

# Statement of Recommendation from the Executive Director, Heritage Victoria

Bendigo Law Courts, VHR H1466

71-85 Pall Mall, Bendigo, Greater Bendigo City

Dja Dja Wurrung Country



## Executive Director recommendation

I recommend to the Heritage Council of Victoria (**Heritage Council**) that the Bendigo Law Courts, located at 71-85 Pall Mall, Bendigo in the Victorian Heritage Register (**VHR**) be amended.

In accordance with section 62 of the *Heritage Act 2017* (**the Act**), I suggest that the Heritage Council determine:

- the objects are integral to understanding the cultural heritage significance of a registered place and are to be included in the VHR in accordance with section 49(1)(ca) of the Act
- to include additional land in the VHR (section 49(1)(d)(i) and (ii) of the Act)
- the category of registration be amended to Registered Place and Registered Object Integral to a Registered Place
- the reasons why the place and objects integral are included in the VHR are amended based on the Heritage Council criteria
- categories of works or activities may be carried out in relation to the place and objects integral for which a permit is not required (permit exemptions)



**STEVEN AVERY**  
Executive Director, Heritage Victoria  
Date of recommendation: 14 July 2025

## The process from here

### 1. The Heritage Council publishes the Executive Director's recommendation (section 41)

The Heritage Council will publish the Executive Director's (ED) recommendation on its [website](#) for a period of 60 days.

### 2. Making a submission to the Heritage Council (sections 44 and 45)

Within the 60-day publication period, any person or body may make a written submission to the Heritage Council. This submission can support the recommendation, or object to the recommendation and a hearing can be requested in relation to the submission. Information about making a submission and submission forms are available on the [Heritage Council's website](#).

### 3. Heritage Council determination (sections 46, 46A and 49)

The Heritage Council is an independent statutory body. It is responsible for making the final determination to include or not include the place, object or land in the VHR or amend a place, object or land already in the VHR.

If no submissions are received the Heritage Council must make a determination within 40 days of the publication closing date.

If submissions are received, the Heritage Council may decide to hold a hearing in relation to the submission. The Heritage Council must conduct a hearing if the submission is made by a person or body with a real or substantial interest in the place, object or land. If a hearing does take place, the Heritage Council must make a determination within 90 days after the completion of the hearing.

### 4. Obligations of owners of places, objects and land (sections 42, 42A, 42B, 42C, 42D and 43)

The owner of a place, object or land which is the subject of a recommendation to the Heritage Council has certain obligations under the Act. These relate to advising the ED in writing of any works or activities that are being carried out, proposed or planned for the place, object or land.

The owner also has an obligation to provide a copy of this statement of recommendation to any potential purchasers of the place, object or land before entering into a contract.

### 5. Further information

The relevant sections of the Act are provided at the end of this report.

## Description

The following is a description of the Bendigo Law Courts at the time of the site inspection by Heritage Victoria in May 2025.

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.

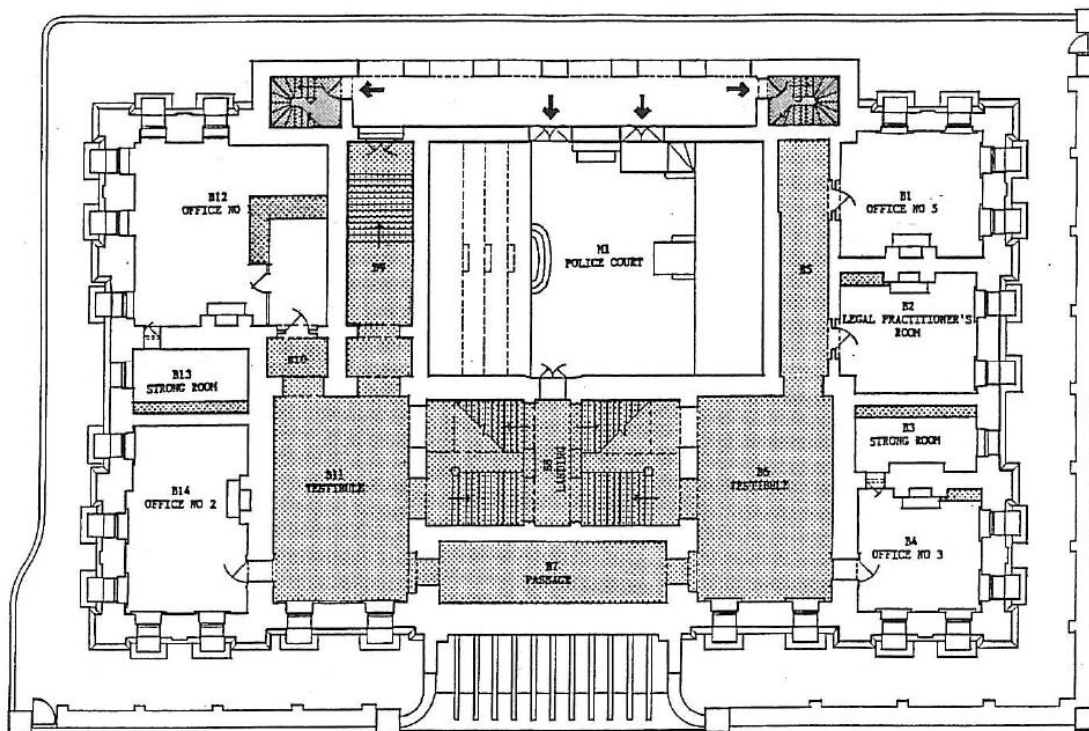
Between the three floors, a wide set of scissor stairs provides vertical circulation through the building. These stairs open to the vestibules on each floor, and a series of passages and arcades provide circulation around the building to each courtroom. Arranged around the perimeter of the building are 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.

