

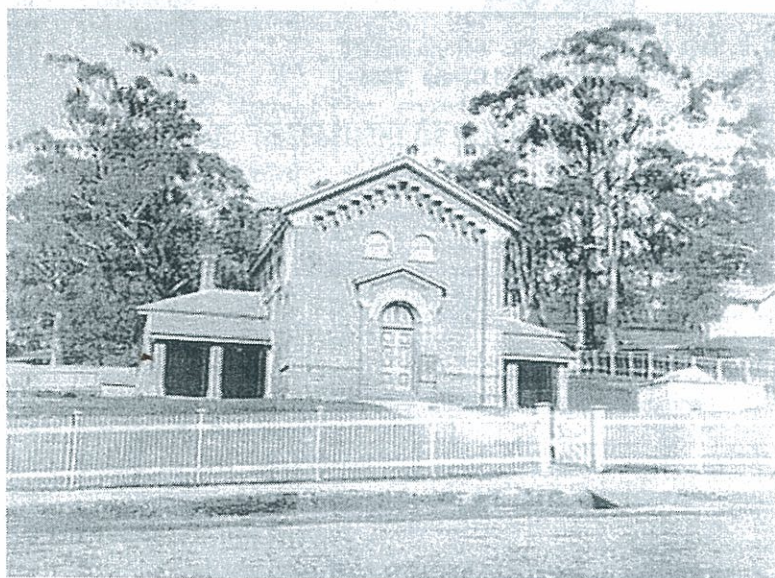


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# Daylesford Courthouse, Police Quarters & Lock-up

Camp Street, Daylesford

## Conservation Management Plan



Prepared for  
The Daylesford Neighbourhood Centre  
and  
Parks Victoria

May 2006

### HEPBURN SHIRE COUNCIL

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This Conservation Analysis and Conservation Management Plan has been undertaken in accordance with the principles of the Burra Charter adopted by ICOMOS Australia

This document has been completed by  
David Wixted and Simon Reeves



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## EXECUTIVE SUMMARY

### Summary of Significance

The Daylesford courthouse, police quarters and lock-up are collectively of historical, architectural and aesthetic significance:

- As a representative and relatively early example of a Police Reserve, typical of those that developed in regional Victorian townships during the Gold Rush period of the 1860s;
- As fine and relatively intact examples of mid-nineteenth century Public Works Department architecture;
- As a prominent landmark within the town, occupying a notably large and elevated site that forms a broader cultural landscape in Daylesford;

The buildings themselves are also of individual aesthetic and historical significance:

- (The courthouse) as one of only a small number of nineteenth century courthouses in Victoria with a simply articulated front entrance, unencumbered by porches, arcades or verandahs;
- (The courthouse) as a relatively early and especially authentic example of the Romanesque Revival style in Australia, being designed by a German architect who would have studied the idiom in Europe at a time when it was most influential;
- (The police quarters) as a rare surviving example in Victoria of a purpose-built 'office and men's quarters' within a Police Reserve;
- (The lock-up) as a representative and intact example of its type;

### Summary of Works and Development Recommendations

The Courthouse is in reasonably good repair with only a small number of immediate problems evident. There are capital works which should be undertaken at the north side of the Courthouse building to replace the existing toilet block with new public toilets and storage. This requires Parks Victoria to issue a specific brief for their construction in a sympathetic materials palette and scale. This will allow the Neighbourhood Centre use of the site to broaden its activities base.

Similarly a small outbuilding containing an ablutions extension to the Police Quarters will allow the extended use of that building. Again Parks Victoria will need to issue a specific construction brief.

The works most immediate to the maintenance of the heritage place are the investigation of the water and damp problems at the rear of the original court building. An allocation of \$18500+gst plus contingency should be set aside for these works. This will involve the regrading of the cut off drains for the natural spring along with a deep vertical water barrier below the retaining walling.

Apart from this most of the buildings require attention to a series of small maintenance issues such as brick repair, new paintwork and the like. This CMP allocates a further \$42,950+gst + contingency (ie budget \$50,000 plus a contingency allocation) against this work which would bring the whole complex to a high standard of finish although it is not necessary to carry this out as one project. Construction of toilet facilities to the north of the court requires its own design and construct budget and this is discussed in the CMP.

The future uses of the site are bound by the Planning Scheme and by any impact on the historic site. The Planning Scheme actually allows a broad range of uses although the present uses generated by the Neighbourhood Centre are very suited to the long-term maintenance and survival of the buildings. Indeed the Neighbourhood Centre has been a very good manager of the site.

The one building to be somewhat under-utilised is the Lock-up which is hampered by the need to retain its historic appearance without any change. This however does not preclude uses with minor impacts such as gallery use provided electricity is supplied to the building.

## 1.0 INTRODUCTION

### 1.1 Background, Brief and Methodology

This Conservation Management Plan (CMP) was prepared to document the history and cultural significance of The former Courthouse, Police Quarters and Lock-up at 27 Camp Street, Daylesford, so as to better inform the decision-making process prior to future refurbishment works and any change of use, works or redevelopment.

The report has been compiled with reference to key cultural heritage documents used by heritage and collections management practitioners in Australia:

The Australia ICOMOS charter for the conservation of places of cultural significance: The Burra Charter, 1999. (See Appendix F.)

Peter Marquis-Kyle & Meredith Walker, *The Illustrated Burra Charter*, Australia ICOMOS, Sydney, 2004.

James Semple Kerr, *The Conservation Plan: A guide to the preparation of conservation plans for places of European cultural significance*, National Trust of Australia (NSW), Sydney 1990.

Australian Heritage Commission, *Australian Historic Themes: A Framework for use in Heritage Assessment and Management*, Canberra 2001.

Australian Heritage Commission, 'Criteria for the Register of the National Estate', Canberra (current version).

The report also takes into account two documents produced by Heritage Victoria:

'Conservation Management Plan Draft Brief' (February 2001); and

'Criteria for Assessment of Cultural Heritage Significance' (adopted March 1997).

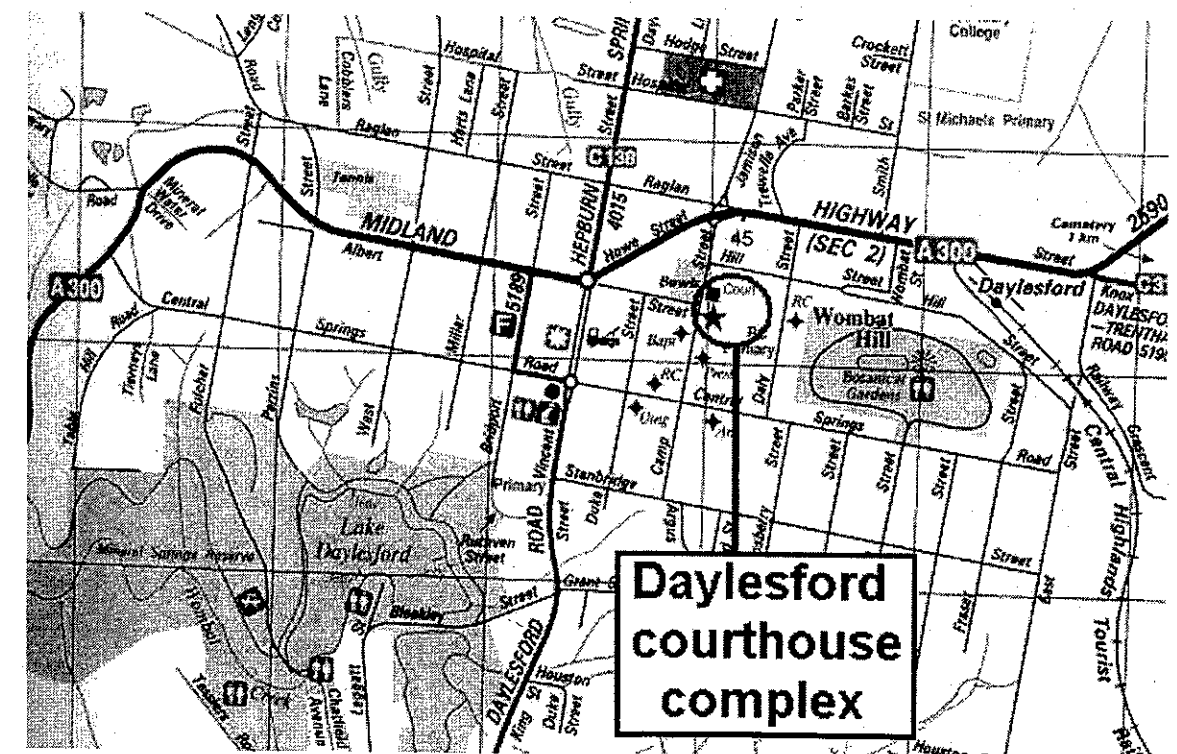


Figure 1 Location plan of former Courthouse, Police Quarters and Lock-up at Daylesford.  
(Source: RACV Vicroads Directory, fourth edition)



## 1.2 Site Ownership

The land is a reserve owned by the Crown and managed under the *Crown Land Reserves Act 1978* by the Department of Sustainability and Environment (DSE). The Department appointed Parks Victoria as the Committee of Management for the reserve in January 2001. The Daylesford Neighbourhood House leases the reserve from Parks Victoria. The lease expires on 31 December 2011.

## 1.3 Study Team

The study team who prepared this report comprised:

David Wixted	Principal, <i>heritage ALLIANCE</i>
Simon Reeves	Architectural historian, <i>heritage ALLIANCE</i>

## 1.4 Copyright

Copyright is held jointly by Parks Victoria, The Daylesford Neighbourhood Centre and *heritage ALLIANCE*, May 2006.

## 1.5 Acknowledgments

We would like to thank the members of the Steering Committee:

Ms Kathleen Brannigan	Daylesford Neighbourhood Centre
Mr Andrew Bourke	Shire of Hepburn
Ms Anne Finch	Daylesford Neighbourhood Centre
Ms Amanda Jean	formerly Heritage Advisor, Shire of Hepburn
Mr Chris Smith	Heritage Planner, Parks Victoria

We would also like to thank the following people for otherwise contributing to this report:

Mr Ivar Nelsen	Historic Places Section, Department of Sustainability & Environment. (provision of some information for comparative analysis)
Ms Lorraine Huddle	Architectural historian (provision of biographical information about architect Friedrich Kawerau)

## 1.6 Definitions

- 1.1 *Place* means site, area, building or other work, group of buildings or other works together with associated contents and surrounds.
- 1.2 *Cultural significance* means aesthetic, historic, scientific or social value for past, present or future generations.
- 1.3 *Social value* embraces the qualities for which a place has become a focus of spiritual, political, national or other cultural sentiment to a majority or minority group.
- 1.4 *Fabric* means all the physical material of the *place*.
- 1.5 *Conservation* means all the processes of looking after a place so as to retain its *cultural significance*. It includes maintenance and may according to circumstance include *preservation*, *restoration*, *reconstruction* and *adaptation* and will be commonly a combination of more than one of these.
- 1.6 *Maintenance* means the continuous protective care of the *fabric*, contents and setting of a *place*, and is to be distinguished from repair. Repair involves *restoration* or *reconstruction* and it should be treated accordingly.

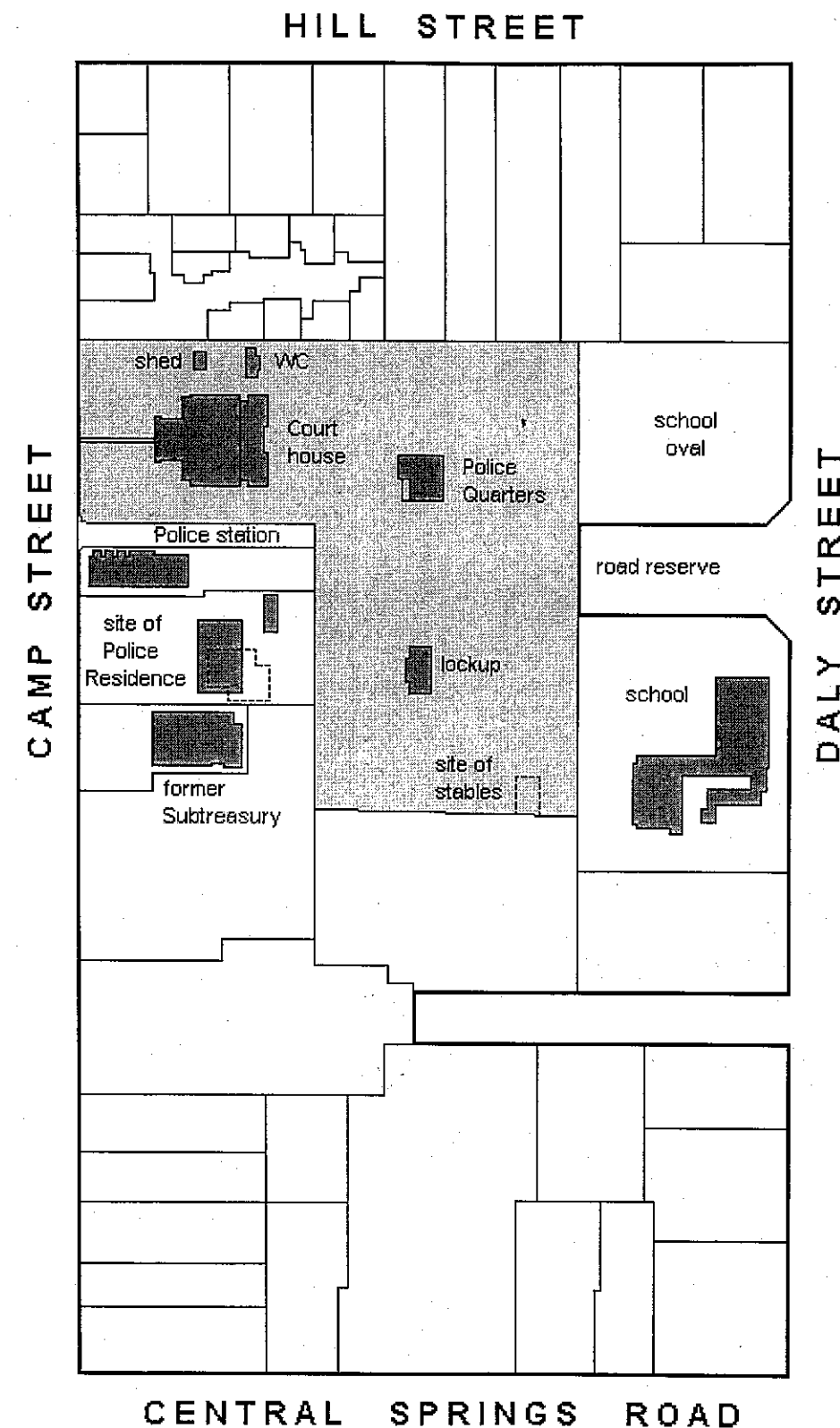


Figure 2 Site plan showing the Police Reserve and the current study area (indicated in pale grey)

- 1.7 *Preservation* means maintaining the *fabric* of a *place* in its existing state and retarding deterioration.
- 1.8 *Restoration* means returning the EXISTING *fabric* of a *place* to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.
- 1.9 *Reconstruction* means returning a *Place* as nearly as possible to a known earlier state and is distinguished by the introduction of materials (new or old) into the *fabric*. This is not to be confused with either recreation or conjectural reconstruction which are outside the scope of this Charter.
- 1.10 *Adaptation* means modifying a *place* to suit proposed compatible uses.
- 1.11 *Compatible use* means a use which involves no change to the culturally significant fabric, changes which are substantially reversible, or changes which require a minimal impact.

## 1.7 Existing Heritage Listings & Statutory Controls

### Victorian Heritage Register

The former Courthouse, Police Quarters and Lock-up are included collectively on the *Victorian Heritage Register* as H1492.

### Register of the National Estate

The former Courthouse, Police Quarters and Lock-up are included collectively on the *Register of the National Estate*, maintained by the Australian Heritage Commission, with the Place ID15270

### National Trust of Australia (Victoria)

The former Courthouse is classified by the National Trust of Australia (Victoria) as a building of state significance, designated as B5432. The Police Quarters and Lock-up are classified separately as B4136. All three buildings also form part of a larger group classification (dated 1 December 1983) that includes the former Receipt & Pay Office (17 Camp Street; B4575), the Albert Hotel (12 Camp Street; B360), and St Andrew's Presbyterian Church and Manse (19 Camp Street; B5906).

### Shire of Hepburn

The former Courthouse, Police Quarters and Lock-up were all identified as individual C-graded heritage places in the *Daylesford & Hepburn Springs Conservation Study*, prepared by Perrott Lyon Mathieson, in conjunction with Andrew Ward) in December 1985. The former Receipt & Pay Office, which formed part of the original Police Reserve but is outside the scope of the present study, was also included. All four buildings were also identified as significant elements within the boundaries of the proposed *Albert Street Precinct*, which comprised rows of early weatherboard cottages in Albert Street as well as the government buildings on the Wombat Hill reserve.

Under the local provisions of the Shire of Hepburn Planning Scheme, the former Courthouse (HO678) and the lock-up (HO676) are both included on the Heritage Overlay schedule as individual heritage places. The Police Quarters are not included as an individual place, but are included as part of a separate group listing (HO679) along with the Courthouse and the lock-up.

The schedule to the heritage overlay cedes control of buildings and works to the requirements of the Heritage Act 1995. The site may not be used for any of the Uses that are Scheduled as prohibited in PUZ1 under the planning scheme.

The Planning Scheme also identifies the site as being surrounded by neighbourhood Character Areas NC01 & NC02 which are controlled under the Planning Scheme Clauses 22.08 & 22.15.

The central part of Daylesford is however controlled by the greater Heritage Overlays HO 694, 696, 697 which surround the site.

Clauses 43.01 to 43.01-6 of the planning scheme should be assessed by any one making an application for works at the site prior to that matter being discussed with heritage Victoria.



Figure 3 A Recent aerial photograph of Daylesford, showing the Police Reserve with Wombat Hill to the east (source: Parks Victoria)

A development scheme may be drawn up once both parties have been consulted.

Clause 43.01-1 outlines matters to be considered in making a permit application, while 43.01-5 discusses Guidelines for granting a permit and 43.01-6 discusses uses that a heritage place may have.

The site and surrounds are also controlled by an Environmental Significance Overlay ESO1 which requires permits for removal of vegetation, the construction of buildings and fences and the subdivision of land.

The purpose of the overlay is to prevent water contamination and subsurface water disturbance.

The schedule to the overlay constricts the benching of sites and gives dimensioning for cutting and levelling areas which may be undertaken without a permit.

### Crown Lands Reserves Act (1978)

The subject land is a Crown land reserve administered under the above Act. The Act provides for the appointment of Committees of Management to manage reserves on behalf of the Crown. Committees may develop a reserve by extending, altering or changing the built or natural assets after obtaining all necessary approvals including landowner consent. The landowner is the Minister whose portfolio area includes Crown land reserves (currently the Minister for Planning). The Minister is represented by the Department of Sustainability & Environment. For all developments on Crown land reserves, the Committee should consult with its regional DSE office. In the case of the former Daylesford Courthouse, the regional DSE office is located at 402-404 Mair Street, Ballarat.

## 2.0 HISTORY

### 2.1 Establishment of the Police Reserve: 1853 to 1865

#### Early Government Presence in Daylesford

Official government presence in the Daylesford area can be traced back to 23 April 1853, when the district's first resident Gold Warden, James Prendergast Hamilton, arrived at the Spring Creek goldfields, north of the present township in what is now Hepburn Springs. According to one source, Hamilton approached from the eastern side of the flooded creek and, unable to proceed any further, was forced to establish the Police Camp by the river, on a site now occupied by the Hepburn Springs Caravan Park on Forest Avenue.<sup>1</sup> Almost another year passed before Hamilton was joined by a magistrate – in any case, a representative from Creswick who only travelled to the Spring Creek diggings once every month. The first holder of this office was Lewis Giles, appointed on 5 January 1854, who was replaced only two months later by Morrison McRae.<sup>2</sup> The Spring Creek Court sat in a makeshift structure, described in one source as 'little better than a tent'.<sup>3</sup>

When a new township was laid out by the Government Surveyor later that year, a 'Camp & Police Reserve' was provided on the crest of Wombat Hill. An early map of the 'Township of Daylesford, Suburban & Country Lands', dated 7 September 1854, shows that this reserve comprised all of Sections 11a, 12a and 37. These combined to form a substantial L-shaped allotment of about 50 acres, bounded by present-day Camp Street, Main Street, Hill Street, East Street and Central Springs Road. At that time, this site was 'a dense forest, some of the trees being of immense size; it was thickly covered with scrub and fern, varied with immense wombat holes'.<sup>4</sup> There was no immediate development of this reserve, and, while Gold Warden Hamilton already regretted his decision to establish his police camp by the river, he would not be granted permission to relocate it for some time.<sup>5</sup>

#### The First Buildings (1857-58)

The new Police Reserve began to develop from 1857, following the appointment of Francis Crossman Doveton in the joint position of Gold Warden and the town's first resident Police Magistrate. The first priority was a new purpose-built courthouse, for which tenders were called in July 1857. The contract was subsequently awarded to George Rickard, who had tendered £380.<sup>6</sup> Construction was evidently well underway by the following January, when a second tender was called for the building's fittings.<sup>7</sup> This work, to cost £70, was carried out by one John Purvis. The courthouse had been completed by June 1858, when the *Victorian Government Gazette* reported that a Court of Petty Sessions had officially commenced at Daylesford.<sup>8</sup>

Later that year, tenders were accepted for three more additions to the Police Reserve: 'Quarters for Police', 'Stabling for Police' and a lock-up.<sup>9</sup> The contracts were awarded, respectively, to Thomas G Green (£735), Richardson & Mills (£348) and C S Baillie (£275). The police quarters, fronting Camp Street, were evidently a standard design. Surviving PWD drawings depict a double-fronted three-roomed cottage with gabled slate roof and hipped verandah across its main façade. The stables, set back on the rising slope behind the quarters, were similarly conventional: a simple gable-roofed building on an elongated rectangular plan, containing five wood-paved loose boxes with a brick-paved corridor alongside, and a hayloft in the gabled roof space above. Nothing further is known of original lock-up, although it has been asserted that it was probably a portable structure of a standard type used elsewhere at that time.<sup>10</sup>

1 Henry Maddicks, *100 Years of Daylesford Gold Mining History*, pp 10-11.

2 Norm Darwin, 'Daylesford and District: A Short History'. Chapter Three. <<[www2.sebas.vic.edu.au/staff/ndarwin/daylesford.htm](http://www2.sebas.vic.edu.au/staff/ndarwin/daylesford.htm)>>

3 *Ibid.*

4 'A Wanderer' [pseudonym], *Illustrated Handbook and Guide to Daylesford and its Surroundings*, p 13.

5 Maddicks, *loc cit.*

6 *Victorian Government Gazette*, No 81 (14 July 1857), p 1287; *Victorian Government Gazette*, No 90 (4 August 1857), p 1435.

7 *Ibid.*, No 19 (5 February 1858), p 249.

8 *Ibid.*, No 82 (25 June 1858), p 1231.

9 *Ibid.*, *Victorian Government Gazette*, No 100 (3 August 1858), p 1459.

10 Ivar Nelsen, 'Daylesford Justice Precinct: Comparative Analysis', 4pp typescript dated December 2005.

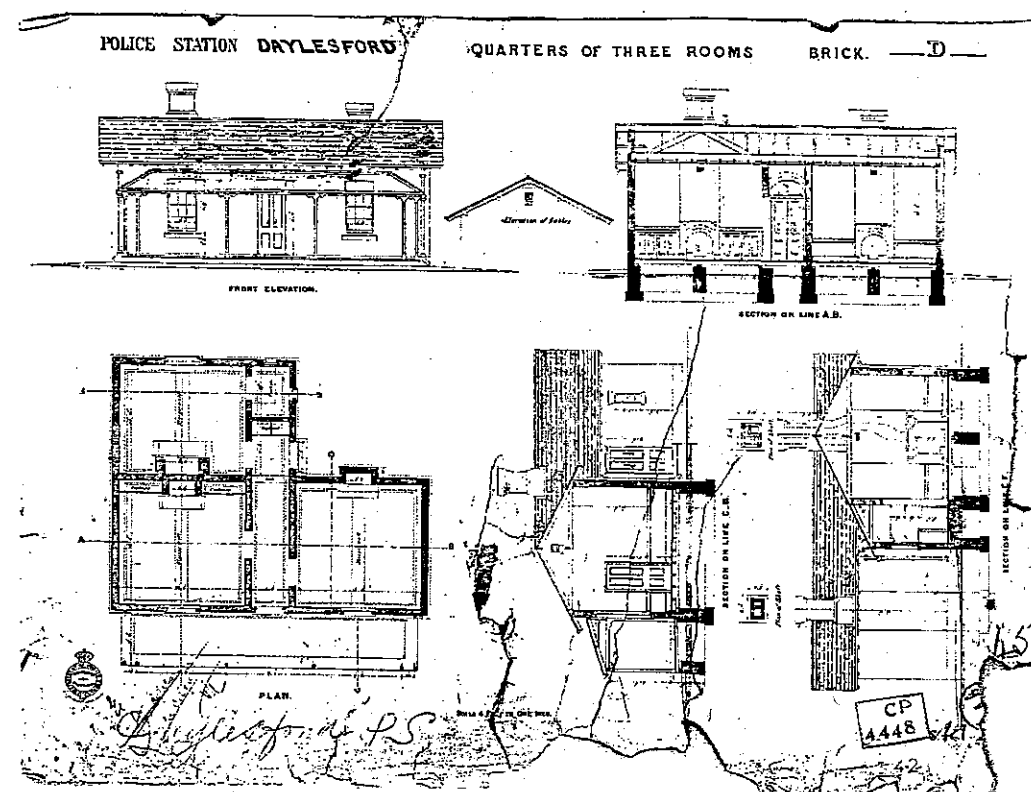


Figure 4 PWD drawings for the original 'Police Station' on Camp Street (1858)  
(source: Parks Victoria files)

### Revision of Boundaries

Daylesford experienced a dramatic building boom in the late 1850s, when large-scale gold mining operations began to supplant the small-scale alluvial prospecting that had initially characterised the region.<sup>11</sup> With intense pressure for residential and commercial development, the 'Police and Camp Reserve' on Wombat Hill was partly subdivided.<sup>12</sup> The huge site was split into four discrete parts (Sections 11a, 12a, 37 and 37a) by the extension of Hill Street to Camp Street, and by a new north-south street named after the then Gold Warden, James Daly. All of Sections 11a and 12a, and some of the street frontages of the larger Sections 37 and 37a, were carved into smaller allotments. One of these allotments, on the southeastern corner of Daly Street and Hill Street, became the site for the new gold warden's house, which was erected during 1861.<sup>13</sup>

Meanwhile, the existing police buildings on Section 37a were retained on a nine acre site, fronting Camp Street, which was temporarily reserved as a 'site for police purposes' in August 1861.<sup>14</sup> Its extent, however, was subsequently reduced even further, being re-reserved only three months later with an area of five acres, three roods and 18 perches.<sup>15</sup> The remaining portion of the original 1854 Police Reserve, comprising the central part of Section 37, was designated as a 23-acre 'Reserve for Public Gardens' and a one-acre Water Reserve.

