

Statement of Recommendation from the Executive Director, Heritage Victoria

Bendigo Town Hall, H0117

189-193 Hargreaves Street, Bendigo, Greater Bendigo City

Dja Dja Wurrung Country



Executive Director recommendation

I recommend to the Heritage Council of Victoria (Heritage Council) that Bendigo Town Hall, located at 189-193 Hargreaves Street, 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:

- that the objects are integral to understanding the cultural heritage significance of a registered place and are to be included in the VHR (section 49(1)(ca) of the Act); and
- to include additional land in the VHR (section 49(1)(d)(i) and (ii) of the Act); and
- that the categories of registration be amended to Registered Place and Registered Object Integral to a Registered Place; and
- that the proposed categories of works or activities which may be carried out in relation to the place and objects integral for which a permit is not required (specific permit exemptions) would not harm the cultural heritage significance of the place (section 49 (3)(a) of the Act); and
- to amend the reasons why the place is included in the VHR based on the Heritage Council criteria.



STEVEN AVERY

Executive Director, Heritage Victoria

Date of recommendation: 13 May 2024

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 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 or object in the VHR or amend a place or object 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 or object. 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 and objects (sections 42, 42A, 42B, 42C, 42D and 43)

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

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

5. Further information

The relevant sections of the Act are provided at Appendix 1.

Description

The following is a description of the Bendigo Town Hall at the time of the site inspection by Heritage Victoria in December 2023

The Bendigo Town Hall is located on the traditional land of the Dja Dja Wurrung People.

Streetscape

The Bendigo Town Hall addresses Hargreaves Street to the north and Lyttleton Terrace to the south. The land on either side of the town hall consists of a neat and well-maintained garden, with an avenue of trees running parallel to each side of the town hall building. Beyond the gardens to the southwest is the Bendigo Library. Bull Street, to the northwest, terminates at the town hall and provides an axial approach which enables the setting of the building within the city grid to be appreciated.

Exterior

The town hall is a two-storey building designed in a mannerist style. The façade is composed of Tuscan columns to the ground floor and Corinthian columns above. Pairs of columns create spaces for windows, with circular arches to those at the ground floor and segmental heads at the upper floor. The formal entry to the building is from Hargreaves Street into the hall or former corn exchange, or from several side entries and porticos. There is a modern entry with ramp on the southern side adjacent to Lyttleton Terrace.

Interior

At the southeastern end, facing Lyttleton Terrace, the building houses offices and smaller meeting rooms arranged around the lightwell. On the first floor is the current Council Chamber, formerly used as a court room, as well as the former Council Chamber which provides a setting for the original furniture.

To the northwestern end, facing Hargreaves Street is the former corn exchange, transformed with ornate plaster work and wall paintings to a civic hall during William Vahland's redesign, and now used as a venue for events. This hall is a double height volume, with elaborate wall paintings and plasterwork adorning the wall and ceiling surfaces. The decorative gold leaf picks out structural members including pilasters, ceiling beams, and window arches. The original flooring has been covered with carpet floor tiles.

Description images



2023. Bendigo Town Hall viewed from Hargreaves Street.



2023. Detail of façade columns.



2023. Western façade near Lyttleton Terrace.



2023. Entry portico, western façade near Hargreaves Street.



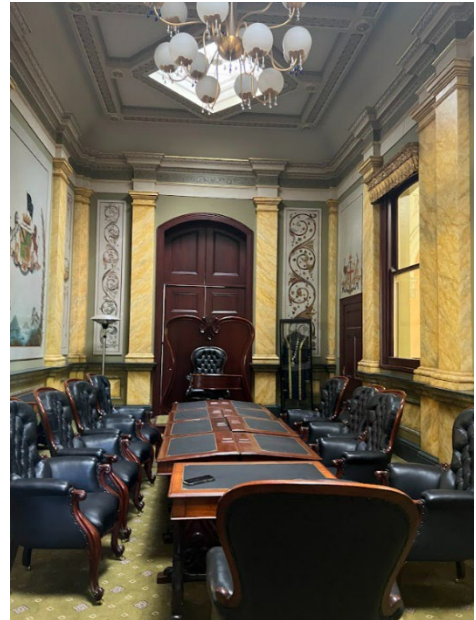
2023. Lightwell introduced in 1867.