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.

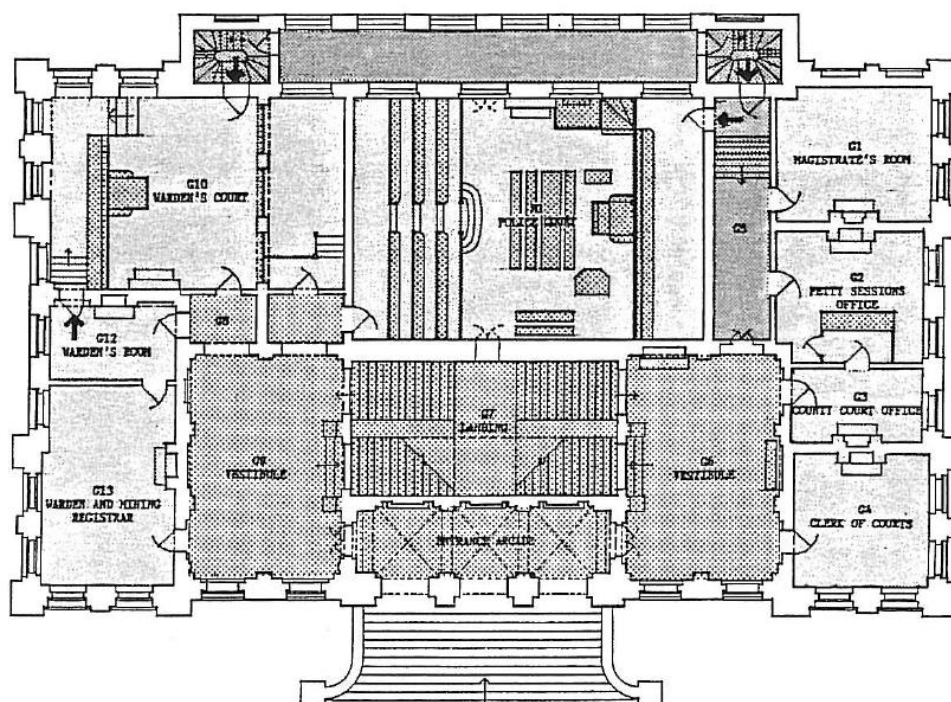


## Diagram of main elements

The floor plans below 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.

