central pavilion demarcating its position on the roofline. This is stacked directly on top of the Police Court or Magistrates' Court, which spans the basement and ground levels. Space for the Warden's Court was also provided on the ground floor to the west of the Magistrates' Court.*

*Between the three floors, a wide set of scissor stairs provides vertical circulation through the building. These stairs open to the vestibules on each floor, and a series of passages and arcades provide circulation around the building to each courtroom. Arranged around the perimeter of the building are the other ancillary rooms of the court that support court operation, including offices, judges' chambers, and rooms for witnesses, prisoners, barristers and the like. The requirement for functional separation between the different participants of the court means that each courtroom has at least four separate entrances with distinct circulation patterns back to the appropriate rooms. This arrangement can be seen on the 1896 floor plans below [refer to **Attachment 1**].*

*As the courts were operational until 2023, there has been some minor alteration to accommodate the building's ongoing use. This includes the introduction of a lift which runs through the former strong room in the basement, the former County Court office on the ground floor and the former sheriff's registrar on the first floor, and the introduction of toilets.*

## Reasons for the amendment application

### Additional land

The Executive Director recommended that the Heritage Council amend the registration of the Place to include additional land, having formed the view that:

- the State-level cultural heritage significance of the Place would be substantially less if the additional land or any part of the additional land which is or has been used in conjunction with the Place were developed [s.40(3A)(c)(i)]; and
- the additional land surrounds the Place and is important to the protection or conservation of the Place; and contributes to the understanding of the Place [s.40(3A)(c)(ii)].

### The Executive Director noted that:

- The land proposed for inclusion both is currently and has been used in conjunction with the Place for over 100 years.

### The Executive Director was of the view that:

- The existing extent of registration was limited to the footprint of the building, and was insufficient to protect, conserve and allow for a proper understanding of the Place.
- Without an approval process, the Bendigo Law Courts, could potentially be affected by future works to or redevelopment of the Bendigo Justice Centre site to the northwest which, depending upon the siting, height, form, scale and materials would affect the setting of the Place and its relationship to Rosalind Park (VHR H1866).
- If any of the additional land proposed for inclusion in the registration were developed, depending upon the nature of the proposal, there would be potential for the development to impact upon the Place and substantially reduce its State-level cultural heritage significance.
- Inclusion of an area of land around the building would also enable works that could potentially impact on the conservation of the building, such as drainage and paving, to be managed under an approvals process.
- Inclusion of the right of way between the Place and Bendigo Post Office (VHR H1080) would protect the relationship between the two buildings, which share a unifying design, style and scale.
- Inclusion of an area around the building provides a setting for the Place, including features such as the bisecting laneway behind the Place and Post Office, views to and from Rosalind Park, and the ability to view the building in the round.

### Objects integral

The Executive Director recommended thirteen (13) objects as being integral to understanding the cultural significance of the Place (**Attachment 2**). Objects considered by the Executive Director to be integral to the cultural heritage significance of the Place included:

1. Judge's bench with three cedar writing slopes, Supreme Court
2. Associate's desk, Supreme Court
3. Jury box, Supreme Court
4. Reporter's seats and desks (two of each), Supreme Court
5. Barristers' and solicitors' seats and tables (two panelled benches with writing slope on back, two panelled benches with curved corners and one long desk with four leather insets)
6. Witness box, Supreme Court
7. Prisoner's dock, Supreme Court
8. Public gallery, Supreme Court

9. Judge's bench, Magistrates' Court
10. Clerk's desk, Magistrates' Court
11. Prisoner's dock, Magistrates' Court
12. Witness box, Magistrates' Court
13. Public gallery including benches and front panel, Magistrates' Court.

### Summary of how the objects are integral to understanding the cultural heritage significance of the Place

The 2023 Conservation Management Plan for the Place prepared by Lovell Chen notes that the survival of the original joinery and furniture elements within the court rooms themselves are important to the legibility of the Place.

The thirteen objects above comprise court room furniture that contribute importantly to understanding court functions and processes at the Place. The 1986 Conservation Analysis by Bruce Trethowan and Robert Peck and the 2018 Conservation Management Plan by Lovell Chen were also used by the Executive Director to identify which of the court room furniture is original and which has been subject to change, removal, or relocation. The Recommendation noted that the fit out of the Supreme Court and the Magistrates' Court is of particular interest, for being almost entirely original, with only some rearrangement of furniture within each room. It was the conclusion of the Executive Director that these two courts and their layouts demonstrate the enduring function of the Place as law courts since the 1890s.

A description and image of each object integral is provided at **Attachment 2**.