- 11 R Berlinski and A Leonzini, 'Early Development and Architectural History of Daylesford', Undergraduate thesis, University of Melbourne, Faculty of Architecture, Building & Planning, 1968, p 17.
- 12 *Ibid*, p 22.
- 13 Darwin, *loc cit*. This house, subsequently occupied by Daly's successor, William Drummond, was acquired by the Catholic church in 1890 for use as a presbytery and, later, as a convent school. It survives, in a much altered form, as the Convent Gallery.
- 14 *Victorian Government Gazette*, No 134 (30 August 1861), p 1674.
- 15 *Ibid*, No 177 (3 December 1861), p 2326.

### New Buildings (1862-63)

Such was the intense development of Daylesford during the gold rush period that the original government buildings on the Police Reserve became inadequate within only a few years. The lock-up required replacement, while the courthouse itself had, by 1861, reached the point whereby the town's new magistrate, James Daly (who had replaced J C Doveton in August 1860) refused to sit 'in such conditions'.<sup>16</sup> Although some renovations were undertaken to the building, it was apparent that new and larger facilities were urgently required. By August 1862, it was no longer useable, with court sessions being held in Jamieson's Hotel.

It was in June 1862, six months after the new Police Reserve had been gazetted, that tenders were called for the first new building on the site – a three-cell lock-up to replace the original (and presumably one-cell) structure.<sup>17</sup> Four tenders were received, and the contract was awarded to Henry Gardiner, who had tendered £736 14s – almost three times the price of the reserve's original lock-up.<sup>18</sup> Gardiner, who was based in St Kilda but had evidently undertaken prior work for the Public Works Department, signed the contract on 8 July, and construction was slated for completion within three months.<sup>19</sup> It has been claimed that local builder George Clayfield was responsible for the design of the lock-up, but no evidence has been found to support this.<sup>20</sup>

The second building to be erected on the new Police Reserve was small two-roomed office, variously referred to as the Sub-treasury or the Receipt & Pay Office.<sup>21</sup> The contract for this modest structure, to cost only £199, was signed on 23 November 1862. In contrast to the recently completed lock-up, this was the work of local builders, the Clayfield Brothers, who would figure prominently in the subsequent development of the Police Reserve (and, indeed, of Daylesford and environs in general).<sup>22</sup> This sub-treasury had been completed by January 1863, when its opening was duly reported in the pages of the *Victorian Government Gazette*.<sup>23</sup> The establishment of a gold escort was reported the following month, although this had still not eventuated six months later.<sup>24</sup>

Working drawings for the new courthouse are dated 26 November 1862, and tenders for its construction were called a few weeks later, on 9 December.<sup>25</sup> Seven tenders were received, and the contract was awarded to a Carlton-based building firm, variously referred to as Cormack & Irving or Cormack & Company, which had tendered £1498 2s 2d.<sup>26</sup> It was duly noted in the PWD Contract Book that the original contract value was actually £2522 12s 7d, but this was reduced 'to bring the cost of the court within the sum available to it', with just over £1,000 worth of works being 'temporarily omitted' from the project.<sup>27</sup> The contract was signed on 23 December, with construction to be completed within four months. It was in February 1863, during the construction phase, that the original 1858 courthouse was finally demolished.<sup>28</sup>

The new courthouse was completed on schedule, in April 1863, whereupon the contractors, Cormack & Irving, were retained to carry out unspecified works to the nearby police quarters, for which their £130 tender was accepted on 15 April. The following year, tenders were called for what was described as the 'completion of the Receipt & Pay Office' – a substantial addition to the rear of the small building erected in 1862 as the sub-treasury. These works cost £371 – almost twice the value of the original building – and were carried out by the original contractors, the Clayfield Brothers.<sup>29</sup>

- 16 Darwin, *loc cit*.
- 17 *Victorian Government Gazette*, No 76 (24 June 1862), p 1084.
- 18 *Ibid*, No 91 (5 August 1862), p 1363.
- 19 PWD Contract Book for 1862, p 33. VPRS 979, Unit 4, Public Record Office (hereafter PRO).
- 20 Perrott Lyon Mathieson & Andrew Ward, 'Daylesford & Hepburn Springs Conservation Study', s v 'Former lock-up, Camp Street'.
- 21 Referred to only as 'Building, Camp Reserve, Daylesford' in PWD Contract Book for 1862, p 135. VPRS 979, Unit 4, PRO.
- 22 Berlinski & Leonzini, *op cit*, p 20.
- 23 *Victorian Government Gazette*, No 3 (9 January 1863), p 49.
- 24 *Argus*, 17 February 1863, p 4; 9 July 1863, p 4.
- 25 *Victorian Government Gazette*, No 140 (9 December 1862), p 2517.
- 26 *Victorian Government Gazette*, No 3 (9 January 1863), p 72.
- 27 PWD Contract Book for 1862, p 69. VPRS 979, Unit 4, PRO.
- 28 Darwin, *loc cit*.
- 29 PWD Summary Contract Book, Contract 64/221. VPRS 2143, PRO.



## 2.2 The Architects and Builders

### Frederick Kawerau, Architect

Most secondary sources assert that the architect of the early buildings on the Police Reserve is not known. They may have been designed by a number of architects known to have been employed in the Public Works Department at that time, although the original drawings bear neither signatures nor initials that might helpfully identify them. The PWD Contact Books, however, note that the Clerk of Works in Charge of the Lock-up (1862), the Courthouse (1862-63) and the repairs to the Police Quarters (1863) was one 'F Kawerau', who was a senior member of the PWD architectural staff in the early 1860s.

Friedrich (Frederick) Ferdinand Kawerau was born in 1818 in Bunzlau, Prussia (now Bolesławiec, Poland), the second son of educationalist and author Peter Friedrich Theodor Kawerau (1789-1844).<sup>30</sup> By his own admission, Kawerau studied at the Royal Academy in Berlin, although nothing further is known of his early professional experience. He arrived in Melbourne in 1848 aboard the *Dockenhuden*, along with his younger brother Carl (1822-1904), and had opened an architectural office by July 1849, when he thus advertised in the *Argus*:

Mr F Kawerau, architect and surveyor (from the Royal Academy, Berlin) begs to announce that he is prepared to draw plans and undertake the erection of buildings of every size and description, or to undertake surveying.<sup>31</sup>

A few days later, the same newspaper reiterated:

A German gentleman by the name of Kawerau is anxious to practice his profession in the district and his talents appear equally to embrace the simplicity of a Pyramid and an elaboration of an Alhambra, and he speaks of being perfectly capable of undertaking any building from a dog kennel to a Tower of Babel, we wish to draw the attention of intending builders to his claims for support.<sup>32</sup>

Kawerau was one of the original residents at Westgarthtown, an *émigré* settlement in Melbourne's outer north that was established in March 1850 by the German Immigration Committee. The following year, he and his brother were residing in Geelong, where the latter worked as a piano tuner. In October 1851, both men emerged in the Daylesford area, where they were amongst the first gold prospectors in the region.<sup>33</sup> Friedrich later returned to Geelong where he re-opened his architectural office. Lorraine Huddle had noted that the first of Kawerau's many tender notices appeared in the *Geelong Advertiser* on 25 October 1852, although his only project to be conclusively identified is a two-storey house for Dr Day at what is now 117 Yarra Street.<sup>34</sup> It was also during this time that Kawerau made the acquaintance of engineer Edward Snell, with whom he would enter into partnership early the following year.<sup>35</sup> As Snell himself later recounted in his diary:

On the first of January, I entered into partnership with Fritz Kawerau, a German architect, very clever and a jolly good fellow. Advertised in *Geelong Advertiser* and soon had lots of trade; in fact, has been as busy as possible.<sup>36</sup>

Over the next 18 months, Kawerau & Snell was responsible for many local projects, including the completion of Christ Church, SS Peter & Paul's School at Ashby, the Terminus Hotel in Mercer Street, a schoolmaster's house at St Giles' Church & Free School and buildings associated with the Geelong-to-Melbourne Railway line.<sup>37</sup> The firm also undertook several commissions outside Geelong, including the Ballarat branch of the Bank of Australasia, and hotels at Buninyong and Meredith – the latter being a vast three-storey building, described at the time as the largest timber building in the colony.<sup>38</sup>

30 Christoph Haupt, 'Kawerau', <[www.haupt-researcher.de/kawerau.htm](http://www.haupt-researcher.de/kawerau.htm)> Sighted 29 November 2005.

31 *Argus*, 31 July 1849, p 3.

32 *Ibid*, 3 August 1849.

33 Darwin, *loc cit*.

34 Lorraine Huddle, 'Architects in Geelong in the 1840s and 1850s', Undergraduate thesis, School of Architecture & Building, University of Melbourne, 1979, p 49. Copy also held in Australian Manuscripts Collection, State Library of Victoria.

35 Edward Snell, *The Life and Adventures of Edward Snell*, p 330

36 *Ibid*, p 339. This diary entry is dated 13 January 1853.

37 Allom Lovell & Associates, 'Werribee Railway Station: Conservation Management Plan', p 8.

38 F T Hurley, 'Architectural and building matters in Victoria', *Builder*, 17 March 1855, p 125. Cited in Miles Lewis (ed), *Australian Architectural Index*, s v Snell & Kawerau.

Kawerau left the firm in mid-1854, intending to return to Germany because of ill health. His position in the Geelong office was taken by architect Edward Prowse, although Kawerau's name still remained in the firm's title for some time thence. As it turned out, Kawerau's plans collapsed and he remained in Geelong, although not apparently working as an architect. Writing in his diary on 27 November 1854, Edward Snell observed that his former partner 'has rather recklessly rushed into speculation in ships and houses and is now very hard up for money'.<sup>39</sup> He is last recorded in Geelong as the proprietor of a boarding house, the Hotel Garni, in 1855-56.<sup>40</sup>

Friedrich Kawerau joined the Public Works Department on 23 May 1856, initially as a temporary Clerk of Works and Draftsman.<sup>41</sup> By 1858, he had been appointed as one of two Clerks of Works responsible for PWD buildings in Victoria's Central Region. In this capacity, he oversaw the construction of warden's offices and gold offices at Daylesford, Amhurst and Dunolly, Courts of Petty Sessions at Amhurst, Keilor, Echuca and Swan Hill, and gaols at Sandhurst, Castlemaine and Maryborough.<sup>42</sup> Promoted to District Clerk of Works in 1861, Kawerau was subsequently responsible for the design of new courthouses at Maldon (1861) and Daylesford (1862-63) and the Kew Lunatic Asylum (from 1864). He did not maintain a private practice during this period, although he is known to have undertaken one outside commission – a church hall in East Melbourne for the German Lutheran congregation (1863-64), which he probably designed in an honorary capacity.<sup>43</sup> Kawerau left the PWD at the end of 1868, when he was retrenched along with several long-time colleagues including Charles Vickers and fellow German *émigré* Gustav Joachimi.<sup>44</sup> He reportedly returned to Germany the following year, where he was still known to be living in 1875.<sup>45</sup> Kawerau's date of death had not been established, although his younger brother Carl, who accompanied him to Australia in 1848, is known to have died at Ballarat in 1904.

### Cormack & Irving, Builders

Little is known of the contracting firm of Cormack & Irving of 81 Leicester Street, Carlton. According to the *Sands & McDougall Directory*, Hugh Cormack (born c.1831) occupied this address from 1862. James Irving (born c.1826) first appears in the directory a year later, residing nearby at No 85. The respective entries give no indication of their professions, nor were the men included, either separately or collectively, in the directory's alphabetical listings of either builders or contractors. Hugh Cormack (alone) is known to have undertaken work for the Public Works Department as early as May 1859, when he was the successful tenderer for the new Court of Petty Sessions at Heidelberg.<sup>46</sup> Subsequent PWD works undertaken under the auspices of Cormack & Irving included the railway station at Sunbury (1861) and additions to the courthouse at Schnapper Point (1863).<sup>47</sup> Their promising business would be cut short by the premature deaths of both men. James Irving died in 1865 at the age of 39, while Hugh Cormack succumbed to consumption only two years later, aged 36 years.<sup>48</sup>

### George Clayfield, Builder

George Clayfield (born 1838), and his brothers William and John, arrived in Australia in 1840 when their family migrated from Shortwood, Gloucestershire and settled in Western Australia. The family then spent some time in South Australia, moving on to Melbourne 'in the early days of the gold diggings' and thence to Moonlight Flat (near Castlemaine) before finally arriving in Daylesford in 1862.<sup>49</sup>

39 Snell, *op cit*, p 346.

40 T A Darragh and R N Wuchatsch, *From Hamburg to Hobson's Bay*, p 92.

41 Bruce Trethowan, 'The Public Works Department of Victoria 1851 - 1900: An Architectural History', Undergraduate thesis, University of Melbourne, Faculty of Architecture, Building & Planning, 1975. Appendix.

42 *Ibid*, pp 45-47.

43 'Structures on the Site: German Lutheran Trinity Church', <<[www.german-lutherans-melbourne.asn.au/en/structures.shtml](http://www.german-lutherans-melbourne.asn.au/en/structures.shtml)>>

44 Trethowan, *op cit*, pp 44, 61.

45 Email from Christophe Haupt to Lorraine Huddle, 2003. Copy kindly provided by Lorraine Huddle. Mr Haupt, reputedly a descendent of the Kawerau family, has not responded to our requests for further biographical information.

46 *Victorian Government Gazette*, 17 June 1859.

47 *Victorian Government Gazette*, 30 April 1861; see also PWD Contract Book, 1863, p 69. VPRS 979, PRO.

48 'Deaths', *Argus*, 25 July 1865, p 4; 21 October 1867, p 4.

49 'Death of Mr George Clayfield', *Daylesford Advocate*, 25 September 1890, p 2.

The three Clayfield brothers soon commenced work as building contractors, working both individually and in various permutations. John Clayfield already had some experience, having been responsible for the erection of a school in Bell Street, Fitzroy, back in 1855. In Daylesford, John worked in conjunction with his younger brother George on the Daylesford Hotel and the new post office (1867), while George and William worked together to erect another hotel in Leggatt Street. The roles of the brothers are clarified by their respective entries in *Birchnell's Daylesford Directory* (1865), which lists George and John Clayfield as bricklayers, William as a plasterer, plus a fourth entry for another J Clayfield (perhaps their father), a brickmaker.

In any case, George Clayfield's reputation evidently eclipsed those of his brothers, and he went on to become the leading building contractor in the Daylesford area.<sup>50</sup> His obituary simply noted that 'nearly every public building in the district, including many of the schools, were built by him'.<sup>51</sup> Specific buildings he is known to have built include the New Colonial Produce Store (now Central Springs Inn) in Howe Street (1875), a school at Eganstown (1882), a schoolroom at Christ Church, a new wing on the local hospital and a residence for a Dr Stevenson. Working in partnership with another local builder, James McMillan, Clayfield was responsible for the local state school (1875) and the Town Hall (1882). He also erected several buildings in Maryborough, including the Town Hall (1887), the Roman Catholic presbytery, and a house for a former mayor. At the time of his sudden death in 1890, at the early age of 52 years, Clayfield was erecting some brick shops in Howe Street for Mr J W King. He was a highly-regarded local figure, as his lengthy obituary (which appeared in the *Daylesford Advocate* two days after his death) duly noted:

His workmanship [was] always satisfactory. He was a good citizen and was universally esteemed for his probity and genial disposition. As a mark of respect to almost every business shop in the town yesterday had shutters in the window. The funeral will take place at 2 o'clock this afternoon, when no doubt the cortege will be very large.<sup>52</sup>

After his death, George Clayfield's highly successful contracting business was taken over by his son, also named George (1863-1942), who was the eldest son amongst eleven children. One of the younger Clayfield's first independent projects, two years before his father's death, was the new reservoir in the Wombat Hill Botanic Gardens. Fifty years later, he would be responsible for the Pioneer Memorial Tower and glasshouse, also in the gardens.<sup>53</sup> Other known projects include minor repair works at the Police Reserve (1896) and a concrete bridge at Coomoora (1909) designed by Sir John Monash.<sup>54</sup>

### 2.3 Operation of the Police Reserve: 1863 to 1900

#### Daylesford's Judiciary and Constabulary

At the time of the opening of the new courthouse in April 1863, the positions of Gold Warden, Police Magistrate and Coroner were jointly held by James Daly (fl. 1852-72), who had succeeded J C Doveton in August 1860.<sup>55</sup> Daly had arrived in Victoria in 1852, entering the civil service a year later and, in 1855, was appointed chairman of the Court of Mines and Police Magistrate to Ballarat East.<sup>56</sup> There, as the *Ballarat Star* later reported, 'during a residence of five years, Mr Daly had artfully and industriously worked his duties and had shown a shrewdness and a large experience [that was] useful both to himself and the public'.<sup>57</sup> He engendered similar respect during his tenure at Daylesford, which ended somewhat abruptly in mid-1864. It had been reported in the *Melbourne Argus* that the burgeoning township sought, amongst many other things, a dedicated coroner. The Minister of Justice expressed his desire to appoint one 'without delay', but opted also to transfer Daly elsewhere.<sup>58</sup>

50 Berlinski & Leonzini, *op cit*, p 20.

51 'Death of Mr George Clayfield', p 2.

52 *Ibid*.

53 'Obituary: Mr G Clayfield', *Daylesford Advocate*, 17 July 1942, p 5.

54 Alan Holgate, Geoff Taplin & Lesley Alves, 'Monash Bridges: Typology Study: Reinforced Concrete Bridges in Victoria 1897-1917'. Available online at <http://home.vicnet.net.au/~aholgate/mv/girdertexts/gdrtxt2.html>.

55 'The New Warden', *Daylesford Advocate*, 2 August 1860, p 2.

56 *Daylesford Mercury*, 30 March 1872.

57 *Ballarat Star*, 8 June 1860.

58 *Argus*, 12 July 1864, p 4; 18 July 1864, p 7; 23 July 1864, p 5.



Figure 5 William Henry Drummond, Daylesford's Police Magistrate, Warden and Coroner from 1864 to 1868  
(Source: 'The House on Wombat Hill', Daylesford Historical Society Newsletter, June 1996, p 9)

The residents of the town were 'astonished by this apparently unnecessary step', as the *Argus* put it, adding that 'Mr Daly is now an old resident of the district and is universally respected'. But despite even the subsequent presentation of a petition of 1,600 local signatures, Daly was duly transferred to Landsborough, a Gold Rush township at the foot of the Pyrenees Ranges. His four years of service in Daylesford were lauded locally thus:

His intensity and activity in the fulfilment of his duties as Police Magistrate and Warden were fully acknowledged by all classes, and very generally admitted by both plaintiffs and defendants in cases where he has been called on to adjudicate... Daly has been ever foremost in promoting the moral and intellectual improvement of the community.<sup>59</sup>

Daly's replacement was William Henry Drummond (c.1828-68), a particularly colourful character in the history of Daylesford. According to one recollection, he had been 'long and honourably connected with the Victorian Public Service'.<sup>60</sup> Formerly an officer in the 89th Regiment of Foot, Drummond migrated to Australia in August 1856 to take up a position as Chinese Protector on the Beechworth goldfields. Described as a 'very powerful fellow' in John Sadleir's *Recollections of a Victorian Police Officer*, Drummond went on to administer a number of other Victorian goldfields before taking up his position in Daylesford on 2 November 1864.<sup>61</sup> He remained there for about three years, during which time he was noted for his 'straightforward and independent discharge of his duties'.<sup>62</sup> He was evidently a determined and mercurial public figure, with one obituary noting such personal qualities as 'large self-esteem', 'acute mind', 'native humour', and an 'extraordinary retentive memory'.

He was possessed of nerves of iron and extraordinary determination – in fact, he seemed insensible to fear, if not to danger. When he had once resolved to accomplish any object, nothing would turn him from his pursuit, and had his judgment been equal to the strength of his will, he would have occupied a far more prominent position.<sup>63</sup>

59 *Argus*, 29 July 1864.

60 *Ibid*, 4 May 1868, p 4.

61 'The House on Wombat Hill', *Daylesford & District Historical Society Newsletter*, IX, 2 (June 1996), p 9.

62 *Daylesford Mercury*, 27 April 1867, p 2.

63 'The Late Mr Drummond, PM', *Daylesford Mercury*, 6 May 1868, p 2.

A useful picture of the local judiciary and constabulary during Drummond's tenure is provided by *Birtchnell's Daylesford Directory*, which was published for the first (and only) time in 1865. It was noted that the Court of Petty Sessions sat thrice weekly – every Tuesday, Wednesday and Friday – while the County Court, Court of Mines and Court of General Sessions each sat four times a year. A listing of court staff included Drummond (as Police Magistrate, Warden and Coroner), a Clerk of Courts (Charles G Robertson), a Second Clerk (John J O'Meara), a Warden's Clerk (Joseph Rowan) and a Bailiff (F A Newton).<sup>64</sup> The local police presence comprised Sergeant Lawrence Whelan, Detective Constable Thomas Walker, two mounted constables (including Constable Brady) and five foot constables (Constables Sullivan, Irwin, Mansell, Tandy and Dawson – the last also acting as the lock-up keeper). The directory's alphabetical list of residents further reveals that there were no less than five solicitors in the town at that time (Messrs Armstrong, Bell, Foott, McCormick and Wharton), plus a barrister (Joseph H Dunne) and a law clerk (Frederick Nalder).

As the Gold Rush abated, however, so did the need for such intense judicial operations. Within twenty years, ordinary court sessions had dropped from three per week to only one, while the Police Magistrate himself was no longer even resident in the town. A guidebook from 1885, describing the notable buildings in the township, alluded to the courthouse

... in which justice is dealt out once a week by the local Justices of the Peace assisted by Mr Nicholson, PM, who visits the district fortnightly. The County Court is held every three months, His Honour Judge Quinlan being the presiding divinity.<sup>65</sup>

#### Celebrated Trials and Cases

Even before the new courthouse opened in 1863, Daylesford – like many early gold rush towns in Victoria – witnessed a number of notorious criminal cases that garnered much attention and publicity, both within the township and beyond. A memorable example from 1859, described as 'one of the most remarkable legal cases in Daylesford's history' saw seven local men charged with assault after another was tarred and feathered following a disagreement over a game of cards.<sup>66</sup> The trial, before magistrate F C Doveton, spread over three days, during which time countless witnesses gave evidence 'giving great amusement to the packed court', while allegations were made against the victim and even the magistrate himself. Two further cases from the 1860s, both widely reported in the Melbourne press, ably demonstrate the colourful judicial life of Daylesford during the gold rush era.

##### *The Murder of Margaret Graham (1864)*

The brutal murder of local barmaid Margaret "Maggie" Graham in 1864, and the subsequent capture, trial and execution of her murderer, was one case that generated an unprecedented amount of publicity throughout the entire colony. Eighteen-year-old Maggie had married a goldminer, George Graham, only six weeks before her death, and the couple lived in a modest two-roomed cottage in Albert Street. After midnight on 28 December, Maggie's husband returned from a late shift at the Wombat Creek mine to find his door unlocked. He entered the bedroom where, as one contemporary source put it, 'a frightful spectacle met his gaze: there lay his poor murdered wife, the victim of unparalleled brutality, with her throat cut in several places and the room in perfect disorder'.<sup>67</sup> Graham sought help from a neighbour, who ran to the police station at the far end of Albert Street and duly returned with Constable Irwin and a local surgeon, Dr Frank Wadsworth Doolittle. They were later joined by Sergeant Whelan, Detective Constable Walker and Constables Mansell, Dawson and Brady who took possession of the dwelling and began their investigations. During an examination of the crime scene, Detective Walker found a man's smoking pipe, which, according to Maggie's husband, did not belong to him.

<sup>64</sup> *Birtchnell's Daylesford Directory*, p 35.

<sup>65</sup> 'A Wanderer' [pseud], *Daylesford and its Surroundings*, p 11.

<sup>66</sup> Les Pitt, 'Tared and Feathered', *Daylesford & District Historical Society Newsletter*, June 2004, pp 8-10.

<sup>67</sup> *The Daylesford Murder: a Full Account of the Capture, Trial & Execution of David Young for the Murder of Margaret Graham*, p 12.