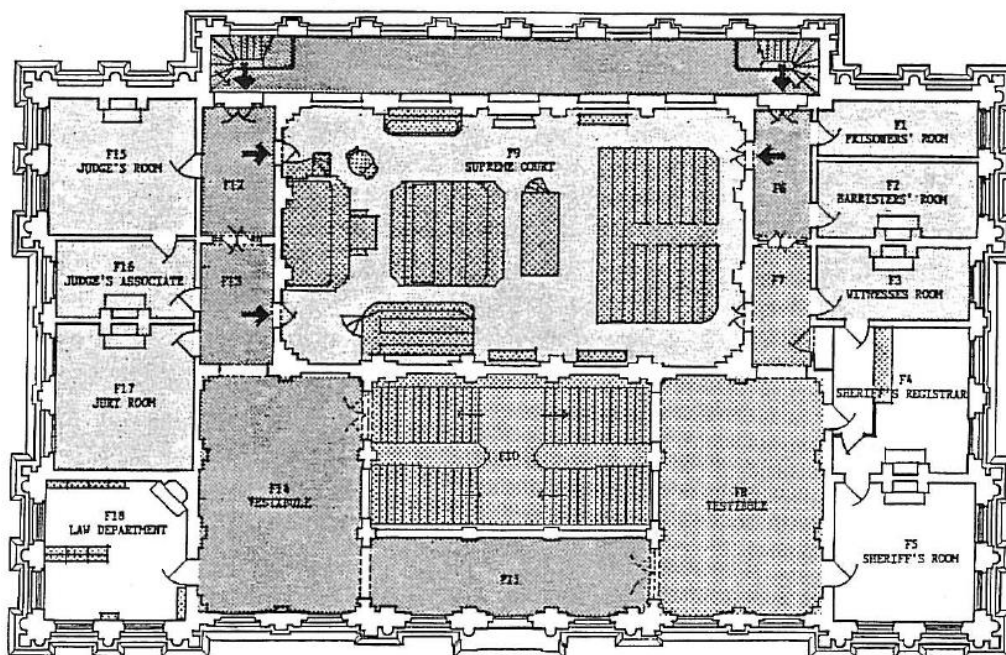


*Basement Level Floor Plan*



*Ground Level Floor Plan*





*First Level Floor Plan*

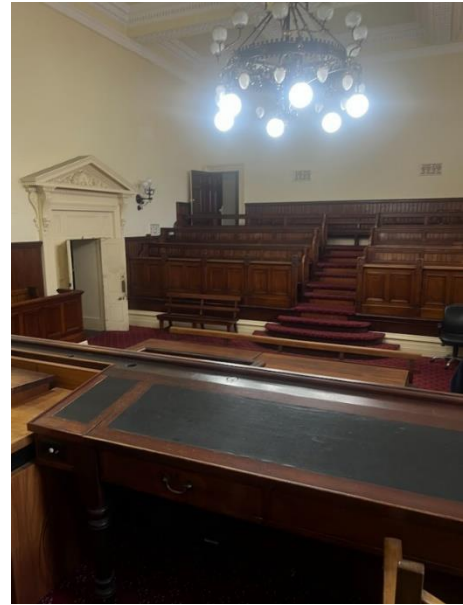
## Description images



*2025. Interior of former Supreme Court. Source: Heritage Victoria.*



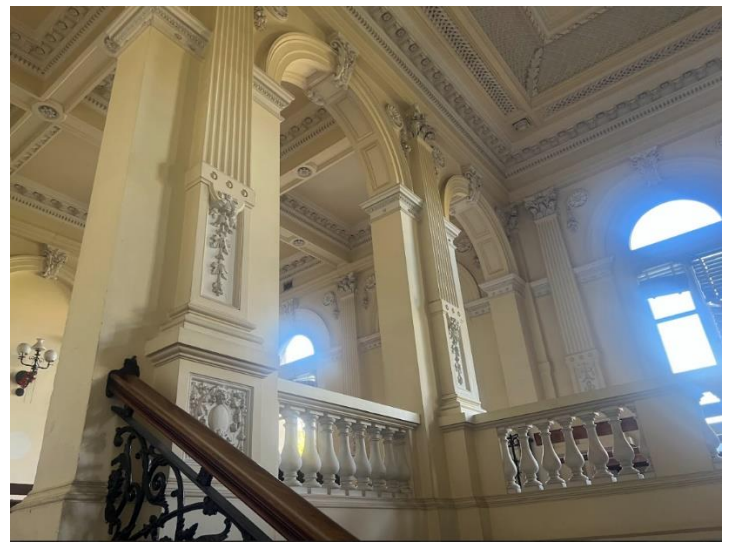
2025. Interior view of the Supreme Court overlooking barristers' and solicitors' tables from the jury box. Source: Heritage Victoria.



2025. Interior view of the Magistrates' Court. Source: Heritage Victoria.



2025. View from balcony between vestibules, looking to first floor vestibule, scissor stair to the left. Source: Heritage Victoria.



2025. Interior view of plasterwork to the first floor. Source: Heritage Victoria.



## History

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 <i>Sandhurst Public Buildings Act</i> (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	<p>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.</p> <p>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.</p>
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.

**Selected bibliography**

Bruce Trethowan and Robert Peck and Company, *The Bendigo Law Courts Conservation Analysis*, 1986.

Diahnn McIntosh & Frances O'Neill, *Court Houses in Victoria: a survey*, 1991.

Heritage Assets Branch, *Bendigo Law Courts*, Conservation Plan.

Lovell Chen, *Bendigo Law Courts Complex Conservation Management Plan*, 2018.

## Historical images



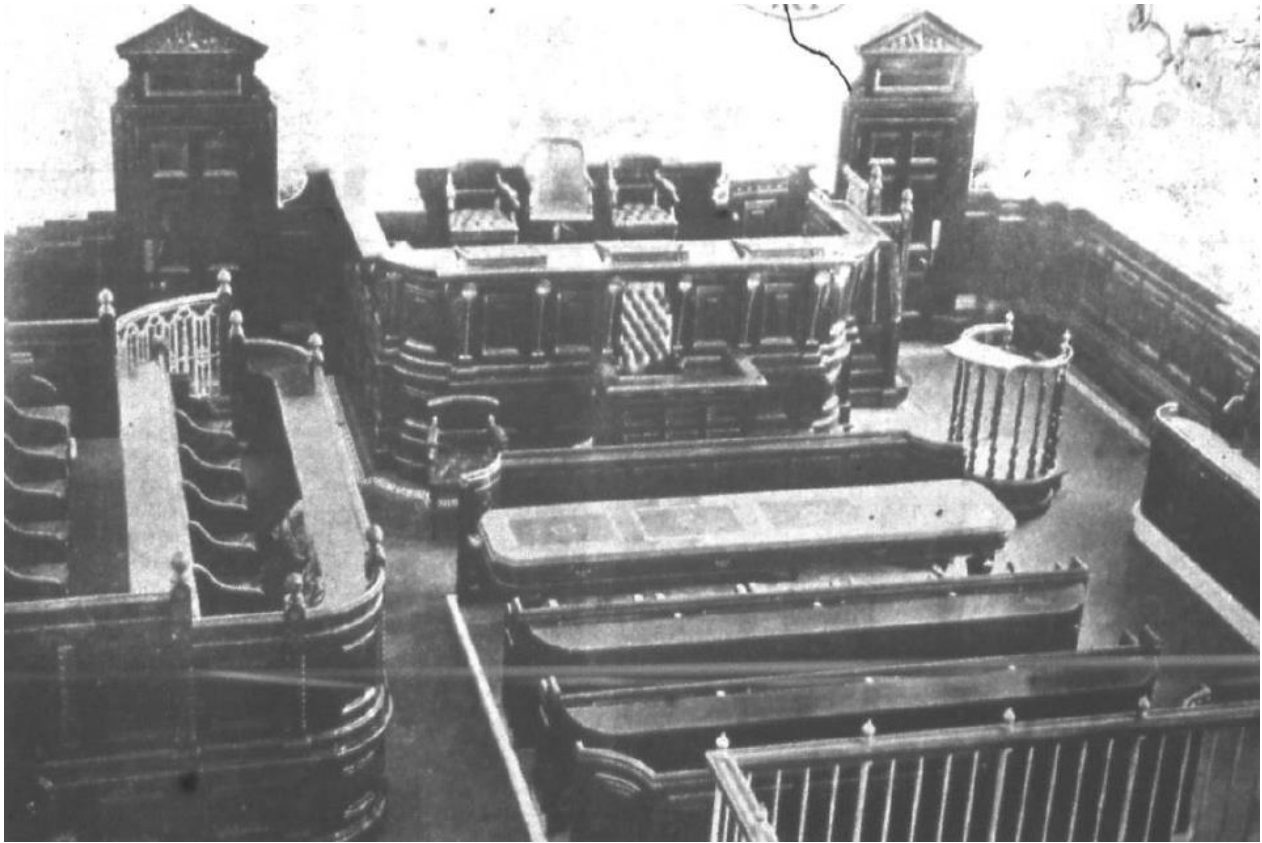
ca. 1906. Post office and Law Courts on Pall Mall, Bendigo. The Law Courts building is at the far right of this image. Source: SLV



1905. Law Courts Bendigo with original lock up and caretaker's residence behind. Source: SLV



1964. Law Courts Bendigo, with 1939 two storey police offices visible behind. Source: SLV



1896. Interior of Supreme Court. Source: Bendigonian, 13 February 1896, appears in Bendigo Law Courts Complex Conservation Management Plan, Lovell Chen, 2018



## Further information

### Traditional Owner Information

Under the *Aboriginal Heritage Act 2006*, the Registered Aboriginal Party for this land is the Dja Dja Wurrung Clans Aboriginal Corporation (DJAARA).