### Change of name

The Executive Director recommended changing the name of the Place in the VHR from 'Law Courts' to 'Bendigo Law Courts' as specifying the location prevents confusion with the Law Courts in Melbourne, which is also included in the VHR.

### Heritage Council's Criteria

The Place was included in the Historic Buildings Register in 1988, before the introduction of the Heritage Council's *The Victorian Heritage Register Criteria and Threshold Guidelines* (2012) (**Attachment 3**).

The Executive Director recommended that the following Heritage Council Criteria are applicable to the existing registration of the Place:

- **Criterion A** – Importance to the course, or pattern, or Victoria's cultural history
- **Criterion D** – Importance in demonstrating the principal characteristics of a class of cultural places and objects.

The Executive Director recommended excluding the following Heritage Council Criterion from the registration for the Place:

- **Criterion E** - Importance in exhibiting particular aesthetic characteristics.

It was the Recommendation of the Executive Director that the Place is no longer considered to satisfy Criterion E, following the 2012 introduction of *The Victorian Heritage Register Criteria and Threshold Guidelines*. The Executive Director noted that the Statement of Significance for the Place was last updated in 2000 and pre-dates that guidance.

### Heritage Council's findings

The Heritage Council's statutory remit is confined by the *Heritage Act 2017*. When a place or object is included in the VHR, the description, history, statement of significance and permit policy do not form statutory components of the VHR. The Heritage Council notes that the Executive Director may make the non-statutory amendments to the Statement of Significance as set out in the Recommendation. The Heritage Council's decision in relation to the Place is confined to the extent of registration and permit exemptions.

Accordingly, the Heritage Council notes the Executive Director's recommendation to amend the Criteria under which the Place is registered, as set out above, but makes no determination in relation to it.

### Objects Integral to the Registered Place

The Heritage Council's findings accord with the Executive Director's Recommendation. The Heritage Council finds that the collection of thirteen (13) objects associated with the Place's function as law courts are integral to the understanding of the cultural heritage significance of the Place.

The inventory of objects is provided at **Attachment 2**.

### Additional Land

The Heritage Council determines that the extent of registration recommended by the Executive Director is appropriate, and finds that additional land should be included in the VHR. The Heritage Council notes that the additional land has been used in conjunction with the Place for over 100 years. The Heritage Council agrees with the rationale for including additional land in the registration for the Place, as set out above on **page 3** of this document.

The extent of registration is provided as **Attachment 4** and includes all of the Place shown hatched in Diagram 1466 encompassing all of Crown allotments 2137 and 6G Section 1C at Bendigo, Parish of Sandhurst and the objects integral to the Place.

### Permit Exemptions

The Heritage Council determined specific permit exemptions that would not harm the cultural heritage significance of the Place or the objects integral to the Place. The permit exemptions are provided as **Attachment 4** to this determination.

### Conclusion

The Heritage Council has determined, pursuant to Part 3 and Part 5 of the *Heritage Act 2017*, that the registration for the Bendigo Law Courts is to be amended in the Victorian Heritage Register.