Figure 6 David Young (left) and the cottage in Albert Street where he murdered Maggie Graham in 1864 (Source: *The Daylesford Murder*)

The following day, it was found that William Drummond, the District Coroner, was in Woodend and thus not available to preside over an inquest. In his absence, a makeshift inquest was held by a group of impatient local magistrates, but this was quickly adjourned and, as one source put it, 'this clumsy interference with the function of the Coroner materially diminished their chances of discovering the murderer'.<sup>68</sup> Drummond duly returned to Daylesford and a formal inquest was held at the courthouse on 4 January 1865. One witness gave evidence that she had seen a man, identified as David Young, loitering in front of Maggie Graham's house on the night of the murder. Five days later, Young was captured by one of Daylesford's mounted constables, Henry Michael Brady, who came across the accused near Kingston, some sixteen miles away. Young was brought back to Daylesford, placed in the town's lock-up, and brought up before the magistrate the following day.

Young's trial was subsequently held on 26-27 July at the Circuit Court in Castlemaine. Many residents of Daylesford were called to provide evidence, including seven members of the local police force: Sergeant Whelan, Detective Constable Walker, Mounted Constable Brady, and Constables Dawson, Irwin, Mansell and Tandy. It transpired that David Young, an itinerant worker, had camped near the Grahams' cottage just before Christmas, and made unwelcome advances to Maggie. On the night of the murder, he was alleged to have entered the locked house via the chimney. The clay pipe, found by Detective Walker on the following morning after, became the key evidence and was eventually proven to be Young's property through the testimony of a former employer. Young was sentenced to death and was executed on 21 August 1865, becoming the first man to be hanged at the new Castlemaine Gaol.

##### *The Bizarre Death of William Drummond (1868)*

The death of magistrate William Drummond was another notorious episode in the judicial history of the township, although the event itself, and the subsequent court case, actually took place in Melbourne. Suspended from duty in Daylesford, Drummond had been sent to the city in May 1868 to answer allegations of financial irregularities. While socialising with a group of friends, he heard of a presentation given at the Canterbury Music Hall by Joseph Shires, a self-proclaimed 'medicine man' who demonstrated his skills by allowing a tiger-snake to bite his arm, then applying an antidote and continuing unimpeded. A sceptical Drummond decided to prove Shires a charlatan by allowing himself to be bitten by the snake. Turned away by the proprietor of the music hall, Drummond arranged a private meeting with Shires at a nearby hotel, during which he was bitten on the wrist by a snake and had the antidote applied. Drummond, however, became ill within a few hours, and quickly sought advice from Dr Halford, Professor of Medicine at the University of Melbourne, who prescribed a course of rum and brandy with forty drops Sal Volatile every four hours.<sup>69</sup>

<sup>68</sup> *Ibid*, p 9.

<sup>69</sup> 'The House on Wombat Hill', p 9.



The next morning, Joseph Shires arrived at Drummond's house in South Yarra to administer a second dose of antidote. Dr Halford had given strict instructions that Shires not be admitted and, although the attendant physician was in favour of applying more antidote, Shires was turned away. Drummond died later that day, and Shires was subsequently charged with manslaughter at inquest. This, however, was overturned at the trial, when the judge ruled that Drummond would presumably have survived if Shires had been permitted to administer a second dose of antidote. Indeed, one newspaper even asserted that it was Dr Halford who should have been tried, as he had ultimately prevented the antidote from being applied.

Drummond's obituary in the *Daylesford Mercury* praised the town's former magistrate and warden, while wryly noting that 'from a pretty intimate knowledge of his character, we can state that he was just the man who would be likely to make the rash experiment that has ended so fatally'.<sup>70</sup>

#### Additions and Alterations

The second half of the 1860s saw a few minor, but important, changes to the Police Reserve. The site boundaries were revised yet again in 1865, this time removing a portion of two roods and twelve perches (about half an acre) from the total area. Later that year, a contract was accepted for 'removing privy and re-erecting same' at the reserve, this being carried out by a contractor named Henshaw at a cost of £75.<sup>71</sup> During 1869, timber fencing, worth £185, was erected near the courthouse by another local builder, James Waldie.<sup>72</sup> This was presumably the ornate timber picket fence along the Camp Street frontage, which is evident in a surviving photograph from 1872.

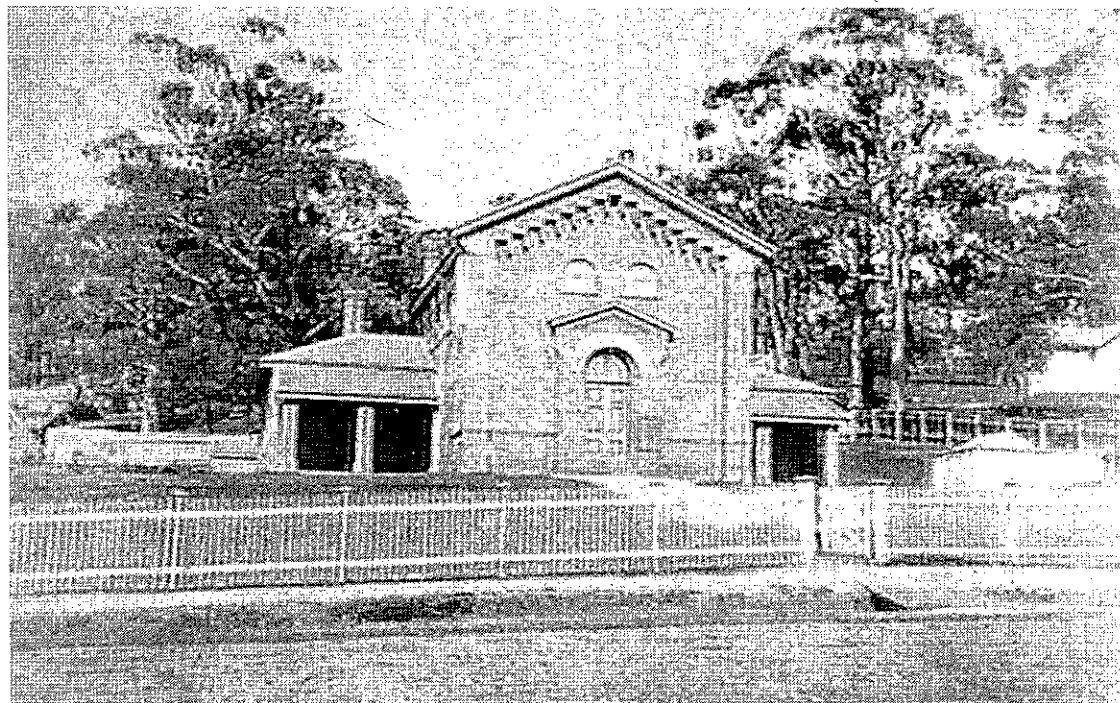


Figure 7 The Daylesford courthouse in 1872; note original face brickwork and the (then) new timber picket fence  
(Source: Picture collection, State Library of Victoria)

<sup>70</sup> 'The late Mr Drummond, PM', *Daylesford Mercury*, 6 May 1868, p 2.

<sup>71</sup> *PWD Summary Contract Book*, Contract 65/12.

<sup>72</sup> *Ibid*, Contract 69/168.

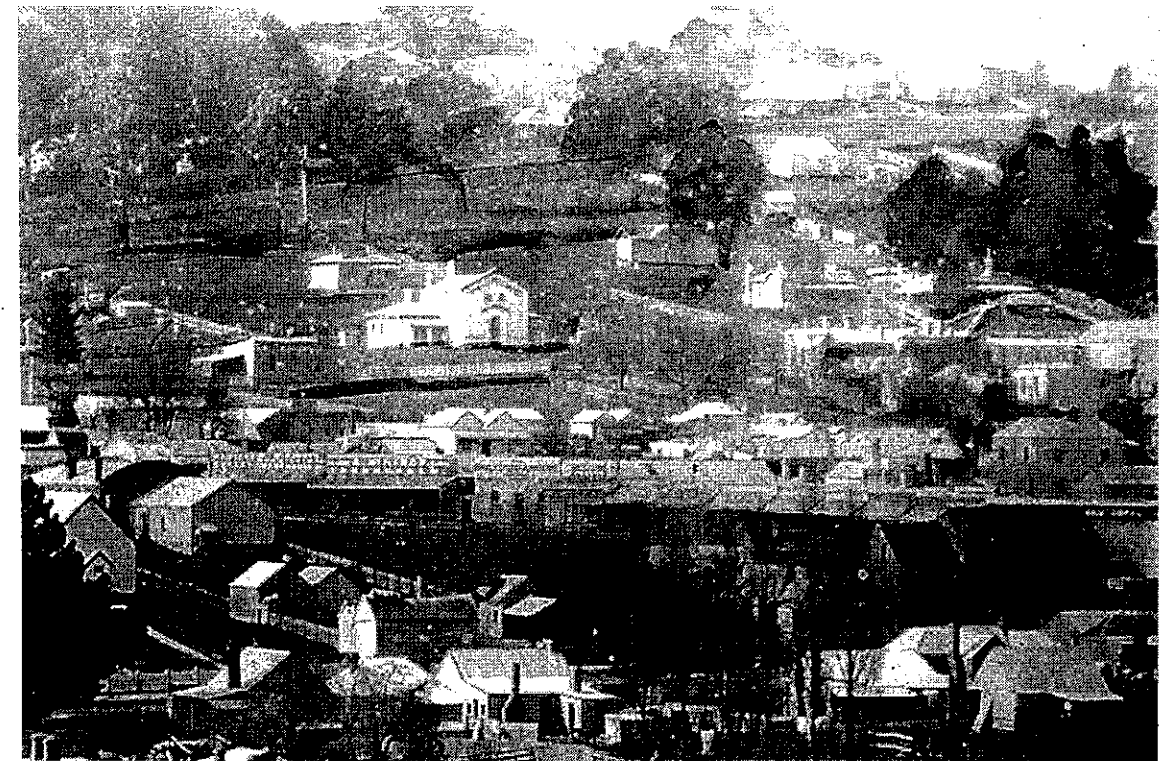


Figure 8 Detail of a panoramic view of Daylesford (c.1890s), showing the Police Reserve rising above the town.  
(Source: Parks Victoria files)

By the 1870s, the intense building boom that had reshaped Daylesford had considerably abated. That decade saw the construction of what would be the last substantial addition to the Police Reserve for a century: a new police office (with accommodation for constables) to replace the original 1858 premises. On 26 May 1875, the contract for this new building was awarded to local builder George Clayfield, who had tendered £529 5s.<sup>73</sup> The contract was signed on 8 June, with work to be finished by the end of September. Prominently sited on sloping land behind the courthouse, the new police quarters was a modest four-roomed cottage with an asymmetrical double-fronted façade incorporating a half-width verandah. On its completion, the former police quarters on Camp Street were renovated for use as the sergeant's residence.

Otherwise, the most significant change to the courthouse during this period was the external rendering of the original face brickwork, for which tenders (described as 'cementing and repairs') were called in October 1877. The contract, worth £162 1s 6d, was again awarded to local builder George Clayfield, with work to be completed by February 1878.<sup>74</sup> Another tender was called at that time for unspecified 'repairs to fittings' at the courthouse, worth £45 5s. This work, also carried out by Clayfield, was completed at the end of March 1878. It has been asserted that additions were made to the lock-up in 1890, in the form of a timber extension at its southern end.<sup>75</sup> This addition, since demolished, is reportedly evident in a c.1890s photograph held by the Daylesford Historical Society. Its construction, however, is not recorded in the PWD Contract Books. It is known that plumbed toilet facilities were installed in two of the lock-up cells after 1891, as the surviving cast iron cisterns bear the name and logo of Ballarat manufacturer, S K McIver, who is known to have commenced his business that year.

<sup>73</sup> 'Tenders', *Argus*, 26 May 1875, p 5. Cited in Lewis (ed), *op cit*, s v Daylesford.

<sup>74</sup> *PWD Contract Book*, 1877-78, p 36. Unit 35, VPRS 979, PROV.

<sup>75</sup> Perrott Lyon Mathieson & Ward. *op cit*, s v 'Former lock-up, Camp Street'.



Towards the end of 1896, the PWD called tenders for minor works to several government buildings at Daylesford, including the post office, the courthouse and the former sub treasury. Contracts were signed in late November for 'additions to premises occupied by Receiver & Paymaster', and for 'repairs and painting' at the courthouse.<sup>76</sup> The former contract, worth £45, was awarded to the ever-prolific George Clayfield, and the latter, worth £27 17s 6d, to another local builder, W E Goodwin (who, incidentally, also won the contract for repairs to the Post Office). All of these jobs were to be completed by the end of that year. It has also been claimed that 'further additions' were made to the rear of the courthouse in 1897.<sup>77</sup> However, there is no record of any such work in the PWD contract books.

## 2.4 The Police Reserve in the Twentieth Century

### Additions and Alterations

The first significant change to the Police Reserve in the twentieth century was the remodelling the sergeant's residence in 1914-15. A timber wing at the rear of the building - presumably the addition made by Cornack & Irving in 1863 - was demolished, and replaced by a more substantial extension that contained a new kitchen, living room, bathroom and washhouse. The original PWD drawings for this work include a site plan showing that the Police Reserve still largely retained its late nineteenth century form and character at that time. This large rectangular block between Camp and Daly streets then measured 349'5" (106 metres) by 544'11" (166 metres), with a total area of almost 4½ acres and six extant buildings: courthouse, lock-up and stables, the new police quarters on the hill (identified as the 'office and men's rooms'), the original police building on Camp Street (identified as 'sergeant's quarters'), and the former receipt office (identified as the 'old treasury') alongside.



Figure 9 Detail of a panoramic view of Daylesford in 1916, showing the Police Reserve. Note stables at extreme right. (Source: Parks Victoria files)

76 PWD Contract Book, 1895-96, 96-97, n p. Unit 41, VPRS 979, PROV.

77 Perrott Lyon Mathieson & Ward. loc cit,

A more fundamental change took place in 1922, when the 'old treasury' was excised from the Police Reserve. According to the parish plan, ownership of the allotment on which it stood (described as Lot 34a) was transferred from the Crown to one 'R Nelms'. This, presumably, was Richard Nelms (1850-1929), a former policeman and "well-known and respected resident of the district" who, many years before, had been in charge of Daylesford's police station.<sup>78</sup> Tasmanian-born Nelms had joined the Victorian Police Force in 1875 and, following his stint in Daylesford, was transferred to Ballarat. He was promoted to the rank of Sergeant Second Class in 1901, only to be discharged two years later due to ill health.<sup>79</sup> Nelms returned to Daylesford, where he operated a guesthouse and tearooms at Jubilee Lake until the mid-1920s.<sup>80</sup> It would appear that Nelms purchased the former sub-treasury in 1922 for use as his retirement residence - nostalgically located beside the police station where he had worked several decades before.

By the 1930s, the need for a courthouse in Daylesford had declined to the point that judicial services were merged with Creswick, and the clerk was transferred from the district.<sup>81</sup> This, however, was met with sufficient local indignation for the clerk to be hastily reinstated within a fortnight. Local police presence had also steadily declined since the Gold Rush. A write-up in the *Victorian Police Gazette* in 1930 noted that Daylesford had one Second-Class Sergeant, one Mounted Constable, and two Foot Constables at that time.<sup>82</sup> The reserve itself then took up 2¾ acres and included the five-roomed dwelling (described as being in 'good repair'), a second five-roomed dwelling (with office, single man's room, muster room and two smaller rooms), two WCs (one for private use), the three-celled lock-up (in 'fair repair') and the stables (with four stalls and a loose box, also in 'fair repair'). Repairs to these buildings were undertaken in 1934-35, including repainting and the installation of new flooring and a bathtub in the rear room of the police quarters (then identified as 'barracks').

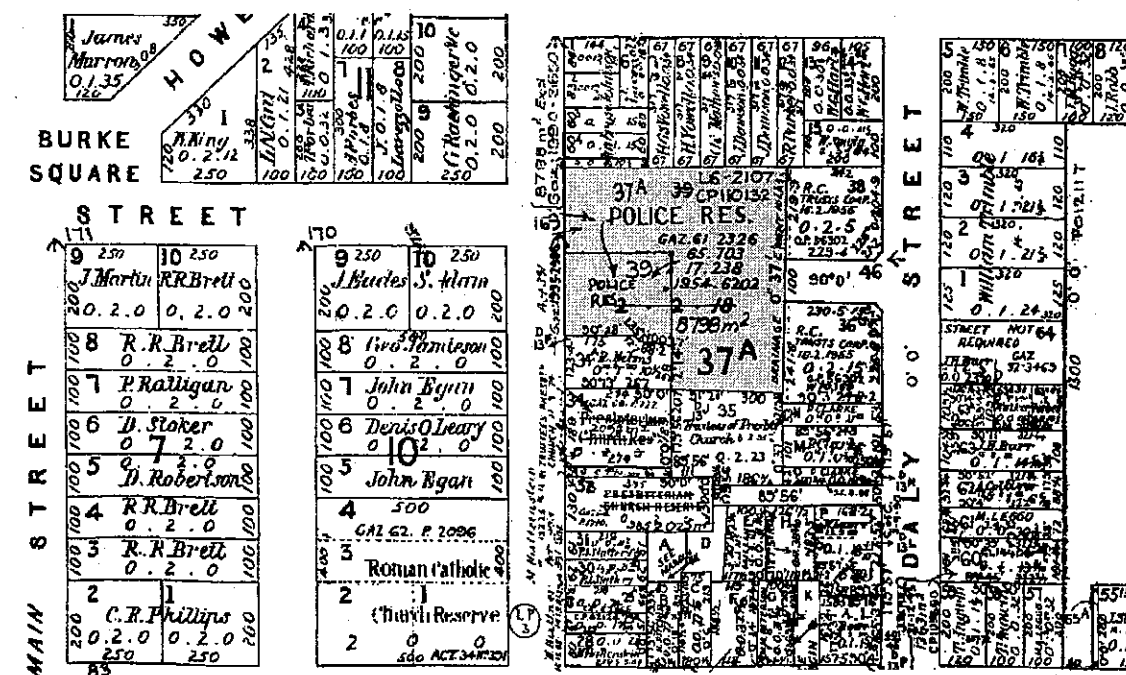


Figure 10 Detail of gazetted township plan, showing the reduced extent of Police Reserve by the mid-1950s (Source: Central Plan Office)

78 'Obituary: Richard Nelms', *Daylesford Advocate*, 11 January 1929, p 2.

79 Peter Nelms, 'Nelms Family in Tasmania / Victoria', [http://peter\\_nelms.tripod.com/historyV.html](http://peter_nelms.tripod.com/historyV.html)

80 'Obituary: Richard Nelms', *Daylesford Advocate*, 11 January 1929, p 2.

81 Michael Challinger, *Historic Courthouses of Victoria*, p 72.

82 *Victorian Police Gazette*, 2 June 1930.



Figure 11 The courthouse in the late 1970s, at the time of the trial of the "Daylesford Three"  
(Source: Picture Collection, State Library of Victoria)

The most significant change over the next two decades was an upgrade of perimeter fencing. The existing picket and paling fences along the north boundary were repaired, and the remaining fencing replaced with new wire-mesh post-and-rail timber fences. New cyclone wire gates were installed along the Camp Street frontage, across the main driveway, and in front of the sergeant's house. In 1955, the boundaries of the Police Reserve was reduced yet again, with land excised from its Daly Street frontage. Two allotments, each measuring 2 roods, 5 perches (about half an acre) in area, were transferred to the ownership of the Roman Catholic Trusts Corporation on 16 February 1955. This later became the site for St Michael's Primary School: a new building was erected on the southern lot, and a small sports ground was laid out on the northern lot. The space between – actually a gazetted government road reserve – remained undeveloped. From the late 1960s, more fundamental changes would be made to the Police Reserve. The lock-up was decommissioned around that time, although sources differ – while it has been claimed that this took place in 1969, some of the graffiti within the building is dated as late as 1971.<sup>83</sup> Two years later, the original police residence on Camp Street was demolished, and a new police station was built on the site.<sup>84</sup>

#### Another Celebrated Court Case...

In 1976, Daylesford's courthouse became the unlikely venue for a provincial version of the Trials of Oz, when three local artists were charged with exhibiting obscene figures and offensive behaviour. These men – wryly dubbed the "Daylesford Three" by one journalist – included noted cartoonist Michael Leunig, himself a one-time contributor to Oz magazine. On the previous New Year's Eve, the three men had presented a float in the town's gala procession, entitled *Fun in the Forest*, which, as an eyewitness later described it, was a 'four ton truck with brush or leaves to four feet high around the tray, and two cut-out human forms depicting a naked male and female'.<sup>85</sup> The same witness further asserted that 'the nature of their performance was them to be seen bobbing up from the greenery and generally cavorting [but] there was no doubt in his mind that the puppet figures were manipulated in such a way as to simulate intercourse'.<sup>86</sup>

83 Local History Grants Program Submission prepared by Anne Finch, 10 September 1999. Parks Victoria files.  
84 Frances O'Neill, 'Historic Police Buildings: A Survey', citation for Daylesford police station (sergeant's quarters).  
85 Untitled article by Robin Howells, *Nation Review*, 7-13 May 1976, p 728.  
86 John Hepworth, 'A good deed never goes unpunished for too long', *Nation Review*, 7-13 May 1976, p 744.

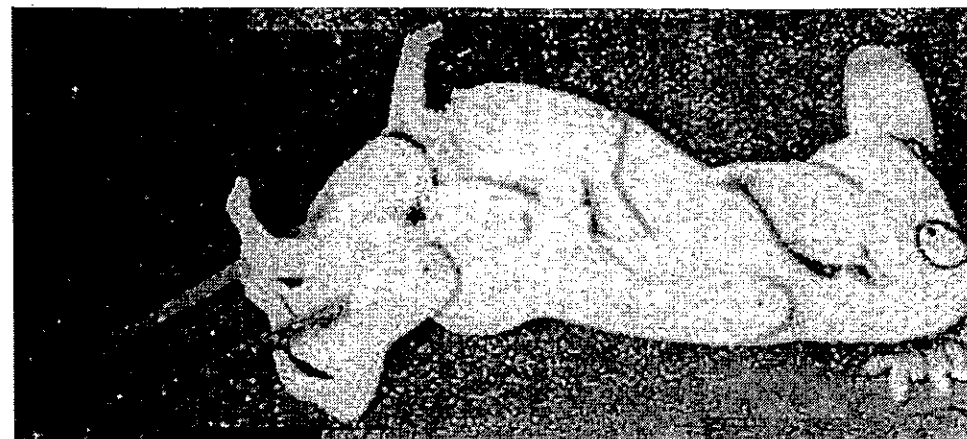


Figure 12 The only known photograph of the offending puppets at the centre of the obscenity trial of 1976.  
(Source: *Nation Review*, 7-13 May 1976, p 728)

The case, which came to trial in May 1976, became a *cause celebre* in the quiet township. John Hepworth, a journalist with the left-wing *Nation Review*, remembers arriving at the courthouse and asking one of the courtroom staff for directions to the press box:

He laughs immoderately and suggests that I would, in fact, have to be joking. They *never*, he assures me, ever have the press at the Daylesford courthouse. "You've got them today", I say. The intelligence does not seem to impress him. "Sit anywhere you bloody like", he says.<sup>87</sup>

During the trial, three witnesses for the prosecution attempted to argue that the spectacle was deliberately, intended to shock rather than to amuse. Six witnesses for the defence, however, swore that there were 'spontaneous roars of laughter' in response to the float, with two puppets 'gaily leaping about, arms and legs swinging' but giving no impression of sexual congress. After Leunig himself had given evidence in his defence, the magistrate withdrew the charge of exhibiting an obscene figure, although the charge of obscene behaviour remained, with all three men being placed on good behaviour bonds for a year and being ordered to pay \$50 each into the court poor box.

Almost 25 years later, Leunig – by then Australia's most celebrated cartoonist – alluded to this strange footnote in his career in a television interview with Terry Lane:

TL: I read that you've been charged with obscenity three times in your life.

ML: Well, yes, that was through... twice through my published work, and once because of a kind of a sculptural piece in a public parade. That was a long time ago.

TL: What, a dirty float?

ML: It was, it was [laughter] I wouldn't do it now.

TL: What was it?

ML: Oh it was... it was two sort of big cut out puppets, a man and a woman in full splendour, in their nakedness you see.

TL: What, and the vice squad descended on them?

ML: The local police. It was in a country town in Victoria on New Year's Eve and the local police acting on a complaint charged us and, yes, you can't get charged much with that anymore, obscenity.

That was in the 70's you see when I was part of that push of people who were being naughty and breaking the law and trying to redefine what obscenity was, and little did we know that when the laws were removed that all hell would break loose, and all the pornographers would flood, you know, the airwaves and everywhere.<sup>88</sup>

87 *Ibid.*

88 2 Shot, Episode Four, ABC-TV, broadcast 21 March 2000. Transcript at [www.abc.net.au/2shot/transcripts/ep4trans.pdf](http://www.abc.net.au/2shot/transcripts/ep4trans.pdf)

## Closure

The courthouse was decommissioned in 1986, and closed three years later. The management of the site passed from the Attorney-General's Department to the Historic Buildings Management Committee of the Department of Conservation & Environment. When the latter undertook an existing conditions report in September 1989, it was stated that the courthouse was still in relatively good condition, and that all of its furniture was still in place.<sup>89</sup> Eight months later, however, it was reported that an unspecified number of 'various furnishings and fittings' had been removed from the defunct courthouse. These items were reportedly taken to the operating courthouse at Bendigo in accordance with the Attorney General's policy of recycling furniture when regional courthouses were closed.<sup>90</sup>

The buildings themselves had been neglected, and the lock-up and police quarters were in a particularly sad state. In both cases, roof slates were broken or missing, gutters had rusted or collapsed, and timber joinery (bargeboards, fascias, eaves linings) had rotted. Glazing bars had been removed from windows, and openings sheeted over with galvanised steel.<sup>91</sup> Basic services such as water, sewerage, telephone and electricity were no longer connected, although the lock-up still retained two toilets connected to a septic tank. Being virtually if not actually disused, both buildings were kept locked, although the police residence nevertheless showed signs of internal fire damage, and it was also noted that 'there is a quantity of rubbish in the building'. At that time, it was estimated the restoration works to the lock-up and residence would cost \$10,000 and \$27,200 respectively.