### Native Title

Native title is the recognition in Australian law that some Aboriginal and Torres Strait Islander people continue to hold rights and interests in land and water. Native title is not granted by governments. It is recognised through a determination made by the Federal Court of Australia under the *Native Title Act 1993* (Cth).

In 2010, acknowledging the difficult nature of having native title determined under the Native Title Act, the Victorian Government developed an alternate system for recognising the rights of Victorian Traditional Owners. The *Traditional Owner Settlement Act 2010* (Vic) allows the government and Traditional Owner groups to make agreements that recognise Traditional Owners' relationship to land and provide them with certain rights on Crown land.

On 28 March 2013, the Victorian Government and the Dja Dja Wurrung people entered into a Recognition and Settlement Agreement under the Traditional Owner Settlement Act. The Law Courts is not in an area that is subject to joint management under the Agreement.

### Victorian Aboriginal Heritage Register

The place and objects integral is in an area of Aboriginal cultural heritage sensitivity associated with the Bendigo Creek.  
(June 2025)

### Integrity

The integrity of the place and objects integral is excellent. The cultural heritage values of the Bendigo Law Courts can be easily read in the extant fabric.

The interior spatial arrangement and retained furniture and fixings mean that the place is still highly legible as a former law court.

(May 2025)

### Intactness

The intactness of the place and objects integral is good.

There have been minimal alterations to the Law Courts. The alterations that have occurred at the place have generally been to support its ongoing use as a court house until 2023. These alterations have been limited to the ancillary rooms of the Law Courts (such as offices) so that the primary functions remain legible in the extant fabric.

(May 2025)

### Condition

The condition of the Bendigo Law Courts is good.

Court functions were removed from the building in 2023. Since then, the building has been largely unused. Articles about the unused building note that debris, rubbish, pigeon droppings and weeds have accumulated on the exterior of the building.

(May 2025)

Note: The condition of a place or object does not influence the assessment of its cultural heritage significance. A place or object may be in very poor condition and still be of very high cultural heritage significance. Alternatively, a place or object may be in excellent condition but be of low cultural heritage significance.

## Condition, intactness and integrity images



2024. Photo of external condition from ABC article 'National Trust says historic Bendigo Law Courts building needs saving from disrepair'. (Source: ABC Central Victoria: Fiona Parker)



2024. Photo of external condition from ABC article 'National Trust says historic Bendigo Law Courts building needs saving from disrepair'. (Source: ABC Central Victoria: Fiona Parker)

## Amendment recommendation

### State-level cultural heritage significance of the place

The cultural heritage significance of the Bendigo Law Courts 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 into the VHR.

### Amendment application

On 30 June 2025 the Executive Director made and accepted an application to amend the registration of the place to ensure it is consistent with current practices under the Act.

### Assessment of additional land and summary of significance

The information below is provided under s.40(3A)(c)(i) and s.40(4)(c)(i)(ii) as part of the Executive Director's Statement of recommendation.

The Executive Director recommends that the Heritage Council amend this registration because it is their 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)].
- The additional land surrounds the place and is important to the protection or conservation of the place; or contributes to the understanding of the place [s.40(3A)(c)(ii)].

The Executive Director notes that:

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

The Executive Director is of the view that:

- The current extent of registration is limited to the footprint of the building, and is 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.

- If any of the additional land proposed for inclusion in the registration were developed, depending upon the nature of the proposal, there is 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 will 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 Law Courts and Bendigo Post Office (VHR H1080) will 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 Law Courts and Post Office, views to and from Rosalind Park, and the ability to view the building in the round.

## Amending the Heritage Council Criteria

**This place is currently registered on the basis of the following Criteria:**

Criterion A (Historical Significance)

Criterion D (Architectural Significance)

Criterion E (Aesthetic Significance)

**The Executive Director recommends that the place and objects integral is registered on the basis of the following Criteria:**

Criterion A (Historical Significance)

Criterion D (Architectural Significance)

The Heritage Council of Victoria's Criteria and Threshold Guidelines (2012) were used for the first time in 2013. Prior to this, Criteria were applied differently than they are today. When amending registrations from prior to 2013, the Executive Director revisits the Criteria and State-level threshold.

The Statement of Significance for the Bendigo Law Courts was last updated in 2000. This statement of significance makes reference to the aesthetic significance of the Bendigo Law Courts for the high quality of design and construction. It is considered that these traits are better recognised under Criterion D: importance in demonstrating the principal characteristics of a class of cultural places and objects. The exclusion guidelines for Criterion E note that a place or object is unlikely to satisfy this criterion if it lacks distinctiveness, where the aesthetic qualities of a place do not exceed those of the general class to which the place belongs.

## Change of name

All registered places and objects in the Register are gazetted under a primary name. Alternative names are recorded and are searchable online in the Victorian Heritage Database (VHD).

Current primary name:	Law Courts
Proposed primary name:	Bendigo Law Courts
Reason for change of primary name:	Specifying the location prevents confusion with the Law Courts in Melbourne, which is also in the VHR.
Alternative name(s) also recorded:	-



## Statutory requirements under section 40

### Terms of the recommendation (section 40(3)(a))

The Executive Director recommends that the registration of the Bendigo Law Courts in the VHR is amended.