2023. Large hall space or former corn exchange.



2023. Detail of Otto Waschatz wall painting.



2023. Council Chamber (former) with furniture and wall paintings.

History

In 1855, four years after the discovery of gold, Bendigo was first established as a municipality and provisions were made for a local government to be formed. A site in View Point, purchased in 1856 after the first council elections, was the location of the first town hall and a two-room timber building was constructed. Despite the population growth of the gold rush, many people were impoverished and there was a reluctance amongst ratepayers to see their money squandered. The iterations of the later town hall, which saw the building extended several times but never demolished is reflective of this.

First phase

The Bendigo Town Hall was built on its present site in Hargreaves Street in 1859. Town clerk and surveyor George Avery Fletcher was responsible for the original design, a two storey Italianate structure comprised of brick with sandstone dressings. The primary elevation to the north opened on to a large market square in Hargreaves Street with projecting bays on either side enclosing the ground floor arcade with a balcony above. This original design would form the basis of future designs for the building.

Between 1866 and 1867, Fletcher designed an extension enclosing the central recess with a lightwell, and containing a council chamber on the upper floor, two rooms on the lower and a colonnade and balcony to the east, north and west elevations. In 1871, a further extension introduced a corn exchange in the form of a large hall with basement below. Fletcher's extensions generally retained the same façade treatment of the original design. Fletcher passed away in 1876.

William Vahland

William Charles Vahland was a German-born and trained architect who emigrated to Victoria in 1854 in pursuit of gold. After an unsuccessful period as a miner, in 1857 Vahland opened an architectural practice with fellow German architect, Robert Getzschmann. The firm was responsible for several early public buildings in Bendigo, including Bendigo Hospital, Bendigo Benevolent Asylum, the School of Mines, Mechanic's Institute and the Masonic Hall.

Vahland led a prominent public life in Bendigo, including acting as the representative of the Barkly Ward in the Bendigo City Council, a position he resigned from in 1872. In 1878, Vahland drew up plans for the restyling of the town hall, continuing a tradition of adding to the hall instead of rebuilding, which allows the stages of growth to be identified in the building fabric.

Second phase

Vahland undertook the task of renovating the existing town hall, producing a façade divided into three vertical elements and creating a varied skyline with the introduction of three corner towers. A new mansard roof was constructed with timber spanning the width of the building, overcoming the need for columns throughout the large main hall.

In 1885 the exterior of the building was rendered, and plastering of the interiors was begun by Otto Waschatz. Waschatz was a German plasterer and artist, working as a lecturer at the Bendigo School of Mines whose credentials included the ornamentation for the Royal Palace in Copenhagen. Waschatz was also responsible for the plasterwork at the library at the Bendigo School of Mines. The painting of the main hall was completed in 1902, and with it Vahland's master plan was realised.

Later works

The final phase of remodelling began in 1913 and was undertaken by architects J. Beebe, J.G. Austen and E.J. Keogh. It entailed work mainly to the interior of the south end of the building, including a staircase in the enclosed lightwell. A stage was erected across the Hargreaves Street entrance, and the elaborately painted walls and ceilings were painted over amongst other minor alterations through the 1970s.

In the 2000s, the Bendigo Town Hall underwent extensive conservation works. This included the reinstatement of the Hargreaves Street entrance, foyer and balcony, demolition of the 1926 balcony and the reinstatement of original decorative schemes and conservation of the extensive wall paintings.

Historical images



1861. Bendigo Town Hall to George Avery Fletcher's design. Source: Benjamin Pierce Batchelder (photographer) SLV.



1872-3. Bendigo Town Hall with George Avery Fletcher's extension with corn exchange. Source: SLV.