**Professor Philip Goad**  
**Chair, Heritage Council of Victoria**

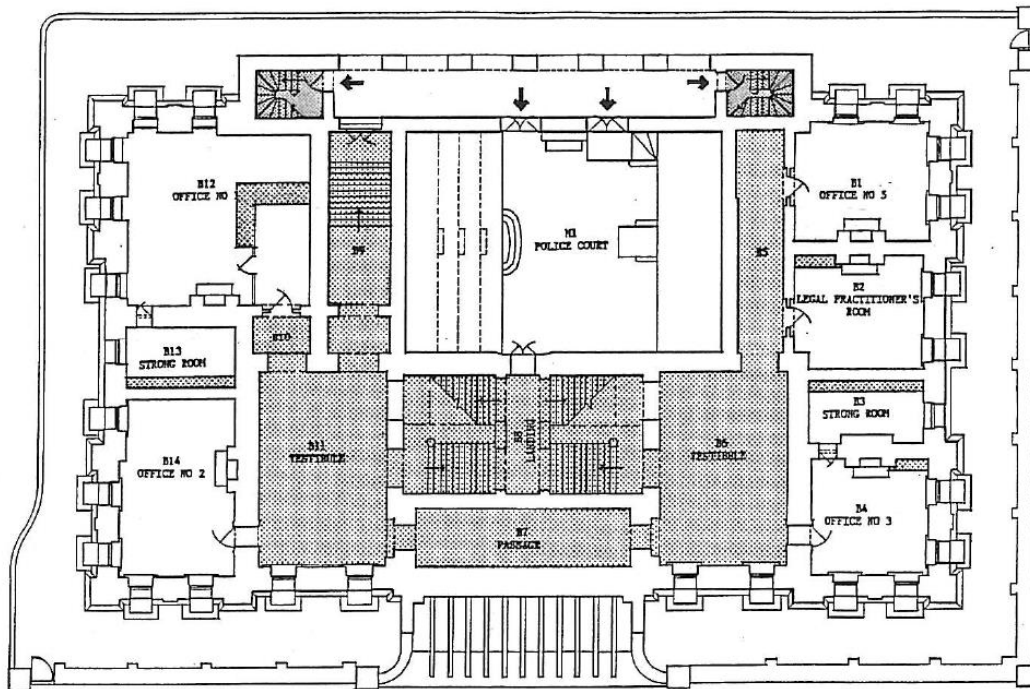


# Attachment 1

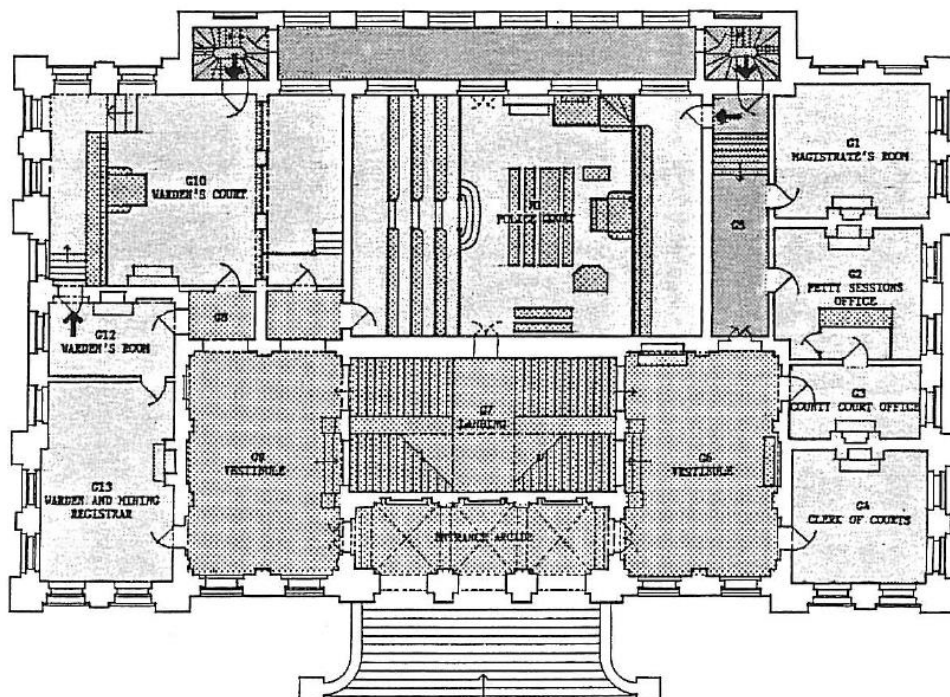
## History: Diagrams and Timeline

### Diagrams

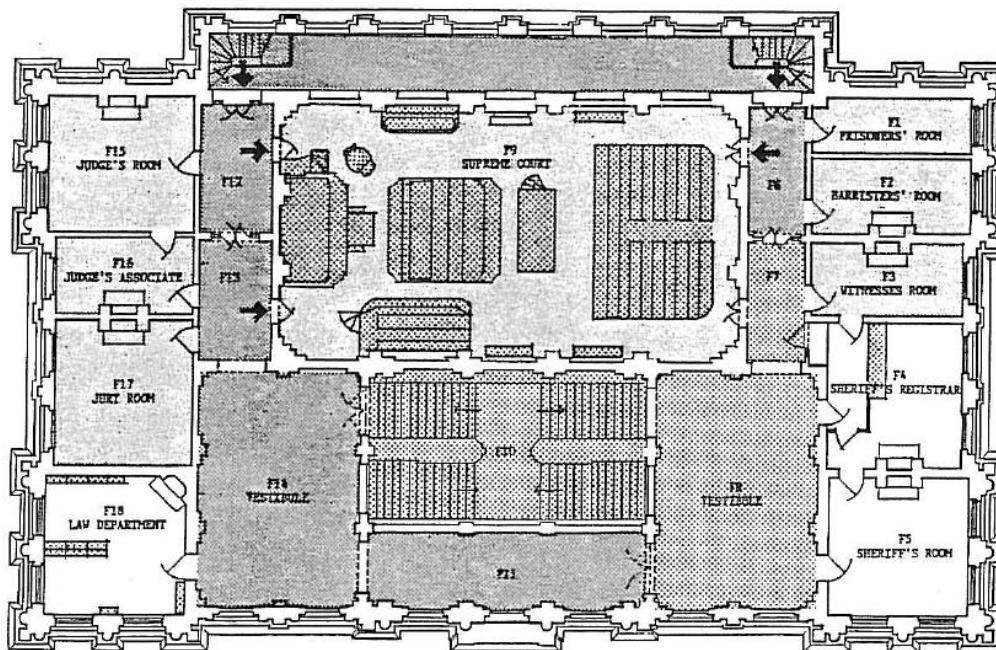
The floor plans below, from pages 4 and 5 of the Recommendation, show the 1896 spatial arrangement of the building (retrieved from the 1986 Conservation Analysis prepared by Bruce Trethowan and Robert Peck & Company), and indicate the main spaces in the Bendigo Law Courts.