### Information to identify the place or object or land (section 40(3)(b))

**Number:** H1466

**Category:** Registered Place and Registered Object Integral to a Registered Place

**Name:** Law Courts

**Location:** 71-85 Pall Mall, Bendigo

**Municipality:** Greater Bendigo City

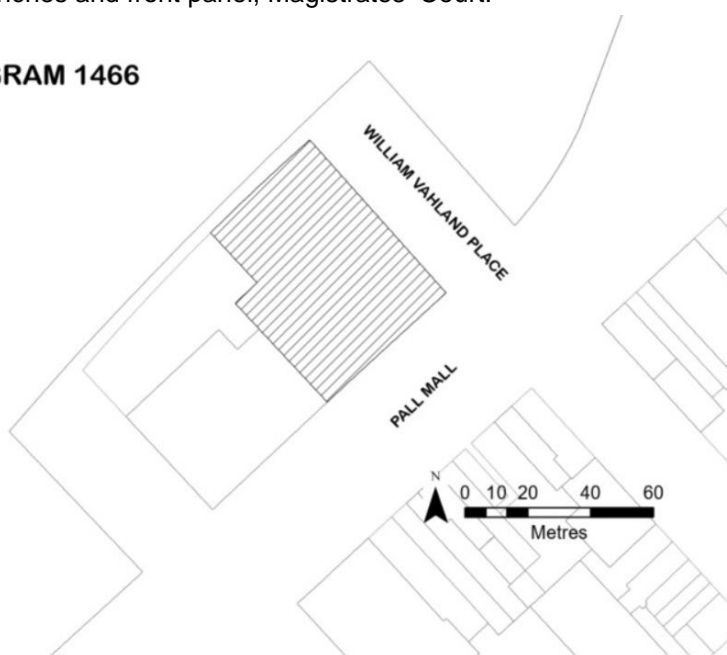
### Proposed extent of registration

The Executive Director recommends that the extent of registration for Bendigo Law Courts be gazetted as:

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 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.

**DIAGRAM 1466**



## Non-statutory information about the proposed extent of registration

### Aerial photo of the place showing proposed extent of registration



Note: This aerial view provides a visual representation of the place. It is not a precise representation of the recommended extent of registration. Due to distortions associated with aerial photography some elements of the place may appear as though they are outside the extent of registration.

### Rationale for the proposed extent of registration

The recommended extent of registration comprises all elements and features of State-level cultural heritage significance, including the building, surrounding land and stairs and fences.

This extent of registration has been chosen to preserve both the Bendigo Law Courts' relationship to the neighbouring post office and Rosalind Park. The Bendigo Law Courts was designed to be viewed in the round; therefore, the inclusion of an appropriate curtilage will protect all views of the building and its relationship to neighbouring landmarks.

The recommended extent of the registration is the same as the nominated extent of registration.

It should be noted that everything included in the proposed extent of registration including all of the land, landscape features, fencing, lamp posts, the exterior, interiors and fixtures, and all objects integral to the understanding of the cultural heritage significance of the place is proposed for inclusion in the VHR. A permit or permit exemption from Heritage Victoria is required for any works within the proposed extent of registration, apart from those identified in the categories of works or activities in this recommendation.

# Objects integral

## Definition

In the context of a registered place, an ‘object integral’ is

- a key part of the place; and
- contributes to our understanding of the place’s State-level cultural heritage significance.

An object integral does not have to be of State-level significance in its own right. A more detailed definition can be found in the Heritage Council’s [Policy: objects integral to a registered place](#).

It should be noted that fixtures (such as window frames or decorative masonry) automatically form part of the registered place and are therefore protected under the Act.

## Background

The objects integral listed below are those documented to have been used in the Law Courts since their opening. There is a large collection of late nineteenth and early twentieth-century furniture in the Bendigo Law Courts. Items that are not original to the Bendigo Law Courts (either part of the original fit out or introduced shortly after the building’s opening) have not been included in the below list. The below objects have been retained, usually in their original internal arrangement, due to the courts’ continued operation until 2023 when court functions were removed to a new building. Inclusion of the objects ensures an understanding of the historical processes once held in this building remains intact.

## Details of objects integral

Objects considered integral to the cultural heritage significance of the place are:

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 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.

For images of these objects integral, please refer to Appendix 3 of this report.

## Assessment of whether the objects are integral to understanding the cultural heritage significance of a registered place (40(3A)(b))

The Heritage Council’s [Policy: objects integral to a registered place](#) notes that for the purposes of the Act, an object will be considered integral to a place if it satisfied the following tests:

1.	Do the objects form a key part of that place, being a component in its design, operation or use that contributes importantly to a richer and more complete understanding of its historical,	Yes  These objects are part of the original fit out of the Law Courts. They contribute importantly to the legibility of the place’s function and contribute a greater understanding to the historic and architectural significance of the Law Courts.



cultural, technical, aesthetic  
and/or social meaning at a State  
level?

2.	Can the contribution be substantiated through physical, documentary or oral evidence?	Yes	The 1986 Conservation Analysis is the most recent assessment of these objects and provides evidence of their contribution. The 2018 Conservation Management Plan does not assess the significance of these objects but does make note that both the Supreme Court and Magistrates' Court retain their original furniture.
Executive Director's Response		The objects can be considered integral to the place	

### Summary of how the object is integral to understanding the cultural heritage significance of the place (40(4)(b))

The 2023 Conservation Management Plan 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 following objects comprise court room furniture that contribute importantly to understanding court functions and processes at the Bendigo Law Courts. The 1986 Conservation Analysis by Bruce Trethowan and Robert Peck and the 2018 Conservation Management Plan by Lovell Chen have been used to identify which of the court room furniture is original and which has been subject to change, removal, or relocation. 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. These two courts and their layouts demonstrate the enduring function of the Law Courts since the 1890s.