1878-90. Bendigo Town Hall to Vahland's master plan design. Source: J.E. Andrew (photographer) SLV.

Selected bibliography

Bendigo Advertiser. "The New Council Chamber." June 27, 1860. <http://nla.gov.au/nla.news-article87944687>.

Westmore, Trevor and Butcher, Mike. *Bendigo Town Hall Conservation Plan*. Prepared for City of Bendigo, 1993.

Further information

Traditional Owner Information

The place and objects integral is located on the traditional land of the Dja Dja Wurrung people. Under the *Aboriginal Heritage Act 2006*, the Registered Aboriginal Party for this land is the Dja Dja Wurrung Clans Aboriginal Corporation.

Native Title

Native title is the recognition in Australian law that Aboriginal and Torres Strait Islander people continue to hold rights and interests in land and water.

In 2010, acknowledging the difficult nature of having native title determined under the *Native Title Act 1993 (Cth)*, 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 certain rights in respect to Crown land.

There is a Recognition and Settlement Agreement under the *Traditional Owner Settlement Act 2010* between the Victorian Government and the Dja Dja Wurrung Clans Aboriginal Corporation which recognises the Dja Dja Wurrung as the Traditional Owner group of public land within the boundaries of the agreement area.

As of May 2024, there is no Native Title determination and the Recognition and Settlement Agreement does not affect this place.

Victorian Aboriginal Heritage Register

The place and objects integral is not included in the Victorian Aboriginal Heritage Register. The place and objects integral is not in an area of Aboriginal cultural heritage sensitivity.

Integrity

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

The Bendigo Town Hall's use for municipal government is legible in both the built fabric and the objects integral in the former Council Chamber. The setting also contributes to the integrity of the place, as it allows the elaborate and ornate design to be viewed in full.

(December 2023)

Intactness

The intactness of the place and objects integral is excellent.

There are carpet floor tiles to the main hall/former corn exchange space that protects the original floors underneath and accommodates the use of the hall as an event space.

(December 2023)

Condition

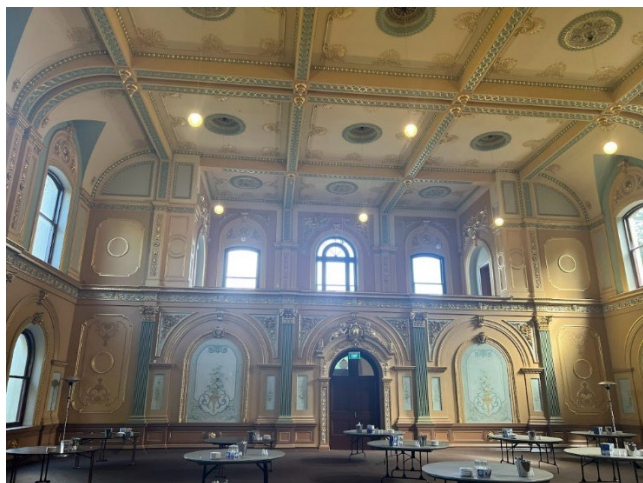
The condition of Bendigo Town Hall is excellent.

The Bendigo Town Hall underwent extensive conservation works in 2003 and has been well maintained since. The plasterwork and wall paintings are in excellent condition.

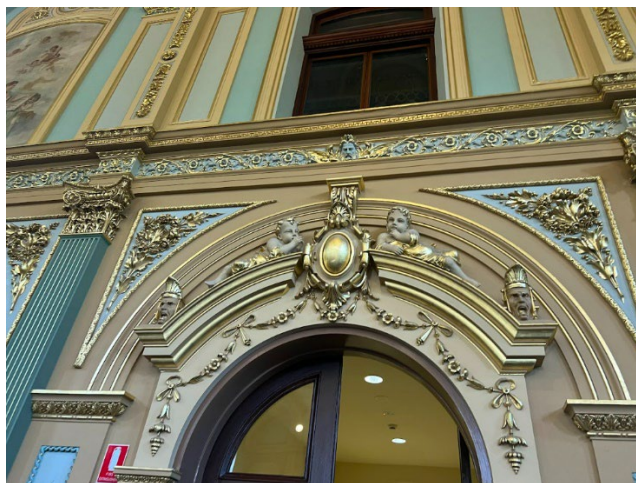
(December 2023)

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.