*Basement Level Floor Plan*



*Ground Level Floor Plan*



*First Level Floor Plan*

## Timeline

Taken verbatim from pages 7 and 8 of the Recommendation.


- April 1841** First Supreme Court sat in Port Phillip District.
- Dec 1851** Gold discovered in Bendigo.
- Dec 1852** A Court of Petty Sessions (also known as the Police Court or the Magistrates' Court) was established at the Bendigo Goldfields at a site on the junction of the Bendigo Creek and Golden Gully.
- 1863** The Supreme Court sat in Bendigo (then Sandhurst) and seven other country towns.
- 1865** The Warden's Court was instituted. The Warden was a Justice of the Peace having jurisdiction in mining claims up to a certain value. The Wardens of the Mining Board were elected by holders of mining rights and they administered the by-laws that governed mining operations on Crown Lands.
- 1870s** Sandhurst City Council considered sites for new public buildings. In May 1879, it was reported that 'the Minister of Public Works was willing to erect large public buildings. A subcommittee was formed to determine an appropriate site.
- June 1882** Passing of the Sandhurst Public Buildings Act (1882) which set aside land on Pall Mall for public buildings.
- 1882-1887** The Bendigo Post Office was built on Pall Mall and provided accommodation for the Victorian government departments of the sub-treasury, police, Crown Lands, Water Supply, Post and Telegraph and quarters for the Postmaster. Design completed by George W. Watson of the Public Works Department.
- 1890s** Economic depression hit the rest of the Victoria; Bendigo was spared of the worst of it by the gold mining revival.


- 1891** By popular demand, the city's name changed from Sandhurst to Bendigo.
- 1896** The Bendigo Law Courts were completed in the Second Empire Style by Watson. The building contained accommodation for the Supreme Court, the Police Court and the Warden's Court and was designed to complement the neighbouring Post Office. At the time of the building's opening, the Law Courts had no sanitary plumbing or running water. As part of the construction, two ancillary buildings were provided behind the new building for a police lock up and a caretaker's residence to a design by J.R. Fisher for £887.
- 1911** Six vent flues were installed in the ceiling of the Supreme Court to vent the chamber through the ceiling.
- 1920s** Toilets and other plumbing facilities were installed progressively from the 1920s. These are chiefly located in the northern corner and within the rear arcade.
- 1930s** Pedestal lamps around the perimeter fence were removed by the 1930s, to be replaced with different lamp fittings in the 1950s.
- 1939** 1890s watch house was replaced with a two-storey brick building for police offices.
- 1950s** Removal of the central statuary group and flanking urns from the upper parapet due to the deterioration of the pressed cement of the statues. At some point during this decade, the caretaker's cottage ceased to be occupied.
- 1970s** Construction of the Justice Centre required the demolition of the 1890s caretaker's cottage. It was replaced with the present-day building, which features a splayed south-east elevation to allow views of the rear from both William Vahland Place and Rosalind Park.
- 2023** The Bendigo Law Courts closed, and court operations were relocated to a new building in Hargreaves Street.




# Attachment 2

## Objects Integral Inventory


<b>Object identification</b>	Judge's bench with three cedar writing slopes
<b>Current location:</b>	Supreme Court
<b>Image</b>	 <p>2025. Judge's bench in Supreme Court.</p>
<b>Description</b>	The judge's bench including side screens, steps and writing slopes. Design and layout was prepared by the Public Works Department in 1894 and contracted to the firm John Bennett and Sons. Made from cedar.
<b>Source</b>	Bruce Trethowan and Robert Peck & Company, <i>The Bendigo Law Courts Conservation Analysis</i> , 1986. Lovell Chen, <i>Bendigo Law Courts Complex Conservation Management Plan</i> , 2018.
<b>Markings</b>	None.
<b>Condition</b>	Very good condition.