## Summary of cultural heritage significance (section 40(4))

### Statement of significance

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

#### What is significant?

The Bendigo Law Courts building was designed by the Victorian Public Works architect George W. Watson in the Victorian Second Empire style and built in 1892-96 by contractors McCulloch and McAlpine. The exterior of this extravagant stuccoed masonry building features a bluestone base, mansard roofs, dormer windows, and facades with arcuated systems of openings, superimposed piers and Corinthian pilasters. The internal arrangement of the courts provides separate circulation patterns for the jury, judge, witnesses, barristers, prisoners, sheriff and other court officials. The building is a dominant feature of Bendigo's historic precinct of public buildings designed in similar style, among which is the Bendigo Post Office (VHR H1080) which Watson designed ten years before the Law Courts. The Bendigo Law Courts also has a large collection of late nineteenth-century court room furnishings that demonstrate the building's use.

#### How is it significant?

The Bendigo Law Courts is of historical and architectural significance to the State of Victoria. It satisfies the following criterion for inclusion in the Victorian Heritage Register:

##### Criterion A

Importance to the course, or pattern, of Victoria's cultural history.

##### Criterion D

Importance in demonstrating the principal characteristics of a class of cultural places and objects.

#### Why is it significant?

The Bendigo Law Courts is of historical significance as a reflection of Victoria's economic growth during the second half of the nineteenth century. Bendigo Law Courts is historically important for the physical exuberance of the Government-funded building, including the external presentation to all elevations, interior details, and furniture and fittings, which illustrates the important contribution of Bendigo's gold mining wealth to the state. The building is also historically important for its extensive collection of nineteenth and early twentieth-century furniture and fittings, much of which has been identified as part of the original building and enable its use to be readily understood. [Criterion A]

The Bendigo Law Courts is of architectural significance as a notable example of the French Second Empire style of architecture as applied to a large regional court complex. The Law Courts Building is unusual for having been designed to be appreciated in-the-round, with equal decorative treatment given to each elevation. It is also a fine example of the class of regional court complex for its internal spatial arrangement, which establishes a functional separation of court participants. The internal arrangement demonstrates the operation of a multi-jurisdictional complex of the late-nineteenth century. [Criterion D]

## Recommended permit exemptions under section 38

### Introduction

A [heritage permit](#) is required for all works and activities undertaken in relation to VHR places and objects. Certain works and activities are [exempt from a heritage permit](#), if the proposed works will not harm the cultural heritage significance of the heritage place or object.

### Permit Policy

The Bendigo Law Courts Complex Conservation Management Plan (2018) prepared by Lovell Chen provides a framework for management of the place which respects its cultural heritage significance. It is recommended that an updated assessment of the historic furniture is completed to help manage the objects integral in a manner which respects their cultural heritage significance.

### Permit Exemptions

#### General Permit 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*.

**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 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 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 Permit Exemptions

The works and activities listed below under the heading 'Exempt works and activities' are not considered to cause harm to the cultural heritage significance of the Bendigo Law Courts. These are subject to the following guidelines and conditions:



## Guidelines for specific permit exemptions

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.

## General conditions for specific permit exemptions

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 Aboriginal Heritage Council (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 envelope to comply with OHS, DDA and other operational requirements.
4. Repair, maintenance, removal and upgrades to HVAC, fire, security and other systems.
5. External alterations 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.

## Appendix 1: Important information for owners and interested parties

### Heritage Council determination (section 49)

The Heritage Council is an independent statutory body that will make a determination on this recommendation under section 49 of the Act. It will consider the recommendation after a period of 60 days from the date the notice of recommendation is published on its [website](#) under section 41.

### Making a submission to the Heritage Council (section 44)

Within the period of 60 days, any person or body with a real and substantial interest in the place or object may make a submission to the Heritage Council regarding the recommendation and request a hearing in relation to that submission. Information about making a submission and submission forms are available on the [Heritage Council's website](#). The owner can also make a submission about proposed permit exemptions (Section 40(4)(d)).

### Consideration of submissions to the Heritage Council (section 46)

(1) The Heritage Council must consider—

- (a) any written submission made to it under section 44; and
- (b) any further information provided to the Heritage Council in response to a request under section 45.

### Conduct of hearings by Heritage Council in relation to a recommendation (section 46A)

(1) The Heritage Council may conduct a hearing in relation to a recommendation under section 37, 38 or 39 in any circumstances that the Heritage Council considers appropriate.

(2) The Heritage Council must conduct a hearing if—

- (a) a submission made to it under section 44 includes a request for a hearing before the Heritage Council; and
- (b) the submission is made by a person or body with a real or substantial interest in the place, object or land that is the subject of the submission.