Intactness/ Integrity/ Condition images



2023. Main hall space with carpet floor tiles.



2023. Detail of plasterwork to main hall space.

Amendment recommendation

State-level cultural heritage significance of the place

The State-level cultural heritage significance of the Bendigo Town Hall was recognised in 1974 by its inclusion in the Register of Historic Buildings.

Amendment application

On 24 April 2024 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.

Additional land

The Executive Director recommends that the Heritage Council amend this registration because in accordance with section 40(4)(c)(i) and (ii):

- (i) 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; or
- (ii) 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.

Assessment and summary under section 40(4)(c)(i)

- Only the Bendigo Town Hall building is included in the VHR. None of the land beyond the footprint of the building is included in the VHR.
- The additional land contains gardens and landscaping that enables unobstructed views of the Town Hall, which part of the place's significance.
- Any development of the gardens or incremental modification would have the potential to greatly diminish the setting and context of the three-dimensional qualities of the Town Hall design and equal attention given to each facade, and therefore reduce its State-level architectural values.
- Including additional land will ensure that all works are managed through an approval process consistent across the entirety of this place and would provide certainty for all parties.

Assessment and summary under section 40(4)(c)(ii):

- The current extent is limited to the footprint of the building and is insufficient to protect, conserve and allow for a proper understanding of the Bendigo Town Hall.
- Without an approval process, the ability to view the building 'in the round', which contributes to an understanding of the progressive extensions, could potentially be obstructed, or otherwise impacted by development of or modifications to the gardens, which can affect the setting or context of the Bendigo Town Hall and its history.
- Inclusion of an area of land around the building will enable features that could potentially impact the conservation of the Bendigo Town Hall, such as drainage, landscaping, and paving, to be managed under an approval process.

Amending the Heritage Council Criteria

The Bendigo Town Hall is currently registered for criteria A, D, and E. It is proposed to remove criterion E (aesthetic significance) as the elaborate and ornate nature of the plasterwork and wall paintings to the hall's interiors are best understood as contributing to the place being considered a notable example of the class of town halls. The plasterwork and wall paintings of Bendigo Town Hall are of a higher quality than is typical of town halls elsewhere in Victoria.

Statutory requirements under section 40

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

The Executive Director recommends that the registration of Bendigo Town Hall in the VHR is amended.

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

Number: H0117

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

Name: Bendigo Town Hall

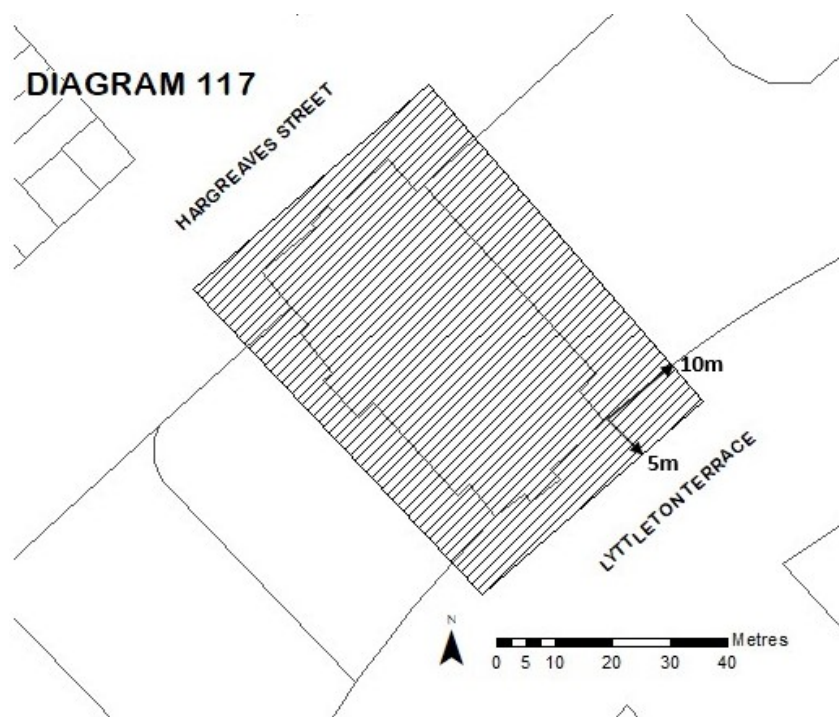
Location: 189-193 Hargreaves Street Bendigo