## The Neighbourhood House Era: 1992 to date

On 1 January 1992, a twenty-year lease was signed between the Historic Buildings Management Committee and the Daylesford Neighbourhood House, Inc. Two months later, drawings were prepared for the conversion of the building for its new purpose. The alterations, however, were minimal and sympathetic. The courtroom itself (designated for use as a large meeting room and performance space) would remain virtually unchanged, while additions to the ancillary spaces were largely limited to the installation of new cupboards, shelves and benches. The rooms formerly occupied by jurors, judge, clerk and magistrate were to become (respectively) a classroom, a photocopy room, an office and a meeting room. The existing storerooms would remain in use as such (the record room, for example, to become a toy store) while the prisoner's cell – the least adaptable of the original spaces – was to be used for a 'history display'. The most obvious additions were the installation of new toilet facilities at one end of the rear lobby, and the construction of a new deck and disabled ramp at the rear.<sup>92</sup>

These works were undertaken in several stages over the next few years. They culminated in the complete interior and exterior repainting of the building in 1997, which reinstated the original colour scheme based on a paint colour analysis by heritage consultant Wendy Jacobs. Amidst all these renovations, the Neighbourhood Centre was officially opened in March 1993. The other buildings on the Police Reserve also received attention during this period. In 1994, a grant from Arts Victoria allowed the Neighbourhood House to restore the police residence, to allow it to be used as additional classroom space. In 2000, a second grant funded the restoration of the lock-up.<sup>93</sup> These works included repairs of the damaged roof frame, the removal and reinstatement of the slate roof, the installation of new roof plumbing, the removal of paint from external brickwork, and repainting with a new whitewash finish.

89 Chris Smith, 'Daylesford Courthouse: Existing Conditions Survey', 8pp report, dated November 1989. Parks Victoria files.  
90 Letter, Jane Lennon (Manager, Historic Places Section, Department of Conservation & Environment) to K J Tori (Shire Secretary, Shire of Daylesford & Glenlyon), 10 May 1990. Parks Victoria files.  
91 Chris Smith, 'Daylesford Police Lock-up: Existing Conditions Survey', 5pp report, and 'Daylesford Police Residence', 8pp report, both dated November 1989. Parks Victoria files.  
92 'Daylesford Neighbourhoods House, Camp Street: Proposed Alterations', March 1992. Parks Victoria files.  
93 'Historic lock-up is just the start', *Hepburn Advocate*, 29 November 2000. Copy in Parks Victoria files.

By this time, the services of the neighbourhood centre had expanded to the point that additional space was urgently required. It was initially proposed to erect either an addition to the courthouse, or a separate building on the site, of approximately 150 square metres in area.<sup>94</sup> Partly funded by a grant from the Adult Community Education Capital Funding Program, the project was realised as a substantial but discreet addition to the rear of the courthouse, containing additional classrooms, office space and a kitchen. It was designed by highly regarded local architect Clinton Krause, guided by a heritage policy prepared by Parks Victoria and input from the shire's heritage advisor. Construction commenced in April 2002.

94 Amanda Jean, 'Hepburn Shire Heritage Architect's Report', dated 16 October 2000. Parks Victoria files.

### 3.0 PHYSICAL SURVEY

#### 3.1 The Site

##### The Police Reserve

The Police Reserve has a moderate grade that slopes up from Camp Street towards Daly Street. The site is bisected by a roadway that follows the alignment of an old government road reserve; a portion of this roadway (alongside the new police station) is paved with concrete. The buildings on the reserve are sited on levelled platforms to each side of this central roadway: the courthouse and the police quarters to the left (north) side, and the lock-up and stables site to the right (south). The courthouse, at the apex of the vista along Albert Street, is set well back from the street and is connected to Camp Street by a concrete pathway with a set of bluestone steps at the property line. A cream brick retaining wall, which was erected along the Camp Street frontage in the 1960s, has since been demolished. Along the southern boundary of the reserve, near the site of the demolished police stables, there are remnants of post-and-rail timber fences apparently erected in the 1940s or '50s.

The rear portion of the site is overgrown with grasses; a line of established trees and shrubbery marks the eastern boundary of the reserve and the start of the two large allotments fronting Daly Street, formerly owned by the Roman Catholic Church trustees. The alignment of the government road reserve, between these two lots, still remains clearly apparent.

##### Wombat Hill and Environs

The Police Reserve sits part way up Wombat Hill, a reserve lightly populated by built structures and clearly recognizable as an open paddock when seen from the western approach, the main road from Ballarat. What stands out in this view is the openness of the reserve when compared with the more solidly arranged buildings and blocks of land everywhere around it.

The western approach into Daylesford is also the view in which Wombat Hill defines itself as the prominent landscape feature of the town. When arriving from the east or south, Wombat Hill is visible but only as a steep backdrop whereas it is the western view that defines the topography of the town to the visitor.

The views from Wombat Hill are also stunning with clear vistas over the township and countryside in a panorama from the northeast through to the south. It was this panorama seen across the convent roofs that introduced the ABC TV series *Bellbird* seen Australia wide over ten years from 1967 to 1977. *Bellbird* was the idealised Australian country town in which the daily dramas of life were played out.

The crown of Wombat Hill is topped with a thicket of tall exotic trees mainly late nineteenth century pines and this is in contrast with the openness of the land below. What had once been small-scale masonry and timber shops and dwellings in the gully of the town has since been overtaken by denser and larger buildings from the mid-twentieth century.

A historic photograph (Figure 7) from the late nineteenth century shows a more open lightly treed landscape no doubt the result of timber collecting for fuel and construction. This activity left behind larger scale trees such as gums that provided shading and in some areas markers on the landscape acting as umbrellas for the small scale buildings under them.

In the intervening years, the land has become more closed in with mature trees of lower scale and of all varieties. Also noticeable in the intervening years is the increase in masonry buildings over the multitude of 19<sup>th</sup> century timber buildings and the increased enclosure of the landscape through fencing of properties.

In the 1890s each building stood out as an individual element sitting on an allotment, whereas today there is an increasing tendency towards a larger scale conglomerate of building elements.

Today the landscape of the Reserve remains one of the few open spaces still recognisable from the nineteenth century.



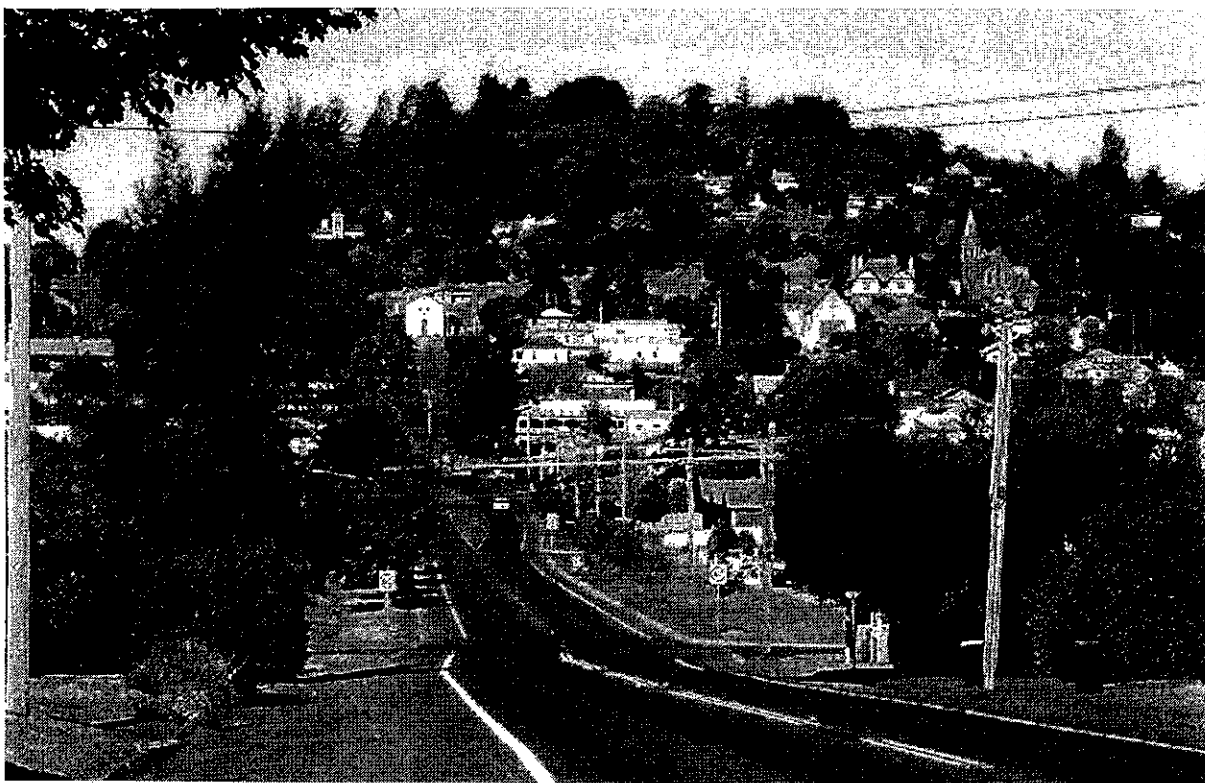


Figure 13 View from the western approach into Daylesford showing the Courthouse and Police Reserve in the central distance and above is Wombat Hill and its crown of exotic trees.

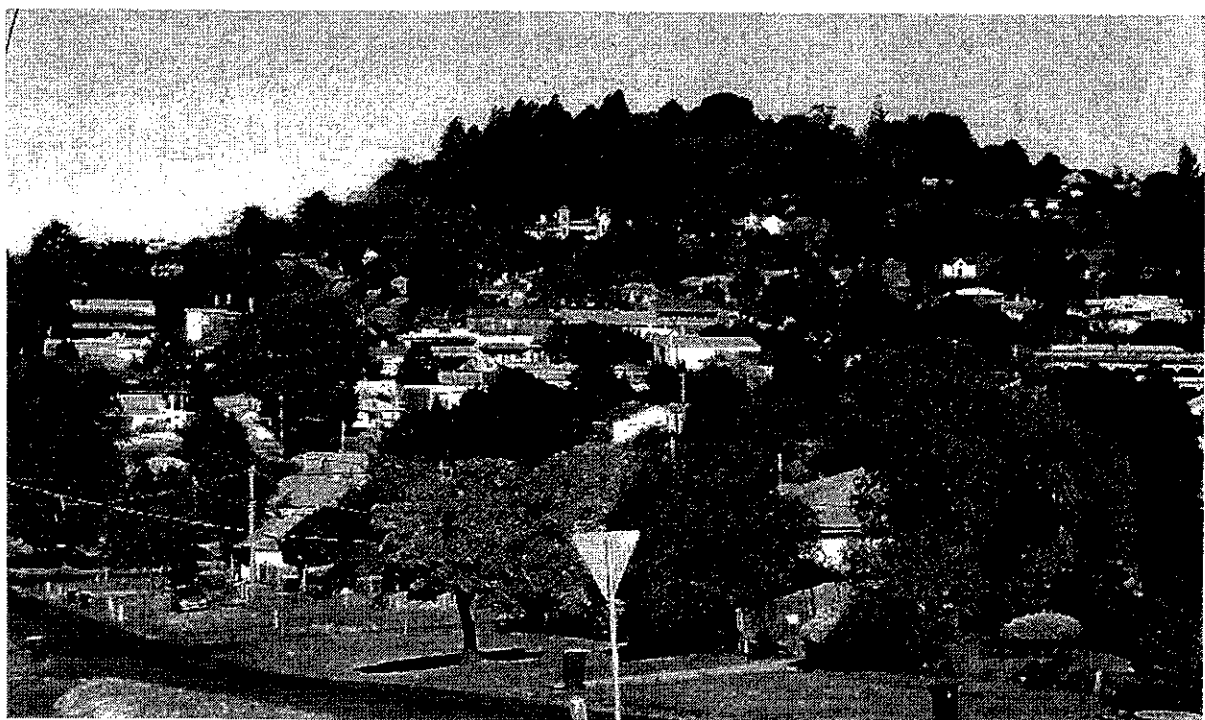


Figure 14 View of Wombat Hill from the north west in an alignment similar to the historic photographs in Figures 8 & 9. The lock up can just be seen on the mid right hand side. Small scale timber cottages can still be seen in the lower foreground (compare with figure 8)

### 3.2 Courthouse

#### Exterior

##### Overall Form

The courthouse is a large rendered brick building on a T-shaped plan, comprising a double-height rectangular volume (containing the entry lobby and courtroom) which is enveloped on three sides by a U-shaped configuration of single-storey wings (originally containing the subsidiary office areas). Each of these components is articulated separately with its own roof: the courtroom with a gabled roof, clad in slate, and the flanking wings with hipped roofs, variously clad in slate or corrugated galvanised steel. The central gabled roof has three rendered chimneys towards the rear – aligned with the ridge and eaves – with moulded caps. A fourth chimney straddles the ridgeline of the north wing.

At the rear of the courthouse is a single-storey addition, erected in 2002, which extends across the entire eastern frontage of the building. It echoes the compounded volumetric form of the original building, comprising a central flat-roofed portion that is flanked by two hip-roofed wings. These roofs are clad, respectively, with metal tray-deck and corrugated galvanised steel. The latter has also been used for external wall cladding. Recessed porches to the north and south sides provide access.

##### West Elevation

The principal elevation, to Camp Street, is virtually symmetrical. The double-height courtroom forms a prominent projecting bay, with the smaller flanking wings set well back and screened by verandahs. The stark façade of the central bay is articulated by a pair of plain pilasters at the outer edges, by a base plinth with a plain stringcourse above, and by a gabled parapet with a prominent moulded cornice. Below the cornice is the façade's most distinctive feature: a raked corbel table that extends between the two pilasters and comprises a stepped row of dentil-like projections, each with a suspended orb. The main entrance, in the centre of the façade, consists of a tall round-arched doorway that is set within a slightly projecting bay with a pair of ogee corbels and its own gabled parapet and moulded cornice. This is further enlivened by a recessed panel between the door and the parapet, from which a small light fitting is mounted. Above the entrance is a pair of small rectangular windows with blind arches and projecting sills. Collectively, the corbel table, windows, doors evoke an unusual anthropomorphic appearance to the façade.

The verandahs, to each side, appear to be largely decorative, as there are no doors or significant windows in the walls that they shelter. Each verandah consists of a row of stop-chamfered rendered piers supporting a stop-chamfered rendered lintel with a slate-clad skillion roof above. The verandahs have bluestone thresholds and brick-paved floors, and raked ceilings lined with beaded timber boards. The side gable ends of the verandahs are similarly infilled with beaded boarding.

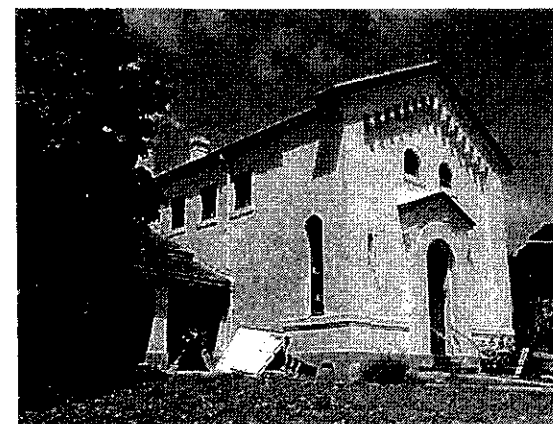


Figure 15 General view of the courthouse from the north-east; note removed verandah screen



Figure 16 General view of the courthouse from the south-west; note 2002 addition at the rear

The northern verandah formerly had a timber screen along its north side, made up of stop-chamfered rails with a cladding of beaded boards. This screen has been removed and, at the time of writing, was leaning against the adjacent courtroom wall. A painted timber bench seat, possibly an early piece of furniture relocated from inside the building, stands against the verandah wall. This wall is entirely windowless; the corresponding wall of the southern verandah, however, has a pair of small windows near the ceiling line that provide light and ventilation to the prisoner's cell within. These windows – virtually identical in detail to those of the nearby lock-up – have surrounds of rough-hewn stone blocks, curiously recessed to appear flush with the surface of the rendered wall. The windows have iron bars with a wire mesh grille on the inside face. Also of some interest in the southern verandah is a timber signboard that is attached to its end (north) wall, in a gabled form with a moulded top. Attached to the west wall is a timber-framed lockable display cabinet of more recent origin. This still retains some court-related paperwork, including a 'notice of application for a tailings license', dated 19 September 1983.

#### North and South Elevations

The north and south elevations are necessarily very similar – albeit mirror-reversed – but are not quite identical. The side walls of the courtroom each have a slightly projecting bay at the Camp Street end, with a plain stringcourse (returning around the corner from the west façade) and, directly above, a tall and narrow round-arched window with a timber-framed double-hung sash. These elevations otherwise each have a row of three rectangular windows just below the eaves line, with projecting rendered sills and timber-framed pivot sashes.

The attached single-storey wings have rows of standard rectangular window, with projecting bluestone sills (some of which, on the north side, have been overpainted). One of the windows, at the western end of the north elevation (the former jurors' room) retains a grille of iron bars; another, at the eastern end of the south elevation (the former record room) has had the glazing of its lower sash painted. Otherwise, the principal difference between the north and south sides is that the latter includes a doorway alongside the verandah, which formerly provided access to the prisoner's cell from the adjacent police station. A row of bluestone steps leads up to this narrow doorway, which has a solid door with bolt-fixed beaded timber boards. Above the door is a small secure window, identical to those on the adjacent portion of the west elevation.

#### East Elevation

Much of the original eastern frontage of the building has been engulfed by the 2002 addition. The east wall of the courtroom is still apparent, and, unlike the remainder of the building, this retains its original face brickwork (laid in English bond), save for a pair of plain rendered piers at each edge of the elevation. Otherwise, there is a pair of small rectangular windows with timber-framed pivot sashes, and, further up, a pair of gable vents.

The east elevation of the new addition is symmetrical, comprising a continuous bay of full-height windows and glazed doors to the central section, and wide aluminium-framed sliding sash windows to the flanking wings.

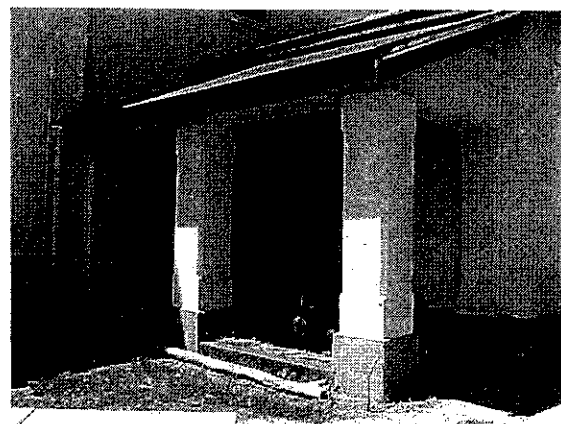


Figure 17 Detail of verandah to south side

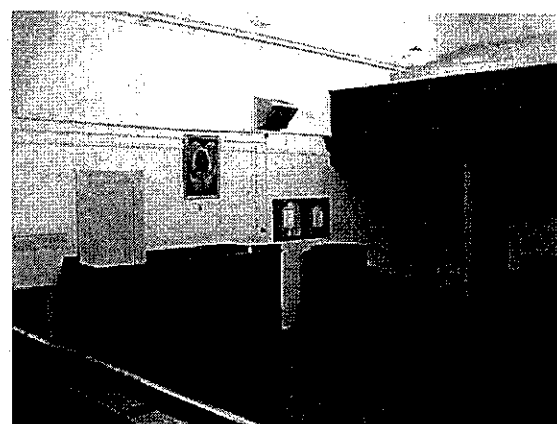


Figure 18 View of courtroom from the judge's bench, showing (L-R) prisoner's dock, witness box and gallery.

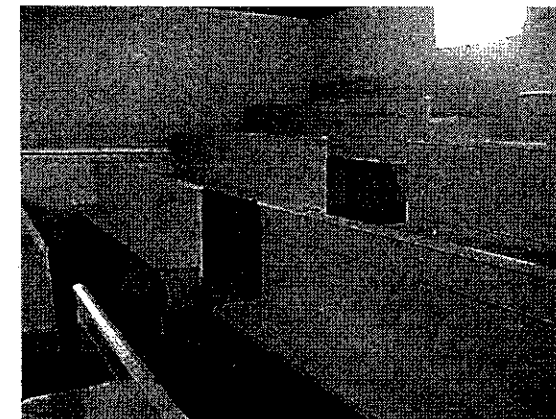


Figure 19 Detail of gallery seating



Figure 20 Row of windows along side of courtroom

#### Interior

##### Courtroom

The courtroom is a double-height space on a rectangular plan, with a gallery at the west end and a series of raised platforms along the north, south and east walls that articulate the carefully segregated zones for the jurors, defendant and magistrate, respectively. The room has a polished timber floor, hard-plastered walls with a ruled ashlar finish, and a plaster ceiling with a deeply coved and moulded cornice. Just below this cornice are clerestory windows in rows of three along the north and south walls, with stop-chamfered jambs and steep splayed sills. These sills align with a broad moulded stringcourse that extends around the perimeter of the room. The windows themselves contain timber-framed fixed and pivot sash windows, the latter operated by sash cords on a pulley system. There are several smaller rectangular windows, also with pivot sashes, along on the east and west walls. Further down the wall, a narrow timber picture rail extends around the room. There are six pendant light fittings with curved white glass luminaires, which would appear to date from the 1940s.

The courtroom has two fireplaces, which face each other on the north and south walls. Like other examples in the building, these have slate mantelpieces of a simple trabeated form, but unlike their counterparts elsewhere, the actual openings remain open. Neither of the fireplaces, however, retains its original iron firebox, although the south one has a set of metal andirons – apparently not original. The chimney breasts behind the fireplaces do not extend up to the ceiling line, but end just above the mantelpiece level, forming a ledge marked by a wide timber moulding. The courtroom has very tall moulded timber skirtings, and moulded timber architraves to doorways but not to the windows. Unlike elsewhere in the building, the doorways have plinth blocks at the junction between the architraves and the skirtings.

The respective platforms for the judge, jurors and defendant are all enclosed by varnished timber screens with rows of moulded panels and a shaped handrail. These enclosed spaces can be accessed both from adjacent subsidiary rooms (ie judge's room, jurors' room and prisoner's cell) as well as from the courtroom itself via openings. Only the jurors' box and prisoner's dock have waist-high swinging doors to these openings, while the judge's bench (which, symbolically, is one step higher than the other two platforms) remains unobstructed. Internally, the prisoner's dock is divided into two parts (one with a narrow bench seat) while the jurors' box contains two bench seats of disparate length, with turned legs and leather upholstery. The judge's bench is an elongated desk-like piece of furniture with turned legs, several lockable drawers a sloping top with an inset leather blotter.

At the opposite end of the room is the gallery, which rises above (and is accessed from) the entrance lobby. It comprises five stepped tiers with a central aisle, which is flanked by rows of built-in timber bench seating (since overpainted). The floor is carpeted. A panelled timber railing, similar to those elsewhere in the room, extends across the front of the gallery. At this point, the gallery is supported on a deep timber beam with moulded edges and an ogee cornice, in turn supported on a pair of slender cast iron Corinthian columns.

A polished timber balustrade runs between these columns, dividing the courtroom space into public and official zones. This barrier, attached to the floor by elongated iron brackets, consists of a row of turned balusters surmounted by a railing of canted profile, which has been cut and hinged to provide two separate points of ingress. Only one of these balustrade gateways remains intact and operable, with brass butt hinges and a magnetic catch (the latter apparently not original). The other portion of cut railing is no longer *in situ*, although it still exists on the premises and is presently being stored in the small room to the south of the entry lobby. Between the balustrade and the main entrance lobby is a thin partition of beaded timber boards that creates forms a narrow airlock. To the north and south sides are doorways, with timber doors that are lined with green felt and studded with escutcheon pins in a decorative pattern.

Other items of loose furniture within the courtroom include a varnished timber desk with a hinged sloping top and inset leather blotter. This desk, presently located between the airlock and the balustrade, was formerly located in front of the magistrate's bench and was, presumably used by the clerk of courts. It was moved to its present position to create more space within the courtroom for Neighbourhood House activities. Nearby, in the southwestern corner of the room, is the witness box. This item, also relocated from its original location, is of somewhat unusual cylindrical form, albeit with the same varnished timber panelling seen elsewhere in the room.

There is also a Jurors bench seat currently located in the former clerk's room.

#### Rooms for Judge, Magistrate, Clerk and Jurors

The four large rooms that open from the central courtroom – originally intended for the jurors, judge, clerk and gold warden (later magistrate) – vary in size and shape but are otherwise almost identical in their finishes and detailing. All four rooms have polished timber floors, hard-plastered walls and plain plaster ceilings, without cornices or ceiling roses. Some of the rooms retain remnants of timber picture rails; variously moulded (eg former clerk's room) or plain (former judge's room and former jurors' room). There are tall moulded timber skirtings and matching architraves to doors and windows, without plinth blocks. The walls and timber skirtings in several rooms (most notably the former judge's room and magistrate's office) are defaced by exposed conduits and pipework associated with heating, electrical, telephone and data services.

Windows have splayed reveals and projecting sills with bullnosed edges. Some of the windows have holland blinds, of relatively recent origin. It appears that the connecting doorway between the former judge's room and jury room is not original; it is not shown on the original 1862 plans, and, moreover, the presence of modern bullnosed timber skirtings suggests that it dates from the mid-twentieth century. It has an exposed bluestone threshold and a four-panel timber door, presumably relocated from elsewhere.