<b>Object identification</b>	Associate's desk
<b>Current location:</b>	Supreme Court
<b>Image</b>	 <p>2025. Associate's desk in Supreme Court.</p>

<b>Description</b>	Cedar desk with screens. Some additions have been made to accommodate use, such as removal of the original fixed bench in favour of a loose chair. Upholstery behind, indicative of original fixed bench location, has been retained.
<b>Source</b>	Bruce Trethowan and Robert Peck & Company, <i>The Bendigo Law Courts Conservation Analysis</i> , 1986. Lovell Chen, <i>Bendigo Law Courts Complex Conservation Management Plan</i> , 2018.
<b>Markings</b>	None.
<b>Condition</b>	Very good condition.


<b>Object identification</b>	Jury Box
<b>Current location:</b>	Supreme Court
<b>Image</b>	 <p>2025. Jury box in Supreme Court.</p>
<b>Description</b>	Made from cedar, the design of the jury box was prepared by the Public Works Department in 1894 and contracted to the firm John Bennett and Sons. The location of the jury box and the reporters' box was swapped shortly after the opening of the building. At this time the location of the entrance to the jury box was stopped.
<b>Source</b>	Bruce Trethowan and Robert Peck & Company, <i>The Bendigo Law Courts Conservation Analysis</i> , 1986. Lovell Chen, <i>Bendigo Law Courts Complex Conservation Management Plan</i> , 2018.
<b>Markings</b>	None.
<b>Condition</b>	Very good condition.

<b>Object identification</b>	Reporter's seats and desks (two each)
<b>Current location:</b>	Supreme Court

Image	 <p>2025. Reporters' seats and desks in Supreme Court.</p>
Description	<p>Made from cedar, the design of the jury box was prepared by the Public Works Department in 1894 and contracted to the firm John Bennett and Sons. The location of the reporters' box and the jury box was swapped shortly after the opening of the building.</p>
Source	<p>Bruce Trethowan and Robert Peck &amp; Company, <i>The Bendigo Law Courts Conservation Analysis</i>, 1986. Lovell Chen, <i>Bendigo Law Courts Complex Conservation Management Plan</i>, 2018.</p>
Markings	<p>None.</p>
Condition	<p>Very good condition.</p>


Object identification	<p>Barristers' and solicitors' seats and tables (2 panelled benches with writing slope on back, 2 panelled benches with curved corners, 1 long desk with four leather insets)</p>
Current location:	<p>Supreme Court</p>
Image	 <p>2025. Barristers' and solicitors' seats and tables.</p>
Description	<p>Located on a raised platform and made from cedar with upholstered cushions to bench seats. The first row from the judge's bench is a long-seated bench with its back to the judge, the second row has loose chairs (the ones presently in the courtroom are not documented as part of the original fitout and have therefore not been included), the third and fourth rows are fixed benches with writing slopes attached to the bench in front for instructing solicitors and other counsel.</p>


<b>Source</b>	Bruce Trethowan and Robert Peck & Company, <i>The Bendigo Law Courts Conservation Analysis</i> , 1986. Lovell Chen, <i>Bendigo Law Courts Complex Conservation Management Plan</i> , 2018.
<b>Markings</b>	None.
<b>Condition</b>	Very good condition.


<b>Object identification</b>	Witness box
<b>Current location:</b>	Supreme Court
<b>Image</b>	 <p>2025. Witness box.</p>
<b>Description</b>	Witness box made from cedar and documented in the original PWD fit-out drawings. This is not the original location of the witness box, and alterations include a platform that was introduced to raise the height of the witness at an unknown date.
<b>Source</b>	Bruce Trethowan and Robert Peck & Company, <i>The Bendigo Law Courts Conservation Analysis</i> , 1986. Lovell Chen, <i>Bendigo Law Courts Complex Conservation Management Plan</i> , 2018.
<b>Markings</b>	Some graffiti to the surface of the writing slope.
<b>Condition</b>	Very good condition.


<b>Object identification</b>	Prisoner's dock
<b>Current location:</b>	Supreme Court




<b>Image</b>	 <p>2025. Prisoner's dock.</p>
<b>Description</b>	The prisoner's dock remains in its originally documented position and retains all original features except for the gate. The base of the dock has the same panelling and moulding as the other fittings in the Supreme Court.
<b>Source</b>	Bruce Trethowan and Robert Peck & Company, <i>The Bendigo Law Courts Conservation Analysis</i> , 1986. Lovell Chen, <i>Bendigo Law Courts Complex Conservation Management Plan</i> , 2018.
<b>Markings</b>	None.
<b>Condition</b>	Very good condition.