### Determinations of the Heritage Council (section 49)

(1) After considering a recommendation that a place, object or land should or should not be included in the Heritage Register and any submissions in respect of the recommendation and conducting any hearing, the Heritage Council may—

- (a) determine that the place or object is of State-level cultural heritage significance and is to be included in the Heritage Register; or
- (ab) in the case of a place, determine that—
  - (i) part of the place is of State-level cultural heritage significance and is to be included in the Heritage Register; and
  - (ii) part of the place is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or
- (ac) in the case of an object, determine that—
  - (i) part of the object is of State-level cultural heritage significance and is to be included in the Heritage Register; and
  - (ii) part of the object is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or
- (b) determine that the place or object is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or

- (c) in the case of a recommendation in respect of a place, determine that the place or part of the place is not to be included in the Heritage Register but—
    - (i) refer the recommendation and any submissions to the relevant planning authority or the Minister administering the Planning and Environment Act 1987 to consider the inclusion of the place or part of the place in a planning scheme in accordance with the objectives set out in section 4(1)(d) of that Act; or
    - (ii) determine that it is more appropriate for steps to be taken under the Planning and Environment Act 1987 or by any other means to protect or conserve the place or part of the place; or
  - (ca) in the case of a recommendation in respect of an object nominated under section 27A, determine that the object, or part of the object, is to be included in the Heritage Register if it is integral to understanding the cultural heritage significance of a registered place or a place the Heritage Council has determined to be included in the Heritage Register; or
  - (d) in the case of a recommendation in respect of additional land nominated under section 27B, determine that the additional land, or any part of the additional land, is to be included in the Heritage Register if—
    - (i) the State-level cultural heritage significance of the place, or part 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; or
    - (ii) the additional land or any part of the additional land surrounding the place, or part of the place, is important to the protection or conservation of the place or contributes to the understanding of the place.
- (2) The Heritage Council must make a determination under subsection (1)—
- (a) within 40 days after the date on which written submissions may be made under section 44; or
  - (b) if any hearing is conducted, within 90 days after the completion of the hearing.
- (3) A determination made under subsection (1)(a), (ab), (ac), (ca) or (d)—
- (a) may include categories of works or activities which may be carried out in relation to a place, object or land, or part of a place, object or land, for which a permit under this Act is not required, if the Heritage Council considers that the works or activities would not harm the cultural heritage significance of the place, object or land; and
  - (b) must include a statement of the reasons for the making of the determination.
- (4) If the Heritage Council determines to include a place, or part of a place, in the Heritage Register, the Heritage Council may also determine to include land that is not the subject of a nomination under section 27B in the Heritage Register as part of the place if—
- (a) the land is ancillary to the place; and
  - (b) the person who owns the place, or part of the place—
    - (i) is the owner of the land; and
    - (ii) consents to its inclusion.
- (5) If a member of the Heritage Council makes a submission under section 44 in respect of a recommendation, the member must not take part in the consideration or determination of the Heritage Council.
- (6) The Heritage Council must notify the Executive Director of any determination under this section as soon as practicable after the determination.

## **Obligations of owners (section 42, 42A, 42B, 42C, 42D)**

### **42 Obligations of owners—to advise of works, permits etc. on foot when statement of recommendation given**

- (1) The owner of a place, object or land to whom a statement of recommendation has been given must advise the Executive Director in writing of—



- (a) any works or activities that are being carried out in relation to the place, object or land at the time the statement is given; and
- (b) if the place, object or land is a place or additional land, any application for a planning permit or a building permit, or any application for an amendment to a planning permit or a building permit, that has been made in relation to the place or additional land but not determined at the time the statement is given; and
- (c) any works or activities that are proposed to be carried out in relation to the place, object or land at the time the statement is given.

(2) An advice under subsection (1) must be given within 10 days after the statement of recommendation is given under section 40.

#### **42A Obligations of owners before determination or inclusion in the Heritage Register—to advise of permits**

(1) This section applies if—

- (a) an owner of any of the following is given a statement of recommendation—
  - (i) a place or object nominated under section 27;
  - (ii) an object nominated under section 27A;
  - (iii) land nominated under section 27B; and
- (b) any of the following occurs within the statement of recommendation period in relation to the place, object or land—
  - (i) the making of an application for a planning permit or a building permit;
  - (ii) the making of an application for an amendment to a planning permit or a building permit;
  - (iii) the grant of a planning permit or building permit;
  - (iv) the grant of an amendment to a planning permit or building permit.

(2) The owner must advise the Executive Director in writing of—

- (a) the making of an application referred to in subsection (1)(b)(i) or (ii), within 10 days of the making of the application; or
- (b) a grant referred to in subsection (1)(b)(iii) or (iv), within 10 days of the owner becoming aware of the grant.

#### **42B Obligations of owners before determination or inclusion in the Heritage Register—to advise of activities**

(1) This section applies if—

- (a) an owner of a place, object or land is given a statement of recommendation; and
- (b) within the statement of recommendation period it is proposed that activities that could harm the place, object or land be carried out.

(2) The owner, not less than 10 days before carrying out the activities, must advise the Executive Director in writing of the proposal to do so.

#### **42C Obligations of owners before determination or inclusion in the Heritage Register—to advise of proposal to dispose**

(1) This section applies if—

- (a) an owner of a place, object or land is given a statement of recommendation; and
- (b) within the statement of recommendation period a proposal is made to dispose of the whole or any part of the place, object or land.

(2) The owner, within 10 days after entering into an agreement, arrangement or understanding for the disposal of the whole or any part of the place, object or land, must advise the Executive Director in writing of the proposal to do so.

#### **42D Obligations of owners before determination or inclusion in the Heritage Register—requirement to give statement to purchaser**

(1) This section applies if—

- (a) an owner of a place, object or land is given a statement of recommendation; and
- (b) the owner proposes to dispose of the whole or any part of the place, object or land within the statement of recommendation period.

(2) Before entering into an agreement, arrangement or understanding to dispose of the whole or any part of the place, object or land during the statement of recommendation period, the owner must give a copy of the statement of recommendation to the person who, under the proposed agreement, arrangement or understanding, is to acquire the place, object or land or part of the place, object or land.

#### **Owners of places and objects must comply with obligations (section 43)**

An owner of a place, object or land who is subject to an obligation under section 42, 42A, 42B, 42C or 42D must comply with that obligation.

Penalty:            In the case of a natural person, 120 penalty units;  
                         In the case of a body corporate, 240 penalty units.

## Appendix 2: Existing registration details

### Existing extent of registration

Amendment of Register of Government Buildings

Bendigo City

Law Courts, Pall Mall, Bendigo.