All four rooms also have fireplaces, set into chimneybreasts with bowtell-moulded corners and slate or rendered hearths. Three of these fireplaces have slate mantelpieces of simple trabeated form (some with a naive marbled finish) while the fourth – the former jurors' room – has a painted timber mantelpiece of even simpler form, possibly dating from the early twentieth century. In all cases, the fireplace openings have been bricked up, sheeted over or otherwise sealed, and now provide a backdrop for modern gas-fired heaters installed.

Only one of these rooms (the Magistrate's Room) retains early or original timber shelving supported on distinctive stop-chamfered timber angle brackets. The shelving in the other rooms although identical is of more recent date.

Light fittings include a number of c.1940s pendant fixtures with curved white glass luminaires, and (in the former judge's room) some early fluorescent fixtures with Bakelite or timber mounts, chain supports and trays with eggcrate baffles. With the exception of a pew-like timber seat that stands along the eastern wall of the former clerk's room, none of these four rooms retain any furniture that may be original or early. This bench belongs in the Court Room.

There is also the remnant of a part fixed, part removable railing at the wall near the door at intersection of the Clerks Room and the Court Room. Components of this are retained on site.

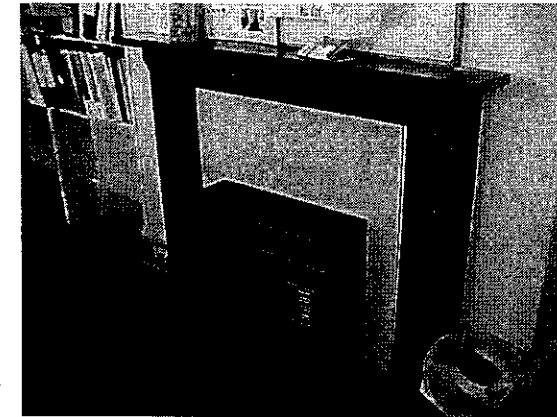


Figure 21 Typical fireplace (in former gold warden's office) with marbled slate mantelpiece

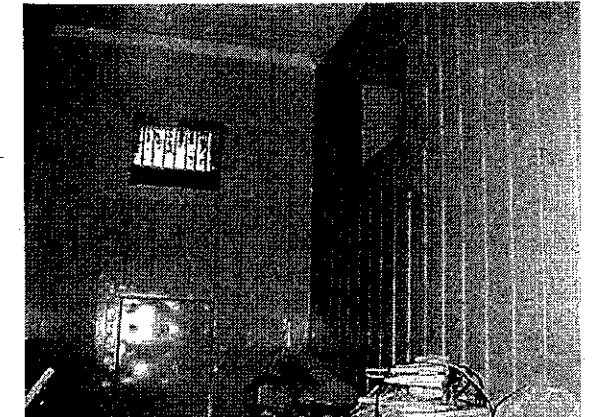


Figure 22 Interior of the prisoner's cell

#### Prisoner's Cell

The prisoner's cell (now used as a storeroom) is a tall but narrow space with an unpolished timber floor and beaded timber lining boards to the walls, ceiling and door reveal. There is a simple cornice of chamfered form, but no skirtings. Two small windows to the west, and another to the south, have exposed stone surrounds (flush with the timber lining) and wire grilles with external iron bars. The external doorway, also to the south, has a heavy timber door with metal sheeting to its interior face and a prominent sliding bolt. The corresponding doorway to the north, providing access to the courtroom dock via three timber steps, has a narrow but solid timber door, with flush panels and recessed timber beads.

#### Entry Foyer

The entry foyer is a narrow space with hard-plastered walls, plaster ceiling and timber floor lined with vinyl sheeting. A double doorway on the east sides permits access to the courtroom (via the airlock) and contains a pair of light timber-panelled doors, which retain brass pull-handles (since overpainted) and original brass door springs bearing the inscription of their British manufacturer: GRABSON PATENTEE / ALL STEEL BEARINGS/ WARRANTED / BIRMINGHAM.

On the north (left) side of the space, a steep and narrow dog-leg staircase leads up the courtroom gallery. This staircase has polished timber treads (with winders in place of a half-landing), a stop-chamfered central post, and a light partition of beaded timber boards between the two flights. The simple timber handrail (since overpainted) has a carved newel-post and plain square-section timber balusters. A second portion of balustrade acts as a barrier across the arched window.

Below the staircase is a small enclosed space that was originally used for storage but which now houses electrical switchboard. The underside of the staircase is plastered, forming a steeply raked ceiling. This tiny space is accessed by a small panelled timber door. Its original handle is missing.

#### Rear Corridor

This corridor formerly provided separate external access to the judge's room. It has hard-plaster walls, a strapped plaster ceiling with ovolo cornices, and a timber floor now concealed by vinyl sheeting of relatively recent origin. At the eastern end of the corridor is a WC fitout that dates from the early 1990s phase of renovation when the courthouse was taken over as the Neighbourhood House.

### Storerooms

There are two small storerooms within the building: one off the former gold warden's office and another off the right (south) side of the entrance foyer. On the original 1862 floorplans, these were described, respectively, as a 'record room' and a 'closet'. A later plan, apparently dating from the mid-twentieth century, indicates that the latter room then contained a WC (since removed). Today, the two spaces are similar in their fitout, with the same plaster walls, ceiling and moulded skirtings and architraves seen elsewhere in the building. The former 'record room' has an unpolished timber floor while the floor of the former 'closet' is now carpeted. Both rooms retain multiple tiers of the same timber shelving in imitation of the early timber shelving in the magistrate's office.

### Rear Addition

The rear wall of the original courthouse, which now forms an inside wall to the new addition, has face brown brickwork laid in English bond. There are three rectangular windows, opening into the former clerk's office, with projecting bluestone sills. These are flanked by two doorways that originally provided separate entrance to the respective offices of the magistrate and judge. These doorways retain heavy timber doors (with flush panels and recessed timber beads) and a rectangular glazed fanlight above.

Otherwise, the new addition is entirely contemporary in its finishes and detailing. It has plasterboard walls and ceilings (the latter suspended at a height in alignment with the original window head level of the courthouse wall). There are aluminium-framed sash windows, including a bay of full-height windows and glazed doors opening from the central kitchenette/tea room area.

Of interest are two items of antique timber furniture that may have been relocated from elsewhere in the courthouse. In the centre of the kitchenette area is a table with carved legs and moulded edges, unfortunately marred by the addition of a c.1960s laminate tabletop. The other item is a clerk's desk from the Courtroom.

## 3.3 Lockup

### Exterior

The lock-up is a small single-storey gable-roofed brick structure on a squat T-shaped plan, comprising a rectangular volume with a small projecting bay to the west. The building stands on a bluestone plinth, with slate damp-course between the stone and the brickwork. The latter, laid in Flemish bond, has been overpainted. The walls are penetrated by a number of small openings, including rectangular vents at the plinth level (running horizontally) and gable ends (running vertically). Larger rectangular wall vents are formed by three courses of narrow chamfer-edged bluestone blocks, enclosing a small metal grille. These vents exist on all four sides of the building, approximately 800mm above the plinth level. The east and west walls each have a row of three small windows, just below the eaves line. These have substantial bluestone surrounds, with the lower block projecting slightly to form a drip to the sill. The windows are barred, with a wire grille on the interior face. The doorway, situated in the projecting bay on the west side, has bluestone quoining and threshold, and an iron bar gate.



Figure 23 General view of the lock-up from the west

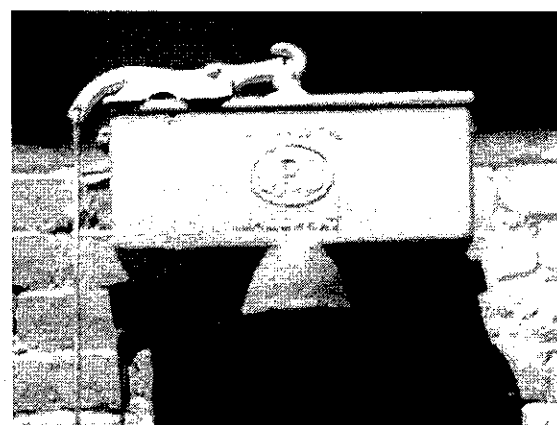


Figure 24 Detail of 1890s WC cistern bearing the name of Ballarat manufacturer S K McIver

The roof is clad in slate, with galvanised iron ridge capping (not original), flanking ridge vents, and plain timber bargeboards to the three gable ends. The eaves have exposed rafters (with chamfered edges) with beaded timber boarding behind. There are galvanised iron gutters in an ogee profile (not original), circular downpipes, and rainwater heads in the form of mediaeval column capitals. On the west side of the lock-up, flanking the central bay, are two cast iron high-level lavatory cisterns, which supplied water to the facilities within. These retain original levers (with pull-rods penetrating through the brick wall) and wall-mounted flushpipes, and bear the logo and name of the manufacturer (S K McIver, CRB, of Ballarat). This information provides some clue to the date of their installation. Directories reveal that one Samuel McIver, listed as 'wholesale and retail tinsmith, ironmonger, plumber, slater, bellhanger and gasfitter' was active in Ballarat from 1891 to at least 1900.<sup>95</sup>

### Interior

The entrance to the lock-up opens into a small common vestibule, from which three doorways provide access to separate cells to the north, south and east. The vestibule has painted brick walls, a brick-on-edge paved floor and a ceiling of plain timber boards. The cell doorways have timber lintels with relieving arches above, chamfered timber architraves, and wide timber panelled reveals. The doors are substantial, constructed of heavy beaded timber boards reinforced with iron bolts, and lined on their internal faces with iron sheeting. The outer face of each door has a large sliding bolt, door chain, and a small hatch with a lockable hinged metal strap.

Internally, the three cells all have raised floors with timber floorboards, windows with splayed internal sills, and board-lined ceilings with perforated metal grilles. There are otherwise some differences between the finishes and detailing within the three cells. Cell 1 (north) has rendered walls, a timber scotia cornice and a bullnosed timber skirting, while Cell 2 (west) has vertical board-lined walls, chamfered timber cornices and a rectangular skirting. Cell 3 (south) is currently inaccessible, and has not yet been inspected. The WC pan has been removed from Cell 1.

The cell walls and door reveals are enlivened by graffiti - some written in pencil or ink, others carved into the timber or render. It consists largely of personal names, including Harry Carman, Steven Slater, R Bruhn, C Nevill and numerous references to brothers Dave and Jerry Dwyer. Several of these families still reside in the area. Most of the graffiti is dated, and the bulk is from the period 1966-71. The earliest surviving example is a pencilled (and mostly illegible) signature on the inside east of Cell 2, which is apparently dated 1943.

## 3.4 Police Quarters

### Exterior

The Police Quarters comprise a conventional single-storey double-fronted rendered brick cottage with a hipped slate roof. The roof plan is of a standard U-shaped form, presenting an elongated hip to three sides and a pair of hips to the rear, with a box gutter between. There are two plain brick chimneys. The roof has narrow eaves to all sides, with an atypical timber moulded cornice, and there are galvanised steel gutters in an ogee profile, with matching circular downpipes and rainwater heads. There are iron tie rods to the upper walls of the building, which appear to be later additions.

The rendered walls have a ruled ashlar finish. The side (north and south) elevations are entirely windowless. The rear elevation is symmetrical, with a central doorway that contains a beaded timber door with a multi-paned fanlight above. This doorway is flanked by rectangular windows, which have segmental arched heads, projecting rendered sills and contain multi-paned timber-framed double-hung sashes. The principal façade, to Camp Street, is asymmetrical, with a projecting bay to the left side that is balanced by a verandah to the right side. The latter has a hipped roof of corrugated galvanised steel, supported on row of five stop-chamfered timber posts, with a simple timber plank frieze between them. The verandah roof is unlined, and the verandah has a timber floor. Each half of this façade has a window, detailed as for those on the rear elevation. The front doorway, under the verandah, contains a four panel timber door.

<sup>95</sup> The Victoria Post Office Commercial Directory. 1891-92, 1893-94, 1899-1900.



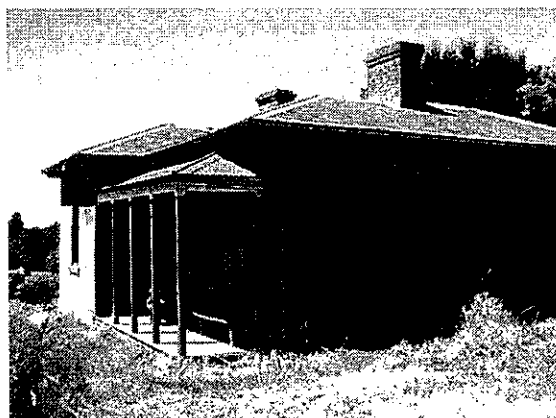


Figure 25 General view of the former Police Quarters from the south-west

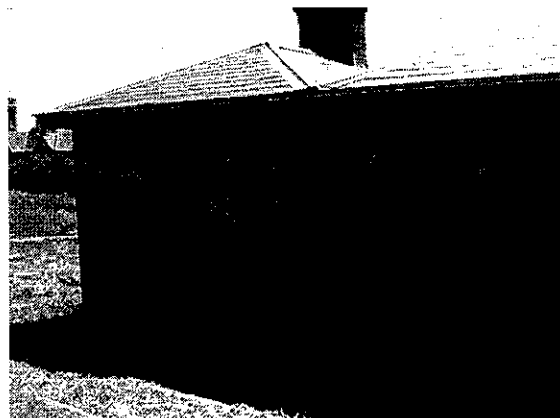


Figure 26 Detail of the rear (east) elevation of the former Police Quarters

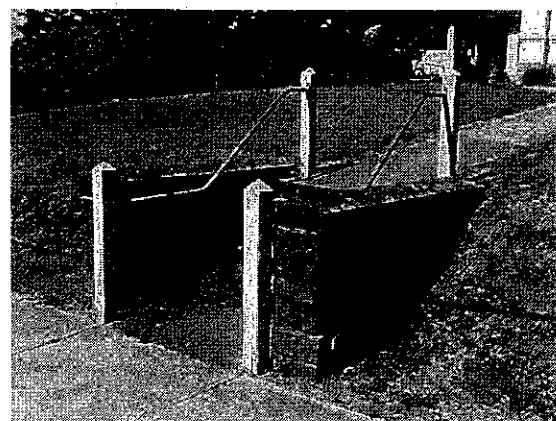


Figure 27 Detail of bluestone steps and retaining wall on the Camp Street frontage



Figure 28 Various structures along the north side of courthouse: electric BBQ, timber hut and toilet block

### Interior

The interior planning of the cottage, like its exterior form, is conventional. It comprises a central corridor, running east-west, which provides access to two flanking pairs of rooms, with each pair sharing a common chimney. The corridor and rooms are similar in their detailing and finishes. They have polished timber floorboards, hard-plastered walls and ceilings lined with beaded timber boards. There are timber scotia cornices, reproduction moulded architraves to door and window openings, and tall skirtings with plinth blocks. Doorways contain four-panel timber doors with flush mouldings. Windows also have projecting bullnosed internal sills. The chimneybreasts have roll-moulded edges and fireplaces with plain timber mantelpieces in a simple trabeated style. Hearths are either bluestone (eg SW, SE) or rendered (eg NW). One of the fireplace openings (SW) has been sealed with a plywood panel. The ceiling space of some of the rooms is bisected by iron ties rods.

Some of the rooms retain early timber fittings: there are some wide timber shelves in two rooms (SW, SE) and some built-in timber cupboards flanking the fireplace in another (NW). One room retains some early twentieth century (?) wallpaper in a cottagey floral pattern, with a border. Another room (SE) has lining paper to the ceiling, in a non-representational stencilled pattern. Other remnants of early wallpaper have been retained in the corridor, preserved behind glazed screens with moulded timber frames.

### 3.5 Other Elements

#### Bluestone Steps

Along the Camp Street frontage, in alignment with the concrete-paved pathway, is a set of monolithic bluestone steps between a pair of bluestone retaining walls. This is presumably of nineteenth century origin, although it cannot be original as is not evident on the earliest known photograph of the building (dating from 1872)

#### Toilet block

The toilet block, to the immediate north-east of the courthouse, is a rudimentary structure comprising an unroofed timber-framed enclosure clad with corrugated galvanised steel. Its date of construction is unknown, but it would appear to date from the early or mid twentieth century.

#### Stables (site)

Although the stables have been demolished, their site can still be readily identified as a rectangular area of levelled land to the southeast of the lock-up, located alongside the perimeter fence and just west of a cluster of foliage. The site is overgrown with grass and there appears to be no obvious evidence of any remnant foundations, etc – although such evidence may still exist below ground level.

## 4.0 ANALYSIS AND ASSESSMENT OF SIGNIFICANCE

### 4.1 Historical Significance

#### Police Reserves in Victoria

As Helen Doyle has noted, police presence in regional townships invariably began with the establishment of a substantial 'Police Paddock' – that is, a large area that was set aside both as a government camp, and as a place for police horses to be grazed and exercised.<sup>96</sup> Over 100 of these reserves were surveyed throughout Victoria during the 1850s and '60s, often being more than 50 or even 100 acres in area. As a township became more permanent, its police presence would generally be relocated to a smaller gazetted 'Police Reserve', which would typically develop into an identifiable complex with police offices, residences, lock-ups, stables and associated buildings. Ivar Nelson has noted that over six hundred police stations have been established in Victoria since the mid-nineteenth century – most of which were, in fact, only temporary. Of those that became permanent, Nelson asserts that at least fifty now remain with two or more buildings still intact to demonstrate the notion of a 'police reserve'.<sup>97</sup> This has been further quantified by Chris Smith of Parks Victoria, who has observed that Police Reserves with two or even three surviving buildings are relatively common, while those with four or more are considerably rarer. The following table (pp 35-38) provides a brief overview of some of the better surviving examples Police Reserves in regional Victoria.<sup>98</sup>

The Police Reserve at Daylesford has been described as 'the only example of an intact police paddock [sic] left in the centre of a goldfields town in Victoria'.<sup>99</sup> This, however, is clearly incorrect. Not only are there many other examples in Victoria, some are far more intact than that at Daylesford. The latter is hardly significantly intact, as several early buildings have been demolished (eg stables and police residence), others have been altered or excluded from the reserve (eg former sub-treasury) and numerous new elements (eg police station, dwelling, sheds) have been introduced. Moreover, the boundaries of the reserve itself have been revised at least six times over the past 150 years, with the original 50 acre site gradually reduced to 9 acres (1861), 5 acres (1861) and 4.5 acres (1865), and thence by the excision of the 'old treasury' lot (1920) and by two lots on Daly Street (1955). Today, the reserve has a total area of only 2 acres, 2 roads, 18 perches (about one hectare).



Figure 29 The Police Reserve at Dunkeld, showing bluestone lock-up, stables and an outhouse.

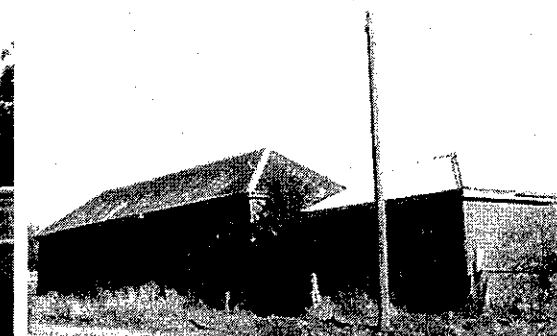


Figure 30 The Police Reserve at Kyneton, showing bluestone lock-up (right) and adjacent stables.

<sup>96</sup> Helen Doyle, 'Dispensing Justice: A Thematic Survey', Unpublished report, p 30.

<sup>97</sup> Ivar Nelsen, 'Daylesford Justice Precinct: Comparative Analysis', 4pp typescript dated December 2005.

<sup>98</sup> The data in this table has been drawn from many sources, including Frances O'Neill's 1997 study, 'Police Buildings in Victoria: Survey of Building Types', the registers of the National Trust (Victoria) and Heritage Victoria, the Picture Collection of the State Library of Victoria, information provided by Chris Smith of Parks Victoria and personal knowledge.

<sup>99</sup> 'Historic lock-up is just the start', *Hepburn Advocate*, 29 November 2000.

Township	Courthouse	Police Residence	Lock-up	Police Stables	Other buildings	Comments
Alexandra (Grant Street)	-	Brick (1885)	Portable timber (c.1880s?) <b>DEMOLISHED</b>	Timber (1879) [much altered when converted to garage/store]	Police office (brick, 1911)	Police Reserve of 1 acre, 2 roads, 13 perches (about 1½ acres) on Grant Street (Marondah Highway), between Bonn and Vickers streets.
Avoca (Davy Street)	Brick (1859)	Brick (1859)	Bluestone with two cells (1867)	Timber [partly altered; used as a DSE store]	Powder magazine (brick, 1860)	Police Reserve is in a side street off town's main road, High Street (Sunraysia Highway). It is bisected by the DSE Depot, which contains the former stables. Courthouse, fronting High Street, is a block removed from the other buildings.
Beechworth (Ford Street)	Granite (1859)	Brick (1912)	Granite (1866) [partly demolished]	Brick (1870)	Subtreasury (1857) Warden's Office (1859) Chinese Protector Office (1858)	'Beechworth Justice Precinct' bounded by Ford, High and Williams Street, comprising Government Reserve (Ford Street) and Police Paddock (High Street). Site slopes gently down from Ford Street to High Street. Courthouse, sub-treasury, telegraph office, warden's office, protector's office and police residence on Ford Street, with lock-up and stables at rear. New police station on William Street.
Bridgewater (Park Street)	-	Timber (1863);	Portable timber (c.1890s)	Timber (1879) <b>DEMOLISHED</b>	Police office (timber, 1891);	Police Reserve is a small allotment with an area of 2 roads (half an acre) on the corner of Park Street and Camp Road, alongside the Loddon River.
Carisbrook (Bucknall Street)	Bluestone (1858)	Brick (1881)	Timber (c.1852) [moved to present site in 1886]	Brick (1863) [moved to present site in 1881]	Men's quarters (portable; c.1881)	Police Reserve on town's main street, with police residence at the corner of Bucknall and Powlett Streets, the courthouse alongside, and the lock-up, stables and men's quarters at rear.
Chiltern (Crawford Street)	Brick (1864-65)	Brick (1875)	Brick with two cells (1873)	Timber (1881)	Police office (timber, 1899); <b>DEMOLISHED</b>	Police Reserve was originally a 3-acre site that formed part of a larger Government Reserve on the corner of Main and Crawford Streets, with allotments for post office, shire hall, etc.

Township	Courthouse	Police Residence	Lock-up	Police Stables	Other buildings	Comments
Creswick (Raglan Street)	Brick (1859)	Brick (1861) [now a gallery]	Bluestone with two cells (1859)	Brick (1879)	Warden's Office & Sub-treasury (1858)	Police Reserve located in town centre on corner of Albert Street (Midland Highway) and Raglan Street. Subtreasury at corner of these two streets, with courthouse and police residence alongside (fronting Raglan Street) and lock-up and stables at rear
Daylesford	Rendered brick (1862)	Brick (1875)	Brick and stone with three cells (1862)	Brick (1858); <b>DEMOLISHED</b>	Sub-treasury (brick, 1862); [converted into a private residence]	Police Reserve on a large sloping site between Camp and Daly Streets; courthouse fronting Camp Street with police quarters and lock-up behind; new police station, former sub-treasury and another new house on fenced-off allotments along Camp Street frontage
Dunkeld (Parker Street)	-	Brick (1861); <b>DEMOLISHED</b>	Bluestone with two cells (1861)	Bluestone (1863) [has been altered to form a garage]	Outhouse [store?]; bluestone	Police Reserve is a flat, grassy site on Parker Street (Glenelg Highway) in the centre of town. Lock-up and stables adjacent, with outhouse opposite. The original police residence has been replaced by a modern timber counterpart built in 1946.
Dunolly (Market Street)	Brick (1862); [originally built as a town hall; court house	Brick (1862)	Brick (1861)	Brick (1861)	-	The courthouse (formerly town hall) on the west corner of Market and Bull Streets, with the adjacent Police Reserve along Bull Street. A new police station (16 Bull Street) was erected in 1999.
Fryerstown	Brick (1879)	Timber (1888)	-	Timber (1889)	-	Government Reserve bounded by Market, Camp and Castlemaine streets. Courthouse on corner Market and Castlemaine, with Police Reserve to southeast, fronting Camp Street. Courthouse and police residence both now privately owned, while the former
Gisborne (Hamilton Street)	Rendered brick (1858)	Brick (1860) <b>DEMOLISHED</b>	Bluestone (1861)	Brick (1861)	Police cookhouse (brick, 1861) <b>DEMOLISHED</b>	Reserve is located behind Gisborne's main street, on flat site in Hamilton Street (Gisborne-Melbourne Rd) adjacent to Gardiner Reserve, a large public park. Courthouse in centre with lock-up, privy and stables behind. Residence formerly located at 6 Hamilton Street, west of courthouse, with cookhouse at rear.