Municipality: Greater Bendigo City

Proposed extent of registration

The Executive Director recommends that the extent of registration for Bendigo Town Hall be gazetted as:

All of the place shown hatched on Diagram 117 encompassing all of Crown Allotment 4B, Section 10 Parish of Sandhurst and parts of Allotments 4E and 4C Section 10C Parish of Sandhurst and parts of the road reserves of Hargreaves Street and Lyttleton Terrace. To the measurements of 5 metres to the front and back and 10 metres to the side measured from the four corners of the building, and objects integral listed in Inventory H117.



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 extent of registration

The recommended extent of registration comprises the entire parcel on which the building sits, part of the parcels to the east and west of the building and part of the road reserve to the north and south. This is to provide a setting for the building, which has essentially four primary façades and was designed to be viewed in the round. This setting is reflective of the detached site chosen for the Town Hall by George Avery Fletcher, that was exploited by William Vahland during the later remodelling.

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 land, all soft and hard landscape features, trees, the building including exteriors, interiors and fixtures and any 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

The definition of an 'object' 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 are the original pieces of furniture to the original council chamber. The current council chamber has been removed from this room to accommodate the number of councillors as well as a public gallery. The furniture has been retained in situ and in the appropriate arrangement to function, in effect, as a museum to the history of local government in Bendigo.

Objects integral

The objects integral located at the Bendigo Town Hall consists of a collection of councillors furniture. More details about these objects are listed in the Inventory at the end 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:

| No. | Test | Yes/No | Reason |
|-------------------------------|---|---|--|
| 1. | Does the object/s 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, cultural, technical, aesthetic and/or social meaning at a State level? | Yes | <p>The associated furniture of the original Council chamber contributes to a richer and more complete understanding of the development of municipal functions in Bendigo. The elaborate nature of the furniture is reflective of the aspirations of Bendigo and the civic growth that occurred due to the mining industry. The furniture itself illustrates the civic processes of the town hall.</p> <p>This is supported by a newspaper article, describing the furniture installed in 1860:</p> <p><i>"Altogether, the appearance of the Chamber yesterday was somewhat imposing, and we could not help thinking that if the Chairman were invested, similar to London's Lord Mayor, with a gold chain of office—and what more appropriate for the Chairman of a golden municipality? — and the Councillors robed in the aldermanic gown, the picture would have been complete."</i></p> <p>(The New Council Chamber. June 27, 1860. <i>Bendigo Advertiser</i>. Retrieved from http://nla.gov.au/nla.news-article87944687)</p> |
| 2. | Can the contribution be substantiated through physical, documentary or oral evidence? | Yes | <p>There are newspaper articles from 1860 that describe the elaborate, then new, furniture of the council chamber. These objects have been reupholstered in the 2003 conservation works to the town hall.</p> |
| 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 objects integral contained in Inventory H117 are integral to understanding the cultural heritage significance of the place as they are indicative of the processes and functions of municipal government. The extravagant nature of the furniture is demonstrative of the wealth of gold rush era Bendigo.