[*Victoria Government Gazette* No. G39 12 October 1988 p3087]

Transferred to the Victorian Heritage Register 23 May 1998 (2 years after the proclamation of the Heritage Act 1995 pursuant to the transitional provisions of the Act)

### Existing extent diagram

This registration was gazetted in 1988 without an extent diagram.

### Existing statement of significance

What is significant?

The Bendigo Law Courts building was designed by the Victorian Public Works architect George W. Watson in the Victorian Second Empire style and built in 1892-96 by contractors McCulloch and McAlpine. Reminiscent of an Italianate palazzo, the exterior of this extravagant stuccoed masonry building with bluestone base features mansard roofs, dormer windows, and facades with arcuated systems of openings, superimposed piers and Corinthian pilasters. The courts and vestibules are flanked on either side by rooms for the jury, judge, witnesses, barristers, prisoners, sheriff, and other court officials. Access for the judge and prisoners is from the rear. The public enter through grand vestibules on either side of a central stone staircase which leads to the Supreme Court on the first floor. The major visual alteration to the building occurred during the 1950s when the central statuary group and flanking urns were removed from the upper parapet due to deterioration of the cement and wrought iron dowels. Today, the building continues its original function, and houses Magistrates, County and Supreme Courts. It is a dominant feature of Bendigo's historic precinct of public buildings designed in similar style, among which is the Bendigo Post Office which Watson designed ten years before the Law Courts.

How is it significant?

The Bendigo Law Courts building is of historical, architectural and aesthetic significance to the State of Victoria.

Why is it significant?

The 1896 Bendigo Law Courts building is historically significant as a major work of the Victorian Public Works Department and of architect George W. Watson (1850-1915), who was Chief Architect in the Department between 1910 and 1915. It is also historically important for its continuous association with the legal process in one of Victoria's biggest inland centres over the past 100 years. Bendigo Law Courts is historically important for the physical exuberance and magnificence of the building which illustrates Bendigo's transition from mining town to a prosperous, permanent metropolis built on the wealth of gold. The building is also historically important for housing an extensive collection of nineteenth and early twentieth century furniture and fittings, much of which has been identified as part of the original building.

Bendigo Law Courts is architecturally significant for its rarity in Victoria as an example of the French Second Empire style of architecture applied to a building used exclusively for the administration of justice. Of ten justice buildings erected in this style in Victoria between 1875 and 1896, Bendigo Law Courts is the only one of these that was not combined with other buildings (e.g., post offices, municipal offices, and police stations).


Bendigo Law Courts is aesthetically significant for its high qualities of design and construction, which are reflected in the building's innovative planning, axial expression, carefully proportioned hierarchical spatial arrangement, internal decoration, fittings and refined detailing.

### Existing permit policy and permit exemptions

Nil.


## Appendix 3: Details of objects integral

### Executive Director record of fixed and non-fixed objects integral to the place

Object identification	Judge's bench with three cedar writing slopes
Current location:	Supreme Court
Image	 <p>2025. Judge's bench in Supreme Court.</p>
Description	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.
Source	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.
Markings	None.
Condition	Very good condition.


Object identification	Associate's desk
Current location:	Supreme Court




Image	 <p>2025. Associate's desk in Supreme Court.</p>
Description	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.
Source	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.
Markings	None.
Condition	Very good condition.


Object identification	Jury Box
Current location:	Supreme Court
Image	 <p>2025. Jury box in Supreme Court.</p>
Description	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 swapped.
Source	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.
Markings	None.
Condition	Very good condition.


Object identification	Reporters' seats and desks (two of each)
Current location:	Supreme Court
Image	 <p><a href="#">2025. Reporters' seats and desks in Supreme Court.</a></p>
Description	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.
Source	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.
Markings	None.
Condition	Very good condition.

Object identification	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)
Current location:	Supreme Court

Image	 <p>2025. Barristers' and solicitors' seats and tables.</p>
Description	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.
Source	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.
Markings	None.
Condition	Very good condition.


Object identification	Witness box
Current location:	Supreme Court
Image	 <p>2025. Witness box.</p>


Description	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.
Source	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.
Markings	Some graffiti to the surface of the writing slope.
Condition	Very good condition.

Object identification	Prisoner's dock
Current location:	Supreme Court
Image	 <p>2025. Prisoner's dock.</p>
Description	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.
Source	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.
Markings	None.
Condition	Very good condition.


Object identification	Public gallery
Current location:	Supreme Court




Image	 <p>2025. Public gallery.</p>
Description	Stepped public gallery with five tiers of fixed benches and surrounding screen.
Source	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.
Markings	None.
Condition	Very good condition.


Object identification	Judge's bench
Current location:	Magistrates' Court
Image	 <p>2025. Judge's bench.</p>
Description	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.

Source	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.
Markings	None.
Condition	Very good condition.


Object identification	Clerk's desk
Current location:	Magistrates' Court
Image	 <p>2025. Clerk's desk.</p>
Description	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.
Source	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.
Markings	None
Condition	Very good condition.

Object identification	Prisoner's dock
Current location:	Magistrates' Court

Image	 <p>2025. Prisoner's dock.</p>
Description	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.
Source	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.
Markings	None
Condition	Very good condition.

Object identification	Witness box
Current location:	Magistrates' Court
Image	 <p>2025. Witness box.</p>
Description	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.

Source	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.
Markings	None.
Condition	Very good condition.

Object identification	Public gallery including benches and front panel
Current location:	Magistrates' Court
Image	 <p>2025. Public gallery.</p>
Description	Four tiered public gallery with timber screens to the front, designed in the same style as the other furniture in this courtroom.
Source	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.
Markings	None.
Condition	Very good condition.