<b>Object identification</b>	Public Gallery
<b>Current location:</b>	Supreme Court
<b>Image</b>	 <p>2025. Public gallery.</p>
<b>Description</b>	Stepped public gallery with five tiers of fixed benches and surrounding screen.
<b>Source</b>	Bruce Trethowan and Robert Peck & Company, <i>The Bendigo Law Courts Conservation Analysis</i> , 1986. Lovell Chen, <i>Bendigo Law Courts Complex Conservation Management Plan</i> , 2018.
<b>Markings</b>	None.
<b>Condition</b>	Very good condition.


<b>Object identification</b>	Judge's bench
<b>Current location:</b>	Magistrates' Court
<b>Image</b>	 <p>2025. Judge's bench.</p>
<b>Description</b>	Judge's bench in Magistrate's Court was part of the documented furnishings. A long bench with screen in front and writing slope behind. Made from Oregon timber with leather/vinyl inset.
<b>Source</b>	Bruce Trethowan and Robert Peck & Company, <i>The Bendigo Law Courts Conservation Analysis</i> , 1986. Lovell Chen, <i>Bendigo Law Courts Complex Conservation Management Plan</i> , 2018.
<b>Markings</b>	None.
<b>Condition</b>	Very good condition.

<b>Object identification</b>	Clerk's desk
<b>Current location:</b>	Magistrates' Court
<b>Image</b>	 <p>2025. Clerk's desk.</p>
<b>Description</b>	Clerk's desk was part of the documented furnishings. Comprised of big timber screens to three sides with desk concealed behind. Made out of Oregon timber. The desk surface appears to have been upgraded at some point. This alteration is not visible from the front and may be reversible.
<b>Source</b>	Bruce Trethowan and Robert Peck & Company, <i>The Bendigo Law Courts Conservation Analysis</i> , 1986. Lovell Chen, <i>Bendigo Law Courts Complex Conservation Management Plan</i> , 2018.

<b>Markings</b>	None.
<b>Condition</b>	Very good condition.

<b>Object identification</b>	Prisoner's dock
<b>Current location:</b>	Magistrates' Court
<b>Image</b>	 <p>2025. Prisoner's dock.</p>
<b>Description</b>	Prisoner's dock made from same timber as other furnishings in the Magistrates' Court. Metal grate on the right side of the dock looks to have been added later.
<b>Source</b>	Bruce Trethowan and Robert Peck & Company, <i>The Bendigo Law Courts Conservation Analysis</i> , 1986. Lovell Chen, <i>Bendigo Law Courts Complex Conservation Management Plan</i> , 2018.
<b>Markings</b>	None.
<b>Condition</b>	Very good condition.

<b>Object identification</b>	Witness box
<b>Current location:</b>	Magistrates' Court
<b>Image</b>	 <p>2025. Witness box.</p>
<b>Description</b>	The witness box is made from the same timber with same panelling and floral motifs as the other courtroom furniture. It was documented in the original fit-out of the magistrate's court, though its position has been rearranged to accommodate the introduction of later furniture.

<b>Source</b>	Bruce Trethowan and Robert Peck & Company, <i>The Bendigo Law Courts Conservation Analysis</i> , 1986. Lovell Chen, <i>Bendigo Law Courts Complex Conservation Management Plan</i> , 2018.
<b>Markings</b>	None.
<b>Condition</b>	Very good condition.
<b>Object identification</b>	Public gallery including benches and front panel
<b>Current location:</b>	Magistrates' Court
<b>Image</b>	 <p>2025. <i>Public gallery.</i></p>
<b>Description</b>	Four tiered public gallery with timber screens to the front, designed in the same style as the other furniture in this courtroom.
<b>Source</b>	Bruce Trethowan and Robert Peck & Company, <i>The Bendigo Law Courts Conservation Analysis</i> , 1986. Lovell Chen, <i>Bendigo Law Courts Complex Conservation Management Plan</i> , 2018.
<b>Markings</b>	None.
<b>Condition</b>	Very good condition.



# Attachment 3

## Victorian Heritage Register Criteria and Threshold Guidelines

<b>Criterion A</b>	Importance to the course, or pattern, of Victoria's cultural history.
<b>Criterion B</b>	Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
<b>Criterion C</b>	Potential to yield information that will contribute to an understanding of Victoria's cultural history.
<b>Criterion D</b>	Importance in demonstrating the principal characteristics of a class of cultural places and objects.
<b>Criterion E</b>	Importance in exhibiting particular aesthetic characteristics.
<b>Criterion F</b>	Importance in demonstrating a high degree of creative or technical achievement at a particular period.
<b>Criterion G</b>	Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons.
<b>Criterion H</b>	Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

These were adopted by the Heritage Council at its meeting on 1 December 2022, and replace the previous criteria adopted by the Heritage Council on 6 December 2012.