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

Statement of significance

What is significant?

Bendigo Town Hall, built in 1859 and extended over three phases resulting in the present mannerist building of stone construction. The original 1859 design by George Avery Fletcher was a simple two storey building in the Italianate style, which served as the foundation for future remodelling and extensions by Bendigo architect William C. Vahland in 1866. The town hall also contains fine decorative interiors, as displayed in the main hall and council chamber, along with objects integral, being the original council chamber furniture.

How is it significant?

The Bendigo Town Hall 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 Town Hall is historically significant due to its association with the development of Bendigo, a major Victorian centre for gold mining in the nineteenth century. The elaborately decorated building demonstrates the prosperity of Bendigo as a provincial city, particularly in the 1870s and 1880s, and it is illustrative of the civic growth that occurred as a result of the mining industry. [Criterion A]

The Bendigo Town Hall is architecturally significant as a particularly notable example of mannerist architecture which evokes the pretensions of Bendigo in its boom period. The facades of this freestanding building are asymmetrical and deeply modelled, incorporating rustication, deep broken pediments, alternating triangular and segmental pediments, layers of varying orders with the Corinthian predominant, paired pilasters and columns, and skyline interest in the form of three towers, mansard roofs and balustrading. It is also of architectural significance as an important work of the prominent 19th century Bendigo Architect, William C. Vahland and his skilful adaptation of an existing building. [Criterion D]

The Bendigo Town Hall contains particularly fine and impressive nineteenth-century decorative interiors as displayed in the main hall and council chamber. The interior decoration of these rooms with their elaborate plasterwork and hand painted wall panels is the work of important artist and modeller, Otto Waschatz, who was also responsible for the interior decoration of the library at the Bendigo School of Mines and the Melbourne Town Hall. The interiors of the Town Hall, along with the early council chamber furnishings, make Bendigo Town Hall one of the finest municipal buildings in Victoria. [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 1993 Bendigo Town Hall Conservation Plan prepared by Trevor Westmore and Mike Butcher provides a useful starting point for management of the place and objects integral cultural heritage significance. It is however recommended that this Conservation Plan is updated.

Relating to the significant wall murals and plasterwork that forms the hall's interior decorative scheme, the following policy should guide works that will impact the wall paintings and plasterwork:

1. The most recent Conservation Policy of the National Gallery of Victoria should guide any works to the wall paintings. This policy is updated regularly by the National Gallery of Victoria.
2. Any works, conservation or maintenance of the paint and plaster of the wall paintings should be undertaken by a professional conservator(s) specialised in wall painting conservation. The conservator(s) should be a member of and bound by the Code of Ethics and Practice of the AICCM Inc. or an international materials conservation association.

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 Act.

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 Bendigo Town Hall 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 *Heritage Act 2017* 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.
1. 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.
2. 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*.
3. 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.
4. 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

Internal


1. Removal and/or like for like replacement of the carpet tiles in the main hall, provided that works do not harm the original floors underneath the existing carpet including any cumulative harm incurred by the exposure of the original floor surface.

Objects integral


2. Temporary relocation or movement of the moveable Registered Objects Integral to the Registered Place within the town hall building.
3. Repair and conservation of Registered Objects Integral to the Registered Place, including like for like reupholstering of the councillors chairs, provided works are carried out by a suitably qualified conservator.