Township	Courthouse	Police Residence	Lock-up	Police Stables	Other buildings	Comments
Kyneton (45 Mitchell S)		Timber (1884) <b>DEMOLISHED</b>	Bluestone with two cells <b>DEMOLISHED</b>	Bluestone (1860)	Police office (bluestone) <b>DEMOLISHED</b>	Located at the rear of Alexander's Family Hotel at 82 Piper Street (Caldar Highway). Office and lock-up still extant in late 1960s but since demolished.
Omeo (Tongio Road)	Brick (1859-61) [and new brick courthouse built in 1893]	Timber (1882)	Timber [log] (1858)	Timber (1883)	Police cookhouse (1883)	'Omeo Justice Precinct' occupies T-shaped site in town centre, bounded by Day Avenue (Great Alpine Road), Tongio Road and Short Street. Buildings are set well back from the main street on this prominent sloping site bisected by Commissioner's Gully Creek.
Skipton (Montgomery Street)	Pre-fabricated timber (1856) [moved to present site in 1867]	Timber (1911)		Timber (1890)		Police Reserve occupies wedge-shaped site on Montgomery Street (Glenelg Highway) in town centre. Open space associated with Police Reserve is now Stewart Park. Picturesque setting, bordered by Mt Emu Creek to south, and viewed from above.
Smythesdale (Linton Road)	Brick (1866)	Brick (1897) <b>DEMOLISHED</b>	Bluestone (1869)	Rendered brick (1860s)		Police Reserve occupies rectangular block in centre of town, bounded by Ireland Street (now Glenelg Highway), Heales, Loader and Brooke Streets. Courthouse fronts Brooke Street. Open land to the rear has since been sold for residential development.
Talbot (Heales Street)	Yes (1866);	Brick (1866)	Bluestone (1863)	Brick (1872)	Sub-treasury (brick, 1866)	Police Reserve on a small allotment (3 roods) in Heales Street, between Camp and Burke Streets
Warrnambool (Gilles Street)	Brick/bluestone (1871)	Rendered brick (1887)	Bluestone with four cells (1883)	Rendered bluestone (1884)	Police station (rendered, 1883); [ground floor office with barracks above]	Government Reserve occupied rectangular block in town centre bounded by Gilles, Timor, Kepler and Merri streets. Police buildings in a line along Gilles Street: courthouse (on Timor Street corner), police station (with lock-up and stables behind) and police residence, with customs house (1860) at south end. Other buildings on reserve include orderly room (1869), Corps commander's cottage, and technical school workshop (1913). The entire block now forms the Warrnambool Campus of the Southwest TAFE.



Figure 31 The Police Reserve at Gisborne showing (L-R) bluestone lock-up, brick stables, outhouse and courthouse (source: photograph by Heritage Alliance, 2005)

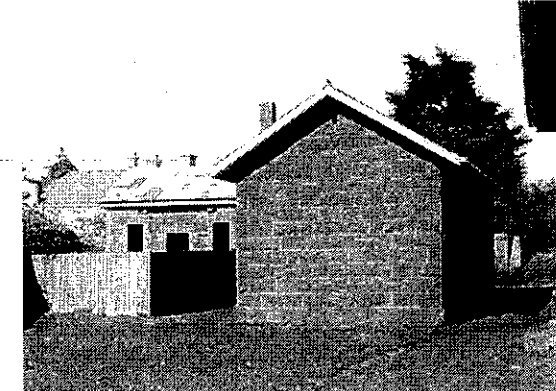


Figure 32 The Police Reserve at Creswick, showing bluestone lock-up and associated buildings (source: Picture Collection, State Library of Victoria)

The foregoing comparative analysis suggests that Police Reserves with two or three surviving buildings are relatively common (eg Bridgewater, Dunkeld, Fryerstown, Gisborne, Skipton and Smythesdale), while those with four or more buildings are demonstrably rarer (eg Avoca, Carisbrook, Chiltern, Creswick, Daylesford, Dunolly and Talbot). By far the best and most extensive example of a broader 'government precinct' is at Beechworth, where an administration buildings reserve (on Ford Street) adjoins a Police Reserve (on Camp Street). This site, which is included on the *Victorian Heritage Register*, comprises no less than nine government buildings, most dating back to the period 1855 to 1870. The Ford Street buildings, all constructed of distinctive honey-coloured local granite, include a telegraph office, a courthouse, a sub-treasury (later remodelled as a police station), a gold warden's office and a unique example of a Chinese Protector's office, while the adjacent Police Reserve retains a partially-demolished granite lock-up (1866), brick police stables (1870), a portable timber lock-up (c.1890s), and a later police residence (1907) in the form of a detached Queen Anne style villa. It remains largely intact, although a number of earlier timber-framed police buildings (dating back to the early 1850s) were demolished c.1960, and a new police station built at one end in the 1990s.

Excluding the fine complex at Beechworth, the best surviving examples of Police Reserves tend to be much later in date, such as those at Warrnambool, Omeo and Alexandra, which all date from the 1880s. The reserve at Alexandra was identified by Bruce Trethowan as 'the most complete to be found in Victoria', although the timber lock-up has apparently been demolished since he completed his study.<sup>100</sup> The so-called 'justice precinct' at Omeo, which is also included on the *Victorian Heritages Register*, now remains as 'the most intact example of a nineteenth century police and court complex known to survive in Victoria'. This retains six buildings, comprising no less than two courthouses (built in 1859 and 1893), plus a police residence, lock-up, stables and a rare example of a detached cookhouse.

Of those Police Reserves that retain four or more buildings, the most pertinent comparisons can be made in terms of dates. Although the example at Chiltern has been described by the National Trust as 'perhaps the earliest completely surviving complex of its type in Victoria', this is clearly not true, as three of its four surviving buildings date from the period 1873 to 1881. The reserve at Creswick appears to be one of the earliest and most cohesive remaining examples, with four buildings that were erected in the late 1850s. This is followed by those reserves at Avoca and Dunolly, each having four remnant buildings dating from the 1860s. The reserves at Daylesford and Talbot, meanwhile, are less cohesive in terms of their dates, each with three buildings dating from the 1860s and a fourth added in the 1870s.

100 Trethowan. *op cit*, Ch 11 'Building type studies', p 139.



## 4.2 Architectural Significance

### The Public Works Department in Victoria

#### Courthouses

The composition of Victoria's mid-nineteenth century courthouses was necessarily repetitive, consequent to the basic need for a large central space (ie the courtroom) with a series of smaller subsidiary spaces (eg jury room, prisoner's cell, magistrate's office) opening from it. In his 1975 thesis on the architectural development of the Victorian Public Works Department, Bruce Trethowan more fully described this recurring articulation:

The principal focus of any courthouse is, naturally, the court room itself. In most courthouses this room is expressed in the overall form by a gable roof. In the smaller courthouses the subsidiary accommodation was arranged around this dominating gable so as to create a pleasant architectural composition. Before 1885, a simple solution of flanking the main court room by two offices, perhaps with vestibules, and providing a verandah to shelter the main entrance, was the usual solution. Simple decorations such as brick corbels, circular windows, polychrome brickwork or attached brick piers gave some decorative relief to a very functional design. For diversity, some designs substituted a brick colonnade, arched porch or a fully protective vestibule for the front verandah and, in some examples, the projecting verandah gave way to a recessed porch.<sup>101</sup>

The principal variation between these early courthouses, therefore, was in terms of façade composition rather than plan form. Elsewhere in his thesis, Trethowan groups the buildings into five broad categories, based primarily on the treatment of the entrance. Under this taxonomy, Daylesford's courthouse was identified as one of eleven examples with a 'simple doorway' – that is, a relatively stark façade with an unsheltered entrance. This approach was evidently somewhat unusual in the broader context of Victoria's early courthouses, as it was far more common for the entrance to be marked by a timber-framed verandah (of which Trethowan identifies 22 examples), a projecting front porch (20 examples), or the masonry colonnade (12 examples).

Bruce Trethowan breaks down his 'simple doorway' category further, drawing a distinction between those that have an interior vestibule and those that do not. The former sub-group included those examples at Maldon (1857), Wodonga (1877), Rushworth (1877) and Port Albert (second courthouse, 1860), while the latter comprises Port Albert (original courthouse, 1858), Donnybrook (1858), Linton (1861), Daylesford (1862), Learmonth (1863) and Malmsbury (not dated). It has been noted that, of the second sub-group, the courthouses at Port Albert and Donnybrook have been demolished, while that at Malmsbury was an unexecuted proposal – which leaves only three extant examples.

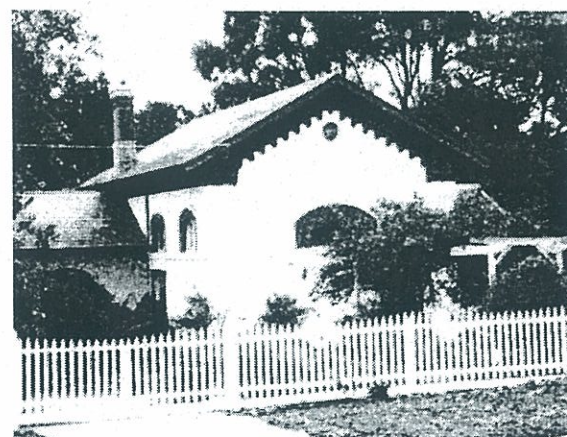


Figure 33 Former courthouse at Learmonth (1864)  
(source: M Challenger, Historic Courthouses)



Figure 34 Former courthouse at Stratford (1885)  
(source: Picture Collection, State Library of Victoria)

<sup>101</sup> *Ibid*, p 130.

Of these, the Learmonth building has been converted into a private residence.<sup>102</sup> A more recent comparative analysis of nineteenth century courthouses, undertaken by Frances O'Neill, echoes Trethowan's earlier findings, classifying the same three courthouses at Linton, Learmonth and Daylesford according to a similar taxonomy: 'early; simple entry; raked decoration; gabled roof'.<sup>103</sup> O'Neill also includes a fourth example of this approach – albeit of much later date – located at Stratford (1885). She also makes the interesting observation that two of the earlier examples, at Linton and Learmonth, represent the work of the same PWD architect, A T Snow. The architect of the Stratford building (which has been converted into a public library) is not known.

#### Police Quarters

In assessing the relative significance of the so-called police quarters at Daylesford, it is necessary to provide some background information on the development of police complexes in regional Victorian townships, and the buildings that they invariably contained. As Helen Doyle has noted, the earliest police complexes generally took a military form, and it was not until the late 1850s that they became more domestic in character.<sup>104</sup> Typically, a house would be provided for the town's resident policemen and, as his administrative duties increased, this would expand to include an office – either as part of the house itself or, less commonly (at least in these early years) as a separate building. This was the case at Daylesford, where the original police quarters, built in 1858, was a modest three-roomed cottage erected on Camp Street (since demolished), which presumably functioned both as an office and a residence. The surviving building now referred to as the police quarters, built in 1875, has been variously referred to as the 'barracks' or 'men's room', implying that it was intended for the constables. This is confirmed by the fact that the original dwelling on Camp Street was subsequently referred to as the 'sergeant's residence'.

It is difficult to undertake a truly rigorous comparative analysis of police dwellings due to the subtle distinction that exists between those intended for low- and high-ranking staff. Moreover, terms such as 'police residence', 'police quarters', 'police barracks' and 'police station' tend to be used rather loosely both in contemporary descriptions and more recent assessments. In Bruce Trethowan's typological study of PWD buildings, the author uses the term 'police quarters' to describe all types of police residences, with examples categorised according to their size and plan form.<sup>105</sup> In this analysis, the Daylesford building grouped with other examples of single-fronted three-roomed dwellings – this, however, is clearly referring to the original 1858 police residence rather than the present 1875 building, which is a double-fronted four-roomed dwelling. The latter building is not actually included in Trethowan's analysis but, if it had been, would be grouped with other double-fronted four-room cottages – of which Trethowan identified 45 examples, which he further classified according to internal planning and rear additions. Based on this detailed taxonomy, the 1875 police quarters at Daylesford would belong in a group with those examples at Benalla (1859), Swan Hill (date unknown), Maryborough (date unknown) and Heidelberg (1880). Further examples at Talbot (1866), Wangaratta (1878) and Oakleigh (date unknown) are very similar in external form, but slightly different in their internal planning.

A more recent comparative analysis, undertaken by Frances O'Neill, identifies the building at Daylesford more specifically as an example of a combined office and single men's quarters.<sup>106</sup> Other examples cited by O'Neill include those at Portland (1860), Avenel, Charlton (1886), Euroa, Numurkah, Hamilton, Lilydale, Romsey, Warracknabeal (1892), Chiltern (1899) and Casterton (1907). Of these, however, only the one at Charlton still exists. Daylesford's building, therefore, is rare as one of only two surviving examples of this type.

<sup>102</sup> Challenger, *op cit*, p 114.

<sup>103</sup> Quoted in Nelson, *op cit*, p 3.

<sup>104</sup> Helen Doyle, 'Dispensing Justice: A Thematic Survey', Unpublished report, p 32.

<sup>105</sup> Trethowan, *op cit*, Appendix Three, Part 10, pp 129-141.

<sup>106</sup> Quoted in Nelson, *loc cit*.



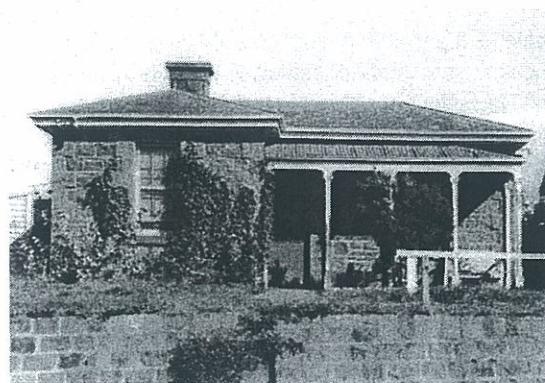


Figure 35 Bluestone police quarters at Heidelberg (1880)  
(source: Picture Collection, State Library of Victoria)

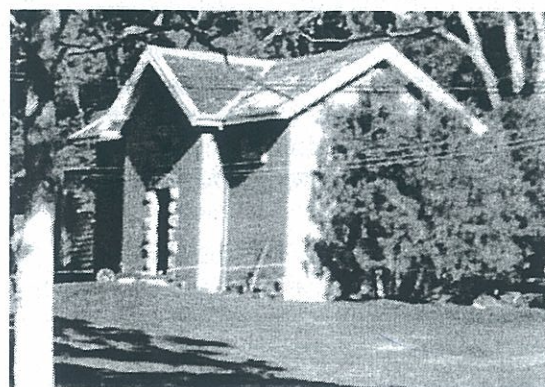


Figure 37 Brick and stone lock-up at Maldon (1864)  
(source: Picture Collection, State Library of Victoria)



Figure 36 Bluestone lock-up at Smythesdale (1869)  
(source: Picture Collection, State Library of Victoria)



Figure 38 Brick-and-stone lock-up at Inglewood (1863)  
(source: Bruce Trethowan 'The Public Works Department')

### Lock-ups

In her thematic study of justice in Victoria, Helen Doyle identified 40 surviving lock-ups in regional Victoria built between 1850 and 1890, noting that their cultural significance broadly lies in their association with the social history of punishment.<sup>107</sup> Further significance, however, can be ascribed on the basis of their variations in size, plan form, date of construction and materials. The Daylesford lock-up (1862) is a brick and stone structure in a standard PWD design with three cells (or, according to some sources, two cells flanking a central office). According to the useful comparative analysis provided in Trethowan's typological study, the building is one of ten examples comprising 'two cells with office'.<sup>108</sup> The others, in chronological order, are located at Creswick (1859; stone), Gisborne (1861; stone), Castlemaine (1863; stone), Inglewood, (1869; brick and stone), Ballarat (1879; brick and stone), Stawell East (1881; brick and stone), Shepparton (1883; brick and stone) and Maryborough (1887; brick). Within this broad group, there are minor variations in plan form – the Creswick one has a rectangular plan, the Richmond one has a projecting bay at the rear, and the remaining ones have squat cruciform plans. It has been more recently noted that, of the ten examples originally identified by Trethowan, only those at Richmond, Creswick, Castlemaine, Inglewood and Daylesford are still extant.<sup>109</sup>

107 Doyle, *op cit*, pp 60-61.

108 Trethowan, *op cit*, Appendix Three, Part 12, p 145.

109 Nelson, *loc cit*.

While some broad conclusions might be drawn from Trethowan's research, it must also be noted that his survey of lock-ups was not exhaustive. There are numerous other examples not considered in his analysis, including several that might be included in his 'two cells with office' category.<sup>110</sup> An example at Sale (date unknown) is identical to that at Creswick, another at Smythesdale (1869) has the same plan form as Daylesford but is of bluestone construction, and another at Maldon (1864) is actually identical to that at Daylesford. Trethowan's survey also draws no conclusion on the significance of construction materials used in these early lock-ups. A more recent comparative analysis, undertaken by Frances O'Neill in her study of police buildings in Victoria, identifies the Daylesford lock-up as one of 14 examples in brick (or brick and stone), irrespective of plan form, that were erected between 1859 and 1875.<sup>111</sup>

Based on the foregoing analyses, it can be concluded that the lock-up at Daylesford is a representative example of its type rather than a particularly rare or outstanding one. It is certainly a relatively early example of the 'two cells with office' type, which is first recorded in 1859 and was still being used as late as 1887. The example at Daylesford, built in 1862, was also evidently the first of this type to be of brick and stone construction, followed by identical examples at Maldon (1864) and Inglewood (1869). Little individual significance, however, can be ascribed to these facts. The example at Daylesford is slightly less intact, at least externally, than its counterparts in Maldon, Inglewood and Smythesdale, as it has some wall-mounted plumbing fittings (WC cisterns and associated pipework) that apparently date from the 1890s. These, however, should not be considered as intrusive elements, as they provide evidence of changing perceptions in prisoner treatment in later years.

### 4.3 Aesthetic Significance

#### The Romanesque Revival

The term 'Romanesque' was coined in the early nineteenth century to describe a style that characterised church architecture in Europe in the eleventh and twelfth centuries, representing a transition between the Classical churches of the Roman and Early Christian eras, and those of the Gothic style.<sup>112</sup> The Romanesque was characterised by the use of round arches for windows, doors, arcades, galleries, niches and so on. Other stylistic elements developed as regional variations, and subsequently spread across Europe. The Classical influence, for example, was particularly strong in France (where there were still many genuine Roman buildings), manifest in the use of barrel vaulting and Corinthianesque column capitals. Local innovations included wheel windows, compound piers and flanking towers to a cathedral façade. Arcading reached a zenith in northern Italy, which witnessed the emergence of exterior wall passages and the ubiquitous arcaded corbel tables, the latter to become a defining motif of the style throughout Europe.<sup>113</sup> In England, where the style was introduced by the Normans after 1066, the continental influence was later eclipsed by independent innovations: the rib vault, the cushion capital, and decorative mouldings such as the chevron, nailhead and beakhead.<sup>114</sup>

The conscious revival of the Romanesque began in southern Germany in the early nineteenth century, initially championed by Heinrich Hubsch, Government Architect to the city of Karlsruhe, in an influential essay entitled 'In what Style shall we build?' (1828) that coined the term *Rundbogenstil* (literally, 'round arch style') to describe it. The immediate impact of this can be seen in Hubsch's own work (eg his unbuilt scheme a church at Pforzheim, 1828) and quickly spread to Munich, where the first example was the Church of All Saints (Leo von Klenze, 1828). By the early 1840s, the style had spread north to Berlin, where it was manifest in such examples as the Johanniskirche (Friedrich Stüler, 1841) and the Michaelskirche (August Soller, 1845). All of these were necessarily similar, displaying the typical Romanesque church form with symmetrical facades and steeply raked parapets, embellished with round-arched openings, wheel windows and arcaded corbel tables.

110 Other lock-ups omitted from Trethowan's analysis include the two-celled buildings at Ballan, Bannockburn, Beechworth, Broadmeadows, Kyneton and St Arnaud.

111 Quoted in Nelson, *loc cit*.

112 Kathleen Curran, *Romanesque Revival*, p xxiv.

113 Bannister Fletcher. *A History of Architecture on the Comparative Method*, p 312.

114 *Ibid*, p 358.



### Romanesque Revival outside Germany

Romanesque Revival churches began to appear outside Germany from the late 1830s. The style spread directly to the United States after several German rulers (including Ludwig I of Bavaria and Friedrich Wilhelm IV of Prussia) funded the construction of churches there for German migrants, with designs prepared by the leading practitioners of the style. The Romanesque idiom was soon adapted by local architects such as Thomas Alexander Tefft, who adapted it to such secular buildings as schools, a house of correction and a railway station. The style, however, remained favoured in ecclesiastical design, with a seminal New York example being the Church of the Pilgrims at Brooklyn Heights (Richard Upjohn, 1844-46). This was also the case in England, where one of the first local examples was St Mary's Church, Wilton (T H Wyatt & David Brandon, 1840-46), which closely followed northern Italian precedents in its use of arcaded corbel tables, dwarf galleries and a freestanding bell tower.<sup>115</sup>

The earliest Romanesque Revival buildings in Australia are actually contemporaneous with those in Europe, England and the United States. The style arrived here remarkably early, emerging in a series of Tasmanian churches designed by architect James Blackburn in the early 1840s. The first of these, St Mark's Anglican in Pontville, was commenced as early as 1839 and has thus been claimed as one of the first Romanesque Revival buildings in the world.<sup>116</sup> It is, moreover, a remarkable composition, its distinctive entrance having stocky columns and a chevron-moulded archivolt, flanked by raked arcades of stilted round arches. Blackburn went on to design two larger but plainer Romanesque churches in Tasmania: St Matthew's Presbyterian, Glenorchy (1841) and the Congregational Church at New Town (1842), both with pyramid-roofed rectangular towers. These early churches, however, represent something of an anomaly in the development of the Romanesque Revival in Australia. At least in Victoria, the style otherwise emerged only occasionally during the 1850s and early 60s, invariably in a somewhat hybrid fashion. This is evident in such buildings as the first Baptist Church at Newtown, near Geelong (John Young, 1853-54), and the Ebenezer Presbyterian Church at Ballarat (Henry Caselli, 1862) both of which combine simplified Romanesque form and detailing with Italianate and other influences.

The Romanesque Revival did not become widely popular in Victoria until the mid-1860s, when architect Joseph Reed returned from a trip through northern Italy full of enthusiasm for Lombardic Romanesque churches. Reed subsequently introduced this style to Melbourne in a series of bold bichromatic brick buildings, beginning with the Independent Church in Collins Street (1866). While Reed went on to adapt the style to secular buildings, most notably the *Ripponlea* mansion in Elsternwick (1868), lesser architects continued to apply it to churches well into the 1870s. Examples include the Methodist church at California Gully (McPherson & Laurie, 1870-75) and the second Baptist Church at Newtown (Thomas Watts, 1876).



Figure 39 St Mark's Church at Pontville, Tasmania (1839)  
(source: Picture Collection, State Library of Victoria)

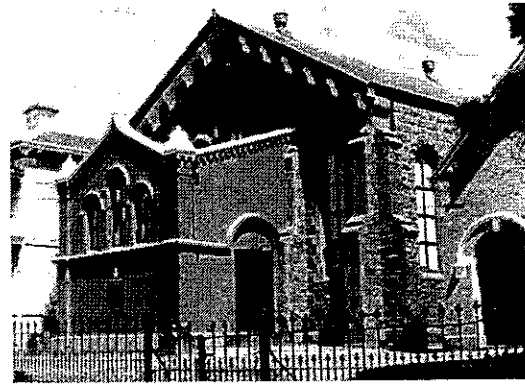


Figure 40 Ebenezer Presbyterian Church, Ballarat (1862)  
(source: Picture Collection, State Library of Victoria)

<sup>115</sup> Roger Dixon & Stefan Muthesius, *Victorian Architecture*, pp 196-97.

<sup>116</sup> Richard Apperley et al, *A Pictorial Guide to Identifying Australian Architecture*, pp 74-75.

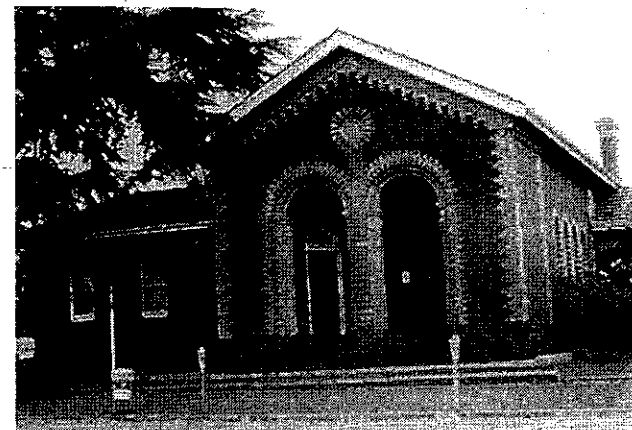


Figure 41 The Romanesque style courthouse at Ararat, designed by German émigré architect Gustav Joachimi (1867)  
(source: Picture Collection, State Library of Victoria)

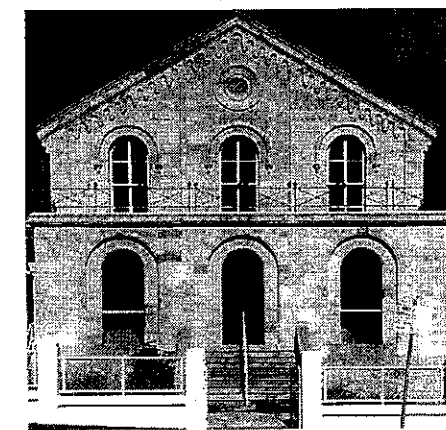


Figure 42 The Romanesque-style courthouse in East Street, Ipswich (1859)  
(source: R Apperley et al)

### Romanesque Revival Courthouses in Australia

While the authentic Romanesque Revival of the mid-nineteenth century is under-represented in Australia, it is even less commonly seen in buildings other than churches. The style was only applied to a handful of courthouses amongst the numerous examples built in Victoria during the PWD boom of the 1850s and '60s. The example at Daylesford can be compared to no more than four others of similar date. Of these, the most pertinent comparison can be drawn with the courthouse at Learmonth (A T Snow, 1864), which is almost identical in plan form, rendered finish and stark façade with raked corbel table. Two slightly later examples, at Yackandandah (1864) and Ararat (1867) are simple compositions with round arched porches, oculus windows and arcaded corbel tables – the former in red brick and the latter in polychrome brick, clearly showing the influence of Joseph Reed's Lombardic Romanesque. The unusual choice of the Romanesque Revival idiom might be explained by the fact that the architect for both buildings was Gustav Joachimi. Like his PWD colleague Frederick Kawerau, Joachimi was a German *émigré* who would have trained as an architect when the influence of Romanesque Revival was at its peak in Germany.<sup>117</sup> The Yackandandah courthouse also has much in common with a later example at Coleraine, which was designed by Charles Barrett in 1870.