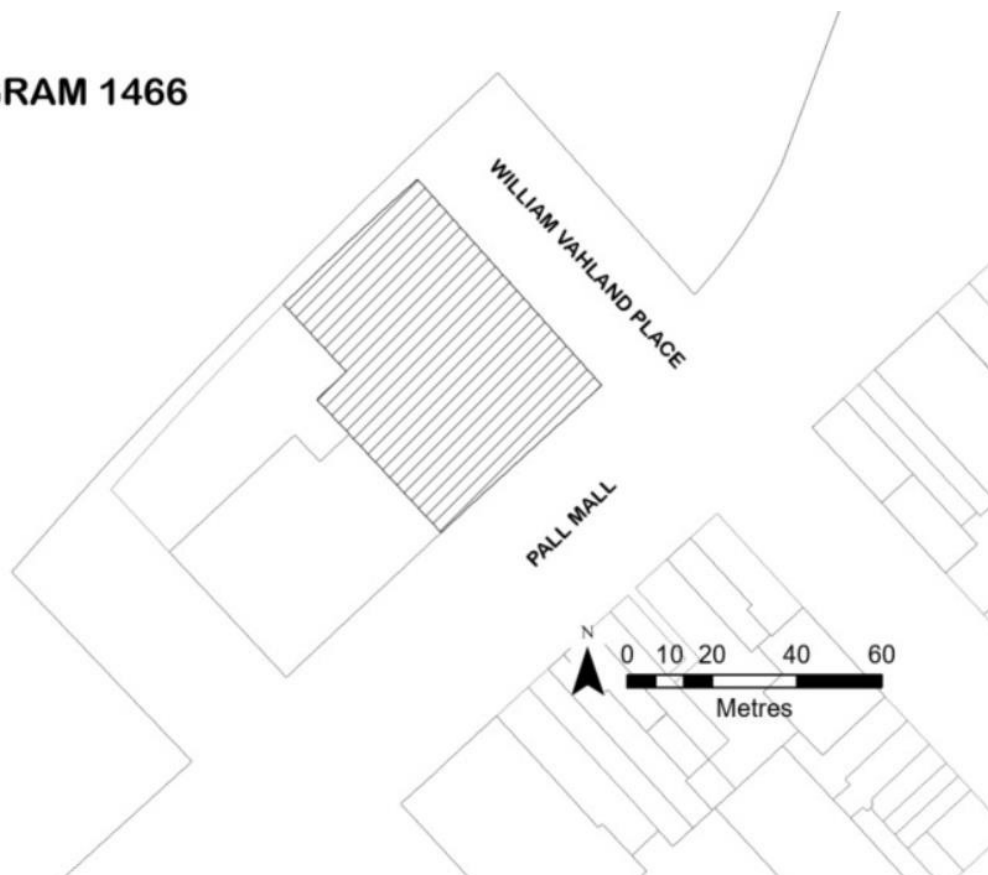
# Attachment 4

## Extent of Registration

All of the Place shown hatched in Diagram 1466 encompassing all of Crown allotments 2137 and 6G Section 1C at Bendigo, Parish of Sandhurst, and the following objects integral:

1. Judge's bench with three cedar writing slopes, Supreme Court
2. Associate's desk, Supreme Court
3. Jury box, Supreme Court
4. Reporters' seats and desks (two of each), Supreme Court
5. Barristers' and solicitor's seats and tables (two panelled benches with writing slope on back, two panelled benches with curved corners and one long desk with four leather insets)
6. Witness box, Supreme Court
7. Prisoner's dock, Supreme Court
8. Public gallery, Supreme Court
9. Judge's bench, Magistrates' Court
10. Clerk's desk, Magistrates' Court
11. Prisoner's dock, Magistrates' Court
12. Witness box, Magistrates' Court
13. Public gallery including benches and front panel, Magistrates' Court

**DIAGRAM 1466**



# Attachment 5

## Categories of Works or Activities which may be undertaken without a Permit (Permit exemptions)

### Permit exemptions

#### General exemptions

General exemptions apply to all places and objects included in the VHR. General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which do not harm its cultural heritage significance, to proceed without the need to obtain approvals under the *Heritage Act 2017*.