Inventory H117


Inventory held by the Executive Director, of fixed and non-fixed objects integral to the place


| | |
|--|---|
| Object number, name, & date: | 1. Councillor's chairs, ten (10) total. |
| Current location: | Council Chambers |
| Image |  <p><i>2023. One of nine chairs.</i></p> |
| Item Description including maker and date(s) | High backed carved timber chairs with (recent) leather upholstery. Believed to have been made in Melbourne, the earliest around c.1860. |
| Description of the nature of relationship between object and place | Original council chamber furniture associated with the development of the Bendigo Town Hall. |


| | |
|--|---|
| Object number, name, & date: | 2. Councillor's desks, eight (8) total. |
| Current location: | Council Chambers |
| Image |  <p data-bbox="587 1081 858 1115"><i>2023. One of nine chairs.</i></p> |
| Item Description including maker and date(s) | Slanted timber writing desks with leather inlay to top. Furniture believed to have been made in Melbourne, c.1860. |
| Description of the nature of relationship between object and place | Original council chamber furniture associated with the development of the Bendigo Town Hall. |

| | |
|--|--|
| Object number, name, & date: | 3. Upholstered bench, one (1). |
| Current location: | Council Chambers |
| Image |  <p data-bbox="587 1039 1133 1070"><i>2023. Timber bench with upholstered leather back.</i></p> |
| Item Description including maker and date(s) | Long bench with leather upholstered back rest. Furniture believed to have been made in Melbourne, c.1860. Has been reupholstered recently. |
| Description of the nature of relationship between object and place | Original council chamber furniture associated with the development of the Bendigo Town Hall. |

| | |
|--|--|
| Object number, name, & date: | 4. Chairman's desk. |
| Current location: | Council Chambers |
| Image |  <p data-bbox="587 1037 922 1070"><i>2023. Chairman's writing desk.</i></p> |
| Item Description including maker and date(s) | Slanted writing desk with curved edges and leather inlay to top. Furniture believed to have been made in Melbourne, c.1860. |
| Description of the nature of relationship between object and place | Original council chamber furniture associated with the development of the Bendigo Town Hall. |

| | |
|--|--|
| Object number, name, & date: | 5. Low back upholstered chair, one (1). |
| Current location: | Council Chambers |
| Image |  <p data-bbox="587 1037 917 1070"><i>2023. Single low backed chair.</i></p> |
| Item Description including maker and date(s) | Low backed carved timber chair with leather upholstery. Furniture believed to have been made in Melbourne, c.1860. Has been recently reupholstered. |
| Description of the nature of relationship between object and place | Original council chamber furniture associated with the development of the Bendigo Town Hall. |

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| Object number, name, & date: | 6. Long desk, one (1). |
| Current location: | Council Chambers |
| Image |  <p data-bbox="587 1034 778 1070"><i>2023. Long desk.</i></p> |
| Item Description including maker and date(s) | Long timber desk with leather inlay to top. Furniture believed to have been made in Melbourne, c.1860. |
| Description of the nature of relationship between object and place | Original council chamber furniture associated with the development of the Bendigo Town Hall. |

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| Object number, name, & date: | 7. Flat writing desk, one (1). |
| Current location: | Council Chambers |
| Image |  <p data-bbox="587 1032 837 1066"><i>2023. Flat writing desk.</i></p> |
| Item Description including maker and date(s) | Long timber desk with leather inlay to top. Furniture believed to have been made in Melbourne, c.1860. Same as 2. Councillor's desks except flat. |
| Description of the nature of relationship between object and place | Original council chamber furniture associated with the development of the Bendigo Town Hall. |

Existing registration details

Existing extent of registration

City of Bendigo. No. 117. Bendigo Town Hall, Hargreaves Street, Bendigo.

[*Victoria Government Gazette* No 100 Wednesday, October 9 1974 p.3648]

Existing statement of significance

What is significant?

The present Bendigo Town Hall was begun on this site in Hargreaves Street in 1859 as a simple two storey brick Italianate structure, designed by the town clerk and surveyor, George Avery Fletcher. After various additions and alterations over a number of years, the Town Hall developed into an elaborate municipal structure. This building was pre-dated by the first town hall building, a two roomed timber building located on View Point and purchased for this purpose in 1856, after the first council elections.