Romanesque Revival courthouses are even less common outside Victoria. A fine example at Ipswich in Queensland (Charles Tiffin, 1859) is a surprisingly assured composition given its early date. Built of smooth-faced ashlar stonework, this has a symmetrical façade with triple bays of round-arched windows, a blind oculus to the gable end, and a raked arcaded corbel table. In New South Wales, the few Romanesque Revival courthouses are considerably later in date, and tend to be less assured in their detailing. Two very similar examples, located at Walgett and Bombala, were both designed by James Barnett in 1880. These are face brick construction with somewhat tokenistic Romanesque detailing in the form of oculus windows, round arched openings and a simplified arcaded corbel tables.

In Victoria, the Romanesque Revival style persisted in the design of courthouses well into the 1880s, albeit in an increasingly watered-down form. Its influence can be seen in a number of courthouses designed by senior PWD architect Samuel Bindley around 1890, including those at Boort, Nhill, Natimuk, Warracknabeal and Wycheproof. These virtually identical designs have simple brick facades with contrasting piers, a front verandah, and a simplified arcaded corbel table.

<sup>117</sup> The connection between German architects in Australia and their use of the Romanesque Revival idiom is worthy of further study. Another notable example is former Common School No 981 at Kangaroo Flat, designed by Vahland & Getzschmann in 1870.

## The Wombat Hill Cultural Landscape

Located on the slope of Wombat Hill, the Police Reserve must also be seen in the broader context of the cultural landscape that is formed by the hill, its environs, and the various natural and man-made elements therein. An extinct volcano with an elevation of 667.8 metres above sea level, Daylesford's Wombat Hill has always been a significant element in the landscape and the town—geologically, aesthetically and historically. As already mentioned in Section 2 of this report, Wombat Hill was the location of the original 50-acre 'Camp and Police Reserve' that was earmarked as part of the initial township survey in 1854. At that time, the vast hilltop site was 'a dense forest, some of the trees being of immense size; it was thickly covered with scrub and fern, varied with immense wombat holes'.<sup>118</sup> As Mandy Jean has noted, the natural beauty of this area was spared from the ravages of environmentally destructive goldmining practices of the day because most of the gold was extracted via deep lead mining.<sup>119</sup> Today, the long mining tunnels that extend for miles below Wombat Hill are still a significant feature of the area.

Over the next few years, revision of the original reserve boundaries saw the Police Reserve restricted to a smaller site on the western slope of the hill, with several nearby allotments along Victoria Street (now Central Springs Road) granted to various church denominations. The bulk of the remaining portion was given over to botanical gardens, with a small amount of residential subdivision around its perimeter. As documented elsewhere in this report, the main buildings on the Police Reserve were all completed by 1863, supplemented by the new Police Quarters of 1875. During this period, several churches were established along nearby Victoria Street including Christ Church Anglican (1862-63), St Peter's Roman Catholic (1863) and the Wesleyan (now Uniting) Chapel (1861) and Church (1865). Later, additional buildings such as manses, presbyteries, halls and denominational schools and a convent, plus a new Baptist Church in Camp Street (1887) would create a distinctive ecclesiastical precinct on the hill's west and southwestern slopes. Elsewhere, the smaller residential allotments around the hill developed with modest miner's cottages. The hilltop reserve, gazetted for botanical gardens in 1863 but extended in 1870 and 1883, was cleared of its huge eucalypts and laid out with coniferous and deciduous trees (provided by Ferdinand von Mueller) and, later, with a landscaping scheme devised by Taylor & Sangster, noted garden designers of Melbourne.

By the late 1880s, the area on and around Wombat Hill already exhibited a notable diversity of natural and man-made features: botanical gardens, Police Reserve, an ecclesiastical precinct and residential development. The cumulative aesthetic significance of these, as viewed from vantage-points around the town, was further enhanced by the superlative views and vistas that could be appreciated from the hill itself. These important aspects of Wombat Hill and its surrounds were duly acknowledged by a number of contemporary observers:

Owing to the undulating nature of its site, the general aspect of the town, as seen from a little distance, is quite picturesque, and the bell tower of the fire brigade, the cupola of the State school, the spire of the Wesleyan church, the poppet-heads of the North Cornish mine, the gables of the Episcopalian church, and the crown of evergreen trees on Wombat Hill group themselves effectively against the sky line when surveyed from the pleasant eminence upon which the public park and racecourse have been established, a creek winding through the valley below, with a wooden bridge thrown over it, filling up the foreground.

The botanical gardens in Daylesford enjoy a position which is altogether unique. There is nothing resembling it in Victoria. They occupy the summit of a round and isolated hill two thousand three hundred feet above the level of the sea, the name being derived from the numerous wombats which burrow in its rich chocolate soil. It has been planted with groves of pine, cedar, laurel, juniper and pittosporum, and these have been so disposed as not to obstruct the outlook of the visitor over one of the finest and most extensive prospects the eye could desire to gaze upon. As far as vision can reach in every direction, ranges spread out, ridge over ridge, like the billows of some vast ocean that has been abruptly solidified in the midst of a raging storm. In their interspaces, the spectator perceives green plains and fertile bottom lands upon which agricultural settlement has taken place, with an occasional sheet of mist overlying a moist valley and, resembling a great lake or inland sea.

118 'A Wanderer' [pseudonym], *Illustrated Handbook and Guide to Daylesford and its Surroundings*, 1885, p 13.

119 Mandy Jean, 'Wombat Hill Cultural Landscape Nomination'. 9pp typescript, dated October 2003. Heritage Victoria files.



Figure 43 Wombat Hill as viewed along Albert Street, circa 1907. Note courthouse at termination of axis.  
(Source: Picture Collection, State Library of Victoria)

On the western side of Wombat Hill the town is seen deploying its rectangular streets towards the rising ground opposite, where villa and cottage residences have been erected upon jutting knolls and eligible ledges. The principal churches—of which the Episcopalian and the Roman Catholic are not without some architectural pretensions—are well placed upon the hitherward slope.<sup>120</sup>

A similar sentiment was expressed around the same time by the pseudonymous 'Wanderer', who, in 1885, wrote in his or her *Illustrated Handbook and Guide to Daylesford and its Surroundings*:

This beautiful hill, or mount, is situated just at the back of the town. It rises with a gradual slope, and very little exertion is required to get to the summit. The summit is nearly 2,300 feet above the level of the sea, and the view from it is not only charming but extensive.

From the hill a view, or rather a series of views, can be obtained, which cannot be surpassed for beauty or variety. The eye can range over an expanse of country, in places from 50 to 100 miles in extent, embracing mountain, plain and wooded hill, gloomy-looking and rugged forest, smiling fields and orchards, with cottages snugly embowered in the midst of vegetation almost tropical in its luxuriance. The alternate play of light and shade over mountain top, dark ravine and green field, produces a series of pictures of surpassing loveliness, the features of the landscape changing with the rapidity of the pictures in a kaleidoscope.<sup>121</sup>

The development of the Wombat Hill cultural landscape continued in the early twentieth century, with the erection of the new Presbyterian church (1903) and some prominent Edwardian villas on the western slopes, and the Queen Victoria Memorial Fountain in Wills Square (1902). Further development of the botanical gardens culminated in the construction of a lookout tower in 1938, which further exploited the celebrated views and vistas from the top of the hill. This aspect would be further immortalised a few decades later, when footage of the view from Wombat Hill was used in the opening sequence to the long-running ABC television series *Bellbird*, set in a fictitious rural township.<sup>122</sup>

120 James Smith, 'Descriptive Sketch of Victoria: Central District', in Andrew Garron (ed), *Picturesque Atlas of Australia*, 1888, p 48.

121 'A Wanderer' [pseudonym], *Illustrated Handbook and Guide to Daylesford and its Surroundings*, 1885, p 13.

122 'Bellbird (1967-1977)' in *Aussie Soap Archive*. <[www.ozemail.com.au/~fangora/bellbird.html](http://www.ozemail.com.au/~fangora/bellbird.html)>



Aesthetically, the Police Reserve is an integral part of the highly significant Wombat Hill cultural landscape. Although the reserve itself has been reduced in size over the past 150 years, it still remains – at around one hectare in area – as one of the most substantial single land holdings on Wombat Hill, second only to the botanical gardens. The perception of its extent, moreover, is enhanced by the closer settlement that surrounds it on three sides – that is, closely-grained residential development (and some commercial and ecclesiastical buildings) on much smaller allotments. The physical prominence of the Police Reserve is also enhanced by its siting on the conspicuous western slope of Wombat Hill, and by its alignment with Albert Street. The courthouse is a particularly important element, forming the focal point of this important land axis that extends west for almost a kilometre.

#### 4.4 Assessment of Significance

##### Assessment by Criteria

In the light of the foregoing research and its conclusions, the significance of the house will be assessed in relation to the standard criteria put forward by the Heritage Council. The criteria adopted by the Heritage Council on 6 March 1997 pursuant to Sections 8(c) and 8(2) of the Heritage Act 1995).

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

The Police Reserve, one of many that developed in regional Victoria during the 1850s and 60s, retains associations with the sudden expansion of government presence in small townships during the Gold Rush – a particularly significant and recurring theme in the early post-contact settlement of Victoria;

*Criterion B: The importance of a place or object in demonstrating rarity or uniqueness.*

Collectively, the complex is a rare example of a Police Reserve that retains at least four early buildings, while component buildings are also rare examples of their type or style: the police quarters as one of only two surviving examples of a 'office and men's room' in a police complex, and the courthouse as one of a very small number of Romanesque Revival courthouses in Australia;

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

The component buildings within the Police Reserve demonstrate the operation of law enforcement during the volatile Gold Rush period, including aspects of punishment, incarceration, administration and judicial procedure;

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

The complex is representative example of a Police Reserve in a regional township from the Gold Rush era of the 1860s, with numerous surviving buildings: courthouse, lock-up, police quarters and sub-treasury;

*Criterion E: The importance of a place or object in exhibiting good design or aesthetic characteristics and/or in exhibiting a richness, diversity or unusual integration of features.*

The various buildings are fine and intact examples of nineteenth century PWD architecture; the courthouse, in particular, being further distinguished by atypical façade articulation and unusual Romanesque Revival detailing;

The reserve and its buildings form part of the broader Wombat Hill cultural landscape, a significant and prominent element in the Daylesford township that exhibits a notable diversity of natural and man-made features including the botanical gardens, an ecclesiastical precinct and residential development.

*Criterion F: The importance of the place or object in demonstrating or being associated with scientific or technical innovations or achievements.*

N/A

#### Statement of Significance

##### What is Significant?

The former Daylesford courthouse, police quarters and lock-up form part of a Police Reserve that was reserved when the original township was laid out in 1854. The present buildings replace earlier counterparts that were erected on the site in 1857-58, along with a block of stables. The new courthouse (1862-63) is a rendered brick structure with a gabled slate roof, having a conventional T-shaped plan but with an unusual Romanesque Revival exterior. It was designed by Frederick Kawerau, a German architect who was then PWD Clerk of Works for the entire Central Victorian District, and was built by contractors Cormack & Irving of Melbourne. The nearby lock-up (1862), built by Henry Gardiner, is of brick and stone construction, having a standard plan with two cells flanking a central office and vestibule. A two-roomed sub-treasury was also built on the reserve at this time, fronting Camp Street, but this has since been converted to a private residence. The new police quarters (1875), built by prolific local contractor George Clayfield, take the form of a single-storey double-fronted rendered brick cottage with an asymmetrical façade. The surviving buildings are prominently sited on this hilltop reserve, with the courthouse fronting Camp Street and the lock-up and police quarters set back further up the hill. A new police station now occupies the site of the original police quarters.

##### How is it Significant?

The Daylesford courthouse, police quarters and lock-up are of historical, architectural and aesthetic significance to the State of Victoria.

##### Why is it Significant?

Historically, the courthouse, police quarters and lock-up are significant as a representative example of a 'Police Reserve' in a typical regional Victorian township. The courthouse and lock-up, which both replaced equivalent buildings erected only a few years earlier, demonstrate the expansion of government presence during Daylesford's most significant phase of development in the early 1860s. The police quarters, added in 1875, demonstrates this ongoing expansion in the post-Gold Rush era. Individually and collectively, the buildings themselves provide significant evidence of the dispensation of law and justice at that time. Although no longer used as such, the courthouse retains enough original fabric (eg gallery, jury box, prisoner's cell) to allow its original operation to be readily interpreted. The lock-up is particularly intact, providing evidence of the social history of punishment and incarceration. The buildings within the reserve also retain associations with court cases, trials and individuals of local historic interest. These include celebrated magistrates such as William Drummond, notorious criminals like murderer David Young (the first man to be sentenced to death in the region) and, more recently, a much-publicised obscenity trial involving noted cartoonist Michael Leunig.

Architecturally, the component buildings are significant as fine and intact examples of mid-nineteenth century PWD architecture. The courthouse is representative of a ubiquitous mid-nineteenth century form, with a central courtroom flanked by support spaces, although its exterior articulation is otherwise notably atypical. It is one of a relatively small number of Victorian courthouses that have a simple front entrance, unobstructed by porches, verandahs or colonnades. The police quarters, although taking the standard form of a double-fronted four-roomed brick cottage, are of significance in their own right as a rare surviving example of a purpose-built 'office and men's room' within a police reserve. The lock-up is representative of its type, being one of a number of surviving examples of three-cell lock-ups of brick construction, dating from the 1860s.

Aesthetically, the Police Reserve is significant as a integral part of a broader cultural landscape formed by Wombat Hill and its environs: a prominent topographical feature in the township that is notable for its diversity of natural and man-made features, comprising not only the Police Reserve but also the botanical Gardens, an ecclesiastical precinct and residential development. The reserve, which is clearly one of the most boldly-sited of the surviving Police Reserves in Victoria, stands out for its elevation (on the slope of Wombat Hill, which rises 668 metres above sea level), its size (occupying several acres of open space amidst surrounding closer subdivision) and its location (at the end of a street that acts as the town's principal entry point). The courthouse itself is significant as the focal point at the zenith of this important Albert Street axis along which extends west of Wombat Hill for almost a kilometre.

In its own right, the courthouse is aesthetically significant as for its rare and unusual Romanesque Revival detailing. This idiom, which emanated from Germany in the 1820s, is first recorded in Australia in the 1840s, arriving in Victoria in the mid-1850s but not gaining popularity here until the mid-1860s. The Daylesford courthouse is not only a notably early example of the style in Victoria, but also one of the most authentic examples, being designed by a German architect who trained in Berlin at a time when the Romanesque Revival was most influential. Most commonly associated with churches, the style is highly unusual in the broader context of courthouse design in Australia. The example at Daylesford is significant as one of only four Romanesque Revival courthouses built in Victoria in the 1860s, and one of only a small number throughout Australia.

## 5.0 CONSERVATION POLICY STATEMENT

### 5.1 Constraints and Requirements

Development of spaces and their ultimate reuse depends to a large extent on the importance of the building as a whole and the relative importance of the spaces contained therein.

Development involving a greater degree of alteration may occur in areas of lesser or no significance, minor alterations may occur in areas of contributory significance while areas of primary significance should be subjected only to minimal and easily reversible changes. Primary spaces should also be considered for restoration, and reconstruction of missing features as funding permits. Such work should be based on documentary and physical evidence.

The following tables indicate the relative significance of the building exteriors, the spaces between buildings and the interior spaces.

### 5.2 Site Significance (precis)

The Daylesford Police Reserve, courthouse, police quarters and lock-up are collectively of historical, architectural and aesthetic significance:

- *As a representative and relatively early example of a Police Reserve, typical of those that developed in regional Victorian townships during the Gold Rush period of the 1860s;*
- *As fine and relatively intact examples of mid-nineteenth century Public Works Department architecture;*
- *As a prominent landmark within the town, occupying a notably large and elevated site that forms a broader cultural landscape in Daylesford.*

The buildings are also of individual historical, architectural and aesthetic significance:

- *(The courthouse) as one of only a small number of nineteenth century courthouses in Victoria with a simply articulated front entrance, unencumbered by porches, arcades or verandahs;*
- *(The courthouse) as a relatively early and especially authentic example of the Romanesque Revival style in Australia, being designed by a German architect who would have studied the idiom in Europe at a time when it was most influential;*
- *(The police quarters) as a rare surviving example in Victoria of a purpose-built 'office and men's quarters' within a Police Reserve;*
- *(The lock-up) as a representative and intact example of its type.*

### 5.3 Elements of Primary, Contributory, Lesser and No Significance

COURTHOUSE	POLICE QUARTERS	LOCK-UP
<b>Primary Significant Interiors</b>		
Courtroom as two-storey space, the public gallery and furniture Door hardware, window hardware and fittings, metalwork associated with fireplaces, original joinery, original plasterwork, original notice boards, original linoleum or carpets, drapery etc	Hallway and two front rooms Any original door and window hardware, any original decorative plaster and timberwork, any original fireplace fittings and joinery Any original wallpaper and exposed original paintwork in the hall the front two rooms	The Cells and Lobby including all original metalwork and hardware to doors and vents and windows. Any original joinery and interior paint schemes. Interior graffiti dating from the period of the lock up use.
Holding Cell and fittings including all door hardware, joinery and plasterwork		
<b>Contributory Significant Interiors</b>		
Jury Rooms, Judge's Rooms, kitchen area, any original hardware and fittings and fireplace hearths and coverings	Two Rear rooms	
Entry Lobby and stairs to gallery		
<b>Lesser Significant Interiors</b>		
Toilets including the space itself and all sanitary and electrical fittings, built-in below-stair cupboards and rooms		
<b>Significant Exterior elements of Buildings</b>		
Whole of exterior except rear (east) elevation now hidden by east side extension and including all doors and windows, roof, and rainwater goods	Whole of building except the rear, but including all roof, rainwater goods and decorative carpentry	Whole of building including the remnant elements of the since removed sanitary ware, all doors and hardware, vents, highlight windows, roof and rainwater goods and any original paths
<b>Significant elements of the Police Reserve</b>		
All that area of the Reserve that is visible both in the close-up and distant views of the site particularly from the view of Daylesford and Wombat Hill from the west entry into Daylesford from Ballarat. Close up views into the site, which take in the frontages and side elevations of the Courthouse. Also of significance is the site of the demolished stables.		
<b>Non-significant or lesser significant exterior elements or areas</b>		
Sheds and buildings developed to the north side of the courthouse The new extension to the east side of the courthouse The retaining wall behind the courthouse.		

### 5.4 Site Specific Policies

#### Grounds

The grounds of the reserve are relatively undeveloped. New development may be undertaken where there is open space and its placement will not disturb the visual connection between the historic buildings or be seen in the long view of the site from the west.

New building development should generally be set on a floor frame but may be benched into the site provided that such work does not scar the setting of the site and meets the permit requirements in the Environmental Significance Overlay ESO1.

Any fencing should be simple open wire strands between timber posts to reduce visual impact. High fences and paling fences should be avoided in the reserve area except if it is reinstating an historic fence.

Reinstatement of an original form of fence at the street is not essential but would be appropriate. This would be based on photographic evidence.

New vegetation should consider the appearance of the site in historic photographs. The planting of Eucalypt is encouraged but trees that develop falling limbs should be avoided.

Planting should avoid aggregations of low shrubs that have not been historically part of the visual characteristics of the site.

New parking areas should use consolidated gravel; pathways should avoid surfaces that are apparent in long distance views (such as bitumen or concrete). The use of specially coloured materials (coloured concrete or selected gravel) could be considered provided it decreases the visual impact of pathways.

#### Recommended Action

*Any new development should respect the existing locations of the historic buildings and should be screen by those buildings. New constructions and their materials should respect the existing form of buildings and their materials palette (render, brick, timber, galvanized metal roof).*

*Location of new developments should be considered in terms of the existing relationship between buildings and the long views of the site from the west.*

#### The Courthouse

The Courthouse is the primary building of the site and any alteration to it must be in a zone that does not affect its primary visual qualities or have an impact on fabric of primary importance.

Missing elements of importance to the primary facades should be reinstated.

This effectively means that some of the rear rooms are capable of adaptation although most rooms should only be subject to minimal alterations.

The courtroom and the Prisoner's Room (Cell) should be subject to the most minimal alterations and any works must also consider the potential for restoration or reconstruction of missing elements within those rooms.

Rooms of contributory importance such as the jury room, judges' and magistrates' rooms and Clerks' Room may be subject to minor changes or alterations.

#### Recommended Actions

*Reinstate the removed verandah screen from the north verandah.*

*Remove paint from the bluestone architraves to the Prisoner's Room.*

#### The Police Quarters

The Police Quarters are primary to the site. The layout of the interior is important, as are the hall and front two rooms.



Works to the exterior, hall and front two rooms should as far as possible be in the nature of repair, reconstruction and restoration as defined by the Burra Charter. The rear two rooms being contributory should be available for some minor modifications, the semi-permanent installation of shelving and equipment and kitchenette.

Any need for an ablution facility should be catered for at the rear (approx 1m from the rear wall) and occupying no more than 6sqm. This should be in some facility of part timber and part corrugated iron on a framed floor.

#### Recommended Actions

*Repair and repaint external joinery elements, maintain gravel footpaths, repair verandah roofing.*

#### The Lockup

The lock up is a primary building on the site. The interiors are also all of primary importance as is original graffiti. Any works to the exterior and interior should be for the purposes of repair, restoration and reconstruction as defined by the Burra Charter. No joinery elements should be removed from the building (ie built in elements such as doors must remain in-situ, no permanent furniture or equipment should be built into the building. Electricity may be discreetly introduced (underground) but no hydraulic services (ie sinks or taps) are appropriate to the interiors.

#### Recommended Actions

*Repair and repaint interior joinery elements only where necessary but avoiding covering up or removing historic graffiti elements, repair fretted brick in lobby floor and walls.*

#### General Policy: Minor Works Recommended and Not Recommended for the buildings

Works which may be done	Works which should not be done
Hooks, spikes minor bolts set into walls to attach furniture, small holes for chasing plumbing wiring and the like Attachment of mirrors, pictures, fixed cupboards to walls provided original joinery (eg skirtings, architraves) are not removed Plumbing hidden within the building	Large holes through walls for equipment or plumbing Plumbing exposed on the exterior of the building Removal of original skirtings or architraves to accommodate built-in furniture Removal of original court furniture
Attachment of equipment to walls with small bolts and spikes.	Cutting out sections of walls or surfaces or original joinery for attachment or setting in of equipment such as power boards and electrical boxes Attaching equipment to surfaces which cannot support them
Brickwork repair using original bricks and lime-sand mortar	Use of cement mortars, smearing over plumbing chases and holes with cement rather than neatly cut brick repairs
Maintenance of existing features and furniture using matching materials.	Adding features which never existed (eg plaster cornices in rooms where no cornices existed) or removing original features and then replacing them as new with in-exact matches to the original
Repair of lath and plaster ceilings using hard plasterer tradesman	Battening out and installing a new plasterboard ceiling below an existing ceiling
Installing special made Holland Blinds over windows in Courtroom Timber Venetian blind installation in remainder of rooms	Vertical strip blinds over original windows, reflective film over windows
Wire services in a flat conduit above existing skirtings, Wire services below floors or wire services hidden behind existing skirtings New flush plate neatly positioned terminal outlets for wire services, electrical services etc.	Ad hoc attachment of wire services to existing skirtings Different switch plate finishes, switch plates in locations that are highly visible or visually or physically damage the appearance of a room of primary significance.
Installing anti-UV non-reflective film on selective north windows in order to combat fading of documents and furnishings.	Adding reflective film to windows
Formed well-fitted utility hatches in timber floors with battening around the edge of the cut-out. Locations to be determined as part of an overall servicing scheme	Ad hoc cutting through and placement of roughly made hatches in timber floors. Ad-hoc cutting through and removal of floorboards to service sub floor cabling and plumbing.
Painting as part of an overall scheme of works in Courtroom, and Lobby area and judges retiring room	Ad hoc painting of rooms of primary significance.

#### 5.5 Future Use and Development

The site is a reserve for Public Uses, identified in Zone Map 31 of the Hepburn Planning Scheme as PUZ1 (Service and Utility).



A permit is not required for works associated with this activity.

The **no permit required** clauses in the Planning Scheme for the current zoning allows Circus, Extractive Industry, Tramway etc and these are all entirely inappropriate uses for this site.

The Planning Scheme Schedule to the Heritage Overlay (HO679) does not allow prohibited uses on this site, however there are no prohibited uses listed for Public Use Zone 1.

The limiting factors on the use of the site appears to be those matters considered to be of a Service and Utility nature while the Zoning is maintained as a PUZ1.

It is suggested that the current uses at the Courthouse and Residence are not in conformity with PUZ1 and as part of any consideration for any other site uses or reuse of the site, this issue must be clarified with the Statutory Planning Section of Hepburn Shire Council and an amendment to the Planning Scheme undertaken in line with what are considered appropriate uses.