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 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

The works and activities below are not considered to cause harm to the cultural heritage significance of the [insert place / object name] subject to the following guidelines and conditions:

#### Guidelines

1. Where there is an inconsistency between permit exemptions specific to the registered place or object ('specific exemptions') established in accordance with either section 49(3) or section 92(3) of the Act and general exemptions established in accordance with section 92(1) of the Act specific exemptions will prevail to the extent of any inconsistency.
2. In specific exemptions, words have the same meaning as in the Act, unless otherwise indicated. Where there is an inconsistency between specific exemptions and the Act, the Act will prevail to the extent of any inconsistency.
3. Nothing in specific exemptions obviates the responsibility of a proponent to obtain the consent of the owner of the registered place or object, or if the registered place or object is situated on Crown Land the land manager as defined in the *Crown Land (Reserves) Act 1978*, prior to undertaking works or activities in accordance with specific exemptions.
4. If a Cultural Heritage Management Plan in accordance with the *Aboriginal Heritage Act 2006* is required for works covered by specific exemptions, specific exemptions will apply only if the Cultural Heritage Management Plan has been approved prior to works or activities commencing. Where there is an inconsistency between specific exemptions and a Cultural Heritage Management Plan for the relevant works and activities, Heritage Victoria must be contacted for advice on the appropriate approval pathway.
5. Specific exemptions do not constitute approvals, authorisations or exemptions under any other legislation, Local Government, State Government or Commonwealth Government requirements, including but not limited to the *Planning and Environment Act 1987*, the *Aboriginal Heritage Act 2006*, and the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). Nothing in this declaration exempts owners or their agents from the responsibility to obtain relevant planning, building or environmental approvals from the responsible authority where applicable.
6. Care should be taken when working with heritage buildings and objects, as historic fabric may contain dangerous and poisonous materials (for example lead paint and asbestos). Appropriate personal

protective equipment should be worn at all times. If you are unsure, seek advice from a qualified heritage architect, heritage consultant or local Council heritage advisor

7. The presence of unsafe materials (for example asbestos, lead paint etc) at a registered place or object does not automatically exempt remedial works or activities in accordance with this category. Approvals under Part 5 of the Act must be obtained to undertake works or activities that are not expressly exempted by the below specific exemptions.
8. All works should be informed by a Conservation Management Plan prepared for the place or object. The Executive Director is not bound by any Conservation Management Plan and permits still must be obtained for works suggested in any Conservation Management Plan.

### **Conditions**

1. All works or activities permitted under specific exemptions must be planned and carried out in a manner which prevents harm to the registered place or object. Harm includes moving, removing or damaging any part of the registered place or object that contributes to its cultural heritage significance.
2. If during the carrying out of works or activities in accordance with specific exemptions original or previously hidden or inaccessible details of the registered place are revealed relating to its cultural heritage significance, including but not limited to historical archaeological remains, such as features, deposits or artefacts, then works must cease and Heritage Victoria notified as soon as possible.
3. If during the carrying out of works or activities in accordance with specific exemptions any Aboriginal cultural heritage is discovered or exposed at any time, all works must cease and the Secretary (as defined in the *Aboriginal Heritage Act 2006*) must be contacted immediately to ascertain requirements under the *Aboriginal Heritage Act 2006*.
4. If during the carrying out of works or activities in accordance with specific exemptions any munitions or other potentially explosive artefacts are discovered, Victoria Police is to be immediately alerted and the site is to be immediately cleared of all personnel.
5. If during the carrying out of works or activities in accordance with specific exemptions any suspected human remains are found the works or activities must cease. The remains must be left in place and protected from harm or damage. Victoria Police and the State Coroner's Office must be notified immediately. If there are reasonable grounds to believe that the remains are Aboriginal, the State Emergency Control Centre must be immediately notified on 1300 888 544, and, as required under s.17(3)(b) of the *Aboriginal Heritage Act 2006*, all details about the location and nature of the human remains must be provided to the Secretary (as defined in the *Aboriginal Heritage Act 2006*).

### **Exempt works and activities**

#### ***Justice Service Centre (limited to the area north-west of the laneway)***

1. All internal works to the Justice Service Centre.
2. Demolition of the Justice Service Centre.
3. Upgrades to the external building enveloped to comply with OHS, DDA and other operational requirements.
4. Repair, maintenance, removal and upgrades to HVAC, fire, security and other systems.
5. External alteration to the Justice Service Centre including the creation of new openings or sealing up of openings provided that the volume of the building is not increased and existing materials and colour palette are utilised.
6. Installation of new signage and repair and maintenance of existing signage to meet requirements.
7. Installation of solar panels to the roof of the Justice Service Centre.
8. All hard and soft landscaping works within the forecourt of the Justice Service Centre.
9. Removal, maintenance, repair or replacement of fencing, gates and posts to the carpark of the Justice Services Building where the works are in the same location, retain a similar level of visual permeability and are no higher than the existing.



***Law Courts Building***

10. Installation of safety/height access railings on the roof, where they are not visible from the street.
11. Installation of physical barriers to the roof areas and rear balconies to enable management of birds, where these are discreetly located and works are fully reversible. New penetrations to go into render in good condition.
12. Repair, maintenance and upgrade of existing CCTV cameras.
13. Installation of new CCTV cameras at the rear of the building.