The town hall in Hargreaves Street began as a brick building with sandstone dressings and corrugated iron roof, facing the open market square to the north with projecting bays on either side enclosing a ground floor arcade with a balcony above. Matching porticoes were attached to the east and west sides. This building provided the basis for the design of all future extensions and the structure for the southern end of the building.

In 1866-7 an extension was made to the north of the existing building, in front of the central recess; therefore forming a light well in the town hall building. Designed by Fletcher, this addition contained a council chamber on the upper floor with two rooms beneath, and a colonnade and balcony surrounding it to the east, north and west.

Fletcher designed a further addition to the north in 1871-2, and this contained a corn exchange in the form of a large hall, with basement below. Located on Hargreaves Street, this corn exchange defined the northern part of the present main hall. The north elevation, with two projecting bays and central colonnade, resembled that of the original building. This addition, and the previous one, both maintained the same general style as the first town hall building of 1859.

A major remodelling of the Town Hall was undertaken between 1878 and 1886, to a master plan by Bendigo architect William C. Vahland, and this resulted in a dramatic change in the character of the town hall building. Many existing entries, porticoes, internal walls and windows were reused, with alterations to the exterior including the addition of three towers and mansard roof, and to the interior including the rearrangement of ground floor offices, extension of the upper floor, and extension and remodelling of the main hall. In 1885 the exterior of the building was rendered and plastering of the interior was commenced, modelled by Otto Waschatz. The painting of the main hall was finished in 1902, finally completing Vahland's master plan.

The final main phase of remodelling was undertaken from 1913-15 by architects J. Beebe with J. G. Austen and E. J. Keogh. It entailed work mainly to the interior of the south end of the building. In 1926 the main Hargreaves Street hall entry, foyer and balcony was replaced by a stage and other minor alterations were undertaken through the 1970s.

The Town Hall stands as a complex and sophisticated boom style building in a mannerist style, largely as completed in 1886. The facades of this freestanding building are asymmetrical and deeply modelled, incorporating rustication, deep broken pediments, alternating triangular and segmental pediments, layers of varying orders with the Corinthian predominant, paired pilasters and columns, and skyline interest in the form of three towers, mansard roofs and balustrading. Vahland's retention of portico and side entry locations, and his continuation of semicircular openings at ground level and segmental heads at the upper level, have been cleverly incorporated in his overall design. The first phase of the building in fact provided the elevational layout of external openings for all the later work.

Extensive restoration works were begun at the Town Hall in 2000. This included the reinstatement of the Hargreaves Street entrance, foyer and balcony, involving the demolition of the 1926 balcony, and the reinstatement of original decorative schemes and conservation of the extensive artwork.

How is it significant?

The Bendigo Town Hall is of architectural, aesthetic and historical significance to the State of Victoria.

Why is it significant?

The Bendigo Town Hall is of architectural significance as a particularly notable example of mannerist architecture which evokes the pretensions of Bendigo in its boom period. It is of architectural significance as an important work of the prominent 19th century Bendigo architect, W. C. Vahland which displays his skilful adaption of an existing building, while at the same time maintaining much of the existing fabric and layout. The three dimensional quality of the design is unusual with equal attention given to more than one facade.

The Town Hall is of architectural and aesthetic significance for the fine interiors of the main hall and council chamber, which include elaborate plasterwork and hand painted panels. The association with important artist and modeller, Otto Waschatz, who was also responsible for plasterwork decoration at the library at the Bendigo School of Mines, and the Melbourne Town Hall is of particular note.

The Town Hall is of architectural significance as a major work in civic design of the late 19th century and for the prominent role it plays in the townscape of Bendigo.

The Bendigo Town Hall is of historical significance due to its association with the development of Bendigo, a major centre for gold mining in the nineteenth century. The elaborately decorated building demonstrates the prosperity of Bendigo, particularly in the 1870s and 1880s, and it is illustrative of the civic growth that occurred as a result of the mining industry.

[Online Data Upgrade Project 2005]

Existing permit policy and permit exemptions

Nil.

Appendix 1

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.