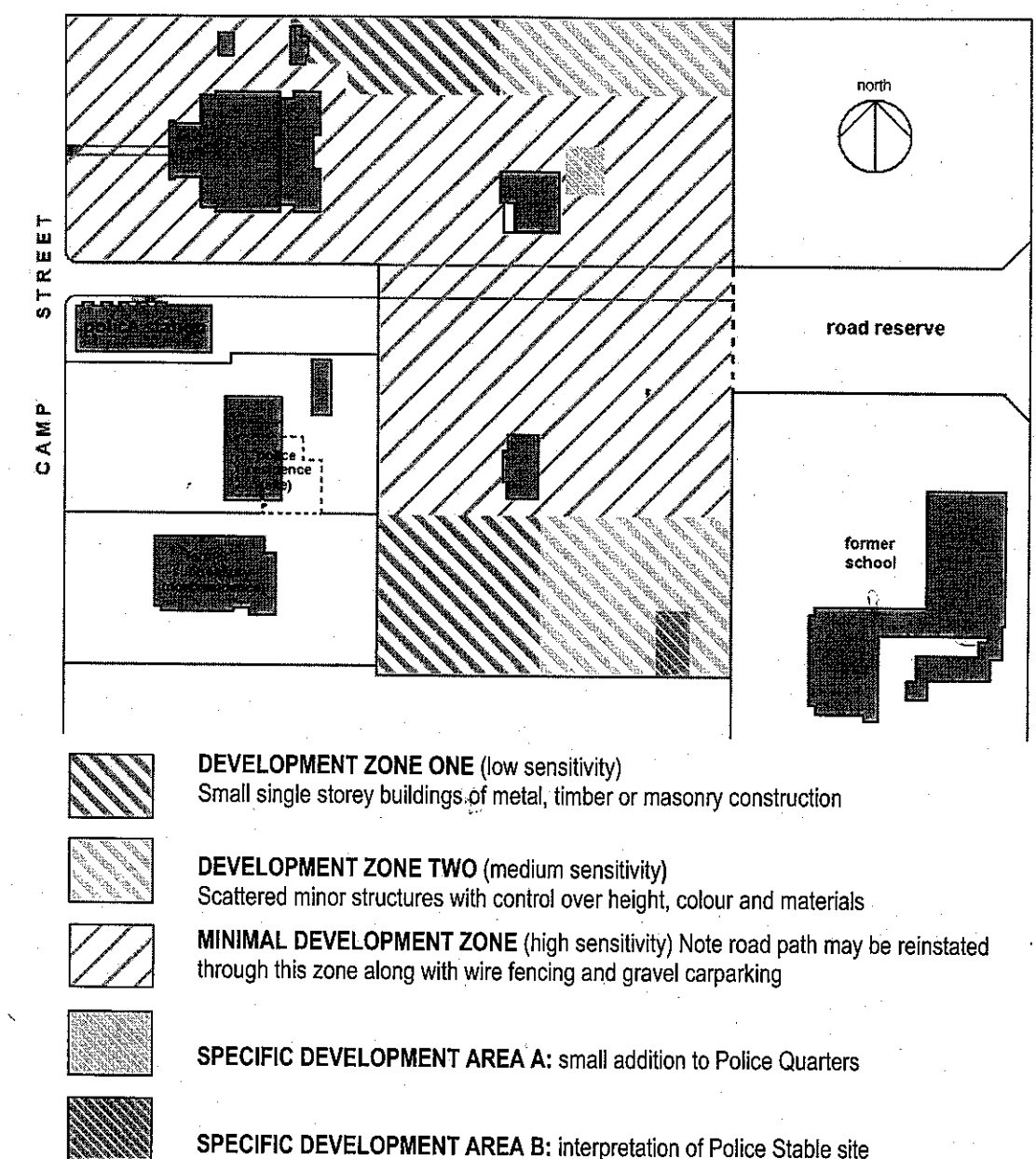
It is considered that PUZ7 is the most appropriate zoning for a broad group of community and government uses.

## Broad Scale Possible Uses for the site:

Setting aside the issue of conformity to PUZ1, the following table identifies uses that would be appropriate to retention of the historic fabric of the site. This table has been developed from a workshop held with the current Management Committee:

Courthouse	Police Quarters	Lock-up	Grounds
As is (education and community resource centre)	Minor gallery	Dry Storage of non-flammable materials, eg, canoes, barrels of climbing equipment, play equipment and the like	Development of teaching garden beds (north of Courthouse, east portion of land)
Other non-government facility	Residence	Minor gallery	Development of single storey roofed toilets and shed (north of Courthouse, east portion of land)
Community meeting facility (capacity < 100 persons)	Office space max 6 persons		Development of roofed single storey structures in south area, eg, meeting and class rooms
	Meeting rooms (eg legal services and similar) for one on one meetings		Agistment (goat, sheep, horse) provided that animals are re stabled elsewhere daily. Simple wire fencing would have to be established.
	As is (education and community resource centre)		Setting for limited outdoor sculpture
Interpretation	Interpretation	Interpretation	Interpretation

Map of Development Zones



## 5.6 Proposed Exemptions pursuant to Part 4, S.66 (3) Heritage Act 1995.

The nature of permit exemptions under the *Heritage Act* is to allow for certain minor works to be carried out without the need for engaging in the usual heritage permit process.

Permit Exemptions can include sunset clauses, causing the exemptions to expire by a certain time period or when a particular use ceases at the site.

### Current Permit Exemption Policy

There are no declared specific exemptions for the Courthouse, Residence and Lock-up.

### Proposed Permit Exemption Policy

#### Policy

The exemptions policy recognises that the buildings retain a high level of integrity. The purpose of the permit exemptions is to allow works that do not impact on the significance of the place to occur without the need for a permit. The exterior of the Daylesford Courthouse, Police Quarters and Lock-up are of prime importance within the government precinct. The interior of the courthouse is important as it reflects its use as a court: it retains original fittings and fixtures.

Alterations that impact on the significance of the exterior and interior are subject to permit applications.

#### General Conditions:

1. All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object.
2. Should it become apparent during further inspection or the carrying out of alterations that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such alteration shall cease and the Executive Director shall be notified as soon as possible.
3. If there is a conservation policy and plan approved by the Executive Director, all works shall be in accordance with it.
4. Nothing in this declaration prevents the Executive Director from amending or rescinding all or any of the permit exemptions.
5. Nothing in this declaration exempts owners or their agents from the responsibility to seek relevant planning or building permits from the responsible authority where applicable.
6. These exemptions shall cease when any part of the site changes use or is sold, or a new development is permitted on the site. Nothing prohibits the site owner or users from reapplying for a new suite of Permit Exemptions.

#### Exteriors

- Minor repairs and maintenance which replace like with like.
- Removal of extraneous items such as air conditioners, pipe work, ducting, wiring, antennae, aerials etc, and making good.
- Installation or repair of damp-proofing by either injection method or grouted pocket method.
- Regular garden maintenance.
- Installation, removal or replacement of garden watering systems.

#### Interiors

- Painting of previously painted walls and ceilings provided that preparation or painting does not remove evidence of the original paint or other decorative scheme.
- Installation, removal or replacement of carpets and/or flexible floor coverings.
- Installation, removal or replacement of curtain track, rods, blinds and other window dressings.
- Installation, removal or replacement of hooks, nails and other devices for the hanging of mirrors, paintings and other wall-mounted artworks.
- Refurbishment of bathrooms and toilets including removal, installation or replacement of sanitary fixtures and associated piping, mirrors, wall and floor coverings.
- Installation, removal or replacement of kitchen benches and fixtures including sinks, stoves, ovens, refrigerators, dishwashers etc and associated plumbing and wiring.
- Installation, removal or replacement of ducted, hydronic or concealed radiant type heating provided that the installation does not damage existing skirtings and architraves and provided that the location of the heating unit is concealed from view.
- Installation, removal or replacement of electrical wiring provided that all new wiring is fully concealed.
- Installation, removal or replacement of bulk insulation in the roof space.
- Installation, removal or replacement of smoke detectors.

#### Specific exemptions

##### Courthouse

Alterations to benches, sinks, hot water units and plumbing in the kitchen area within the original court building provided that no structural work is done to the historic building and no historic features are covered up or damaged.

Painting of previously painted surfaces. NB: Original brickwork is not to be covered over in an irreversible manner or painted over.

Any alterations to the interior of the 2001 extension to the courthouse provide that no damage is done or alterations made to the historic building during those works.

Alterations to the sink and vanity units in the WC area of the Courthouse.

Re-covering the floors in sheet linoleum.

The addition of Venetian Blinds to windows in work areas but not in the Courtroom.

On the exterior the repair of timberwork matching like for like, the repair of render provided that the render is of a matching composition and colour.

The repair of roofing slates with matching slates (Spanish Slates are not to be used).

##### Police Quarters

Painting of previously painted surfaces except for any exposed original decorative or paint schemes.

Alterations to existing sinks, plumbing and benches.

The addition of Venetian Blinds to windows.

The introduction of cabling below floors provided that an appropriately qualified electrician installs all outlets.

The laying of linoleums and carpets throughout.

The repainting of exterior joinery (doors, rafters, eaves, verandah valance and posts etc) in existing colours.

## Lock-up

The ongoing repair of the slate roof in matching slates (not Spanish slate).

Repair of roof plumbing in matching materials (galvanized metals) and to matching profiles.

Minor repairs to brick walls using identical bricks and lime-sand mortar.

Minor render and brick repairs to the building using 1 lime : 3 sand mortars (without removing historic graffiti).

## 6.0 CONSERVATION WORKS

### 6.1 Repair & Reconstruction Works to significant fabric

The recommended external repairs are (H) High Priority, (M) Medium Priority & (L) low priority

Area	Works	Priority	Cost
<i>Courthouse:</i>	Repair the brick floors to N & S loggia (take up & relay)	M	\$2250
	Repair of the render in the area around the formerly leaking downpipe (north exterior elevation of courtroom)	H	\$1000 \$600 hire \$1500
	North interior wall of Courtroom where the leaking down pipe has caused damage to plasterwork	H	\$1000
	Repairs to downpipes and drain lines		\$6000
	Treatment of damp to lower walls in rooms to south east corner of building & east wall of historic building	M-H	Allowance \$5000
	Inspect and rectify water ponding east wall area (near extension) cut in new drain line, carefully remove for reuse sections of verandah floor	H	
<i>Police Quarters</i>	The repair of timberwork to the interior and exterior and repainting (note some timberwork may be retained without painting to preserve the original paint scheme)	M-H	\$6000
	[care with removal of lead paint] Allowance for special removal		\$1500
	Removal of invasive weeds and reinstatement of the exterior pathways	L	\$250
<i>Lock-up</i>	The repair of brickwork (interior damaged bricks and lobby floor) and carpentry (minimal works). Use 1 lime : 3 sand for mortar	L	\$250
	The repair of small areas of render but without removing historic graffiti	L	\$300
<i>Grounds</i>	Rectification of drainage problem created by a natural spring at the base of retaining wall to east of courthouse (install new barrier, lower distribution box, change levels of drain)	Essential H	Allowance \$5000
	Underground power cable from street	L -desirable, not essential	\$10,000
	New Fence to Street	L Desirable	\$6000
	Remove remnant objects in front lawn	L	\$800
	Planting native eucalypt trees to rear of site (near eastern boundary)	L	\$1500
	Car Parking and access from top of site using repaired and upgraded paths	M	\$5000
	Landscape and interpretation of former stables site	L Desirable	\$4500

## 6.2 Maintenance and repair works to the site by priority

These works are essential maintenance and repairs to bring the site up to good condition and maintain it at that level.

Some items are overdue maintenance, some are maintenance repair as a result of a damage event (eg leaking downpipes) and some are items of development required for the ongoing use of the site.

An ongoing maintenance plan, to keep the buildings in good condition into the future, is provided in Appendix D.

The maintenance schedule is found in Appendix D.

## 6.3 Risk Management of the Site

These risk management tables are a predictive indicator for the ongoing management of the site and attempts to identify where likely detriment will arise.

*N- Nil to Negligible impact, L- low impact, M – medium impact, H – high impact*

Building / feature	Risk	Present impact	Future impact	Comments
Courthouse	Fire	L	L	Provided fire extinguishers and detectors are checked periodically the risk is currently and should remain low
	Vandalism & theft	L	L	Locality (adjacent to Police Station) and community use will keep these issues in check.
	Structural Adequacy	L	L	Building appears to have little structural problems to date and it is predicted that few will arise.
	Environmental Factors			Major issue will most likely be the need to continually mow open lawn areas particularly prior to and during fire season
	• Weathering	L	L	
	• Moisture/drainage	H	H	Rectification of drainage at rear of courthouse is critical
	• Vermin	L	L	
	• Invasive Vegetation	L	L	
	Visitor Use	M	M	Visitor use is probably no greater than was originally intended when the building was used as a courthouse.
	Lack of Use	L	L	Currently no foreseen lack of use
	Maintenance & management risks	L	L	Risk from inadequate maintenance is an issue given the limited resources available to the DNC. Risk from inappropriate management should not be a significant issue if advice from this CMP and the management authority (DSE or Parks Victoria) is followed.
	ASSESSMENT	<p>At minimal risk of damage or theft. Introduced non-historic portable office equipment is more likely to be at risk of theft.</p> <p>Recent works have repaired problems of rainwater damage and have upgraded all electrical and plumbing issues.</p> <p>Need to be vigilant with mowing of grassed areas given the increasing fire risks being faced in Victoria.</p> <p>Drainage problems at rear of courthouse (at retaining wall and adjacent to Courthouse) are a significant risk to the fabric.</p>		



Building / feature	Risk	Present impact	Future impact	Comments
Police Quarters	Fire	M	M	No fire protection from grass fire, management of vegetation prior to fire season must remain a priority
	Vandalism & theft	M	M	Potential for vandalism could remain a problem if there is no ongoing user or the actual usage hours is low. Isolation is a slight problem
	Structural Adequacy	L	L	Building appears to be sound and otherwise maintained. No apparent structural problems.
	Environmental Factors			Vermine and vegetation need control. The buildings exposed location could make it more susceptible to violent storms.
	• Weathering	M	L	
	• Moisture/drainage	M	M	
	• Vermin	H	L	
	• Invasive Vegetation	M	M	
	Visitor Use	N	N	Negligible visitor use now or foreseen.
	Lack of Use	M	M	Lack of use could lead to problems with vandalism and fire
	Maintenance & management risks	L	L	No real issues with current management if the building is provided with some ongoing use and the grassed landscape is regularly cut.
<b>ASSESSMENT</b>		Main risk will be through uncontrolled grass fires, vandalism and theft in the long periods when the building is not in use. Fire issues can be managed through present grass cutting regime.		

Building / feature	Risk	Present impact	Future impact	Comments
Lock-up	Fire	M	M	Potential for loss of building through arson and grass fires  No apparent fire fighting method in this immediate area.
	Vandalism & theft	M	M	Risk of vandalism and theft is related to its slightly isolated location although it is adjacent to the Police Station Building needs to be locked
	Structural Adequacy	L	L	Building appears to be structurally sound
	Environmental Factors			Risk of vermin (rats) and uncontrolled invasive plant damage
	• Weathering	L	L	
	• Moisture/drainage	L	L	
	• Vermin	M	M	
	• Invasive Vegetation	M	M	
	Visitor Use	N	L	Likely to be only irregular future visitation
	Lack of Use	M	M	Remains a problem if no ongoing sustainable use can be found. It is important to ensure no flammable or combustible material is stored in or near the building
	Maintenance & management risks	M	L	Building is not really managed except in response to requests to store goods in the building. Greater ongoing use and management should lower risks.
<b>ASSESSMENT</b>		Issues relate to ensuring a maintenance plan and implementing it, uncontrolled grass fire and vermin and inappropriate storage of combustible materials. It may be appropriate to have a 2m wide gravel landscape directly around all sides of the building		

#### 6.4 Management Issues for the site

The site is currently well managed although there are no obvious ongoing full time uses for the Lock-up and Police Quarters. It is possible that there will be no ongoing uses for the Lock-up other than for dry storage or a 'sometime' gallery.

The Police Quarters may be used as a residence for transient members of the arts community (writers, painters etc) but this would have to be sustained by a yearly grant to maintain the building and its furnishing for such use. It may however be more cost effective to sustain this type of use (ie artist in residence) through alternative accommodation elsewhere in the town.

The present usage of the Police Quarters (4-5 days per week) is sustainable although it would be useful to find a single full time occupant 'use' rather than the rotating uses. The building could be made more sustainable if there was lock up storage facility at this building and some increased security.

The major issue for the site overall is two-fold, allocating sufficient budget to repairs and ongoing maintenance (such as sustaining mowing around buildings and drain clearance) and finding appropriate trade skills for repair work.

Regular maintenance must occur on roof gutters, downpipes and drains and this is seen as a challenge in terms of time and money. A small cherry picker will need to be hired from time to time to clean out the higher gutters and downpipes.

Some specialist trade skills may have to be found in Bendigo, Castlemaine and Ballarat and even Melbourne (such as slating).

Fortunately, the trade skills required are not that broad, with the most important being joinery repairs for original furniture, window, door and skirting repairs.

Slate repairs may only need to be undertaken from time to time while render repair will also be an occasional matter.

A skilled roof plumber who can work with lead and galvanised metals making soldered joints for downpipes and gutters should also be sought out locally so that roof plumbing repairs can be carried out without delay if there is damage from a major storm. Cast iron downpipes and gutters will present another challenge in terms of repair costs.

#### Future Development:

The Department of Sustainability and Environment as owner expects that the Management Committee for the site report proposed alterations and developments to it as landowner.

DSE has the power of veto over any proposals that it considers to be to the detriment of Crown Land management.

Any Committee of Management will be made aware of its responsibilities in this regard and information can be found in a document titled 'Committee of Management: responsibilities and good practice guidelines Summary'.

This is available on line via the Department of Sustainability website: [www.dse.vic.gov.au/](http://www.dse.vic.gov.au/)

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## Online Resources

Darwin, Norm. 'Daylesford and District: A Short History'. <<[www2.sebas.vic.edu.au/staff/ndarwin/forward.htm](http://www2.sebas.vic.edu.au/staff/ndarwin/forward.htm)>>

## APPENDIX A HERITAGE LISTINGS

### Victorian Heritage Register

Daylesford Courthouse, former Police Quarters and Lock-up  
27 Camp Street, Daylesford

VHR Number	H1492
File Number	602757
Other Names	Lock-up, lockup
Year Construction Started	1862
Municipality	Hepburn Shire
Extent of Registration	All of the place known as Daylesford Courthouse, Former Police Quarters and Lock-Up, 27 Camp Street Daylesford
Other Listings 1	Hepburn Shire Planning Scheme
Architect/Designer	Public Works Department (Architect not known)
Architectural Style	Victorian Period (1851-1901) Romanesque
Heritage Act Categories	Heritage place

### Statement of Significance

The Former Daylesford police quarters and cell block are located uphill from the prominently sited courthouse (1862). Built in 1858, the single-storey quarters are constructed of rendered brick with a slate roof and consist of four rooms with a central passage. The building is double fronted with a hip-and-valley roof over the principal section and a hipped bay to the front and an abutting hipped verandah. The building is extremely simple and has more in common with the standard single-fronted design used by the Public Works Department between the late 1850s and 1880s. The building is in poor condition internally.

The contract date of 3 August 1858 means that this building is the oldest of the individual police quarters constructed by the Public Works Department as identified in Bruce Trethowan's Public Works Department research report. This would indicate that it was perhaps a precursor to some of the later standard designs developed for these small police buildings. The lockup was constructed in 1862 to replace an earlier building of 1858 and is a three-cell design with a central projecting porch and gabled roof. It is constructed of brick with dressed bluestone sills and quoining to the door surrounds. The cells are largely intact excepting some plumbing penetrations through the walls and the painting of the external brickwork. The cells are a standard Public Works Department design (one of two designs used for small cell blocks between the 1850s and 1880s) but a member of a small group (10) of this type known to exist. They are therefore certainly of historic interest in architectural terms and especially in terms of the social history of the settlement.

The courthouse was also constructed in 1862 and is one of a small group of courthouses that employ a pavilion design with a large two-storey gable with crenellated corbelling, a central porch and flanking single-storey hipped (in this case) wings with verandahs. The building is constructed of rendered brick with a slate roof and is externally intact. It is dramatically sited in the landscape, closing the long view from the Ballarat Road against the hill behind. The building is an architectural and landscape feature of Daylesford and of historical relevance to the development of the town.



## Register of the National Estate

Courthouse, Cell Block, Old Police Residence, 27 Camp St, Daylesford

Class: Historic

Legal Status: Registered (30 June 1992)

Place ID: 15270

Place File Number: 2/03/094/0008

### Statement of Significance:

The Courthouse, built during the early years of public building design in Victoria, exhibits unusual design elements. It incorporates an interesting porch arrangement, unusual main wall gable corbels and a gabled form to give visual effect to what is otherwise a simply detailed building. The building's design thus enhances this government structure's sense of authority in the streetscape (Criterion F.1). The cell block, an essential adjunct to a nineteenth century courthouse, reflects the standard Public Works Department design for the period. Similarly, the police residence, despite its poor condition, is a typical building of the period (Criterion D.2). This group of 1860s and 1870s judicial buildings have a strong association with the history of the town of Daylesford, and with the administrative history of the surrounding region (Criterion A.4). The group, complementing the nearby receipt and pay office, the old convent and nearby churches, makes an important contribution to the streetscape (Criterion E.1).

Official Values: Not Available

### Description:

The Daylesford Courthouse in Camp Street was constructed in 1862 to the designs of the PWD of Victoria, as also was the cell block. The old police residence dates probably from 1875 and is also a PWD design. A Mr Clayfield is understood to have been the builder. The Courthouse has a slate clad gabled roof. The main body is recessed to the facade, resulting in framed corners and a gable parapet which has feature corbels. There is a projecting central door surround giving the effect of a porch. The remainder of the building is unadorned. Rear wings to either side accommodate offices and have open shelters along their west (street) walls. The rear walls are face brick. The symmetrical cell block has a projecting central gable over the entrance and is constructed of face brick. The roof is clad with slate and has eaves. There is one cell to each side, linked by a passage inside the iron bar gate which serves the entrance. Behind this passage is a further room, originally an office. The old police residence is a double fronted brick building with four rooms, a hallway and a small front verandah. It was formerly known as Office and Men's Rooms and former Barracks and it stands at the rear of the Courthouse. Built of rendered brickwork, this building has a low pitched, slate clad roof.

History: Not Available

### Condition and Integrity:

The Courthouse is in good condition and is intact. The disused cell block is in reasonable condition and largely intact; exterior walls have been painted and toilet cisterns fitted externally to serve each cell. The disused Police Residence was in good condition until the 1980s, but then suffered vandalism such as a hole in one of the floors. It has since been locked and shuttered to protect it from further vandalism. (Feb1989)

Location: 27 Camp Street, Daylesford

### Bibliography:

National Trust of Australia (Victoria) File

Trethowan, Bruce, 'The Public Works Department of Victoria, 1851-1900', Research Report, Department of Architecture & Building, University of Melbourne, 1975.

Historic Places Section, Department of Conservation & Natural Resource. 'Former Police Residence Daylesford'. NEGP Report, 1995,



## National Trust of Australia (Victoria)

Courthouse

File number: B5432 [courthouse]; B4136 [police residence and lock-up]

VHR number: H1492

Location: 27 Camp Street DAYLESFORD

Significance level: State

Last updated: 3 August 1998

Municipality: Hepburn Shire

Images: (no images on file)

### Statement of Significance:

Group Statement of Significance: A more than usually intact group of public buildings, comprising an interesting courthouse of 1862 with a quasi-Lombardic gable treatment; a simple police residence of 1875; a standard lock-up of 1862; and the receipt and pay office of 1875, at 17 Camp Street, remarkable for primitive vernadiah [sic] brackets in the form of the Aeolic capital, and for the corbelled window and door heads on the side flank. Supporting and surpassing these government buildings are the neighbouring Albert Hotel, a charming structure with a Palladian window of the form favoured in Daylesford, and an intact wrought iron lamp bracket at the entrance; the bichrome (non-conformist church) on the west side; and on the east the red brick St Andrew's Presbyterian Church of 1903-4, by Inskip and Butler, and the Queen Anne manse by H H Kemp. Part of Group Classification (1.12.83) with File Numbers 4575 Receipt & Pay Office (form), 360 Albert Hotel, 5906 Queen Anne Manse St Andrew's Presbyterian Church & 5432 Daylesford Courthouse.



## APPENDIX B BUILDING WORKS UNDERTAKEN SINCE 1992

## Courthouse

1992	Mar	Removal of cream brick retaining wall from Camp Street frontage	
	May	Roof restoration including stripping and re-nailing of slates and the replacement of corrugated galvanised steel roofing, box and valley gutters, flashings, hip and ridge cappings and timber verge boards	
	Jul	Underpinning of pier to northwest verandah	\$2,750
		Installation of internal toilets	\$2,500
		Installation of kitchen cupboards and benches	\$2,913
	Aug	Works to sub-floor ventilation and damp-proof courses	\$600
	Oct	Removal of trees along south wall	\$170
1994	Jul	Replacement of window sashes and glazing	\$250
		Installation of security gate to staircase	\$180
		Repair works including re-hanging of door, re-attachment of mantelpiece, repair to windows and back door handle and making jury room door operable	\$352
1995	Jun	Construction of decking, steps and disabled ramp at rear	\$2,850
1997	May	Repairs and maintenance of gas heaters in courtroom	\$384
	Jun	Removal and replacement of concrete pathway, with new handrail to front steps	\$2,785
	Dec	Repair works including render and joinery repairs, and repainting	\$46,690
1998	Jan	Additional repair works including new lining boards to front door, new window sills, new window rails, new moulded plaster cornices and timber picture rails	\$24,850
		Repair of chimneys	
	Apr	Polish floorboards in former jury room	\$380
2001	Nov	Upgrade of electrical system including installation of new main switchboard	\$2,323
2002	Apr	New rear addition	-
	Jun	Restoration of brick wall at rear of courthouse	

## Police Residence

1994	Substantial repairs and restoration	\$54,000
1997 May	Sanding and polishing of kitchen and hallway flooring	\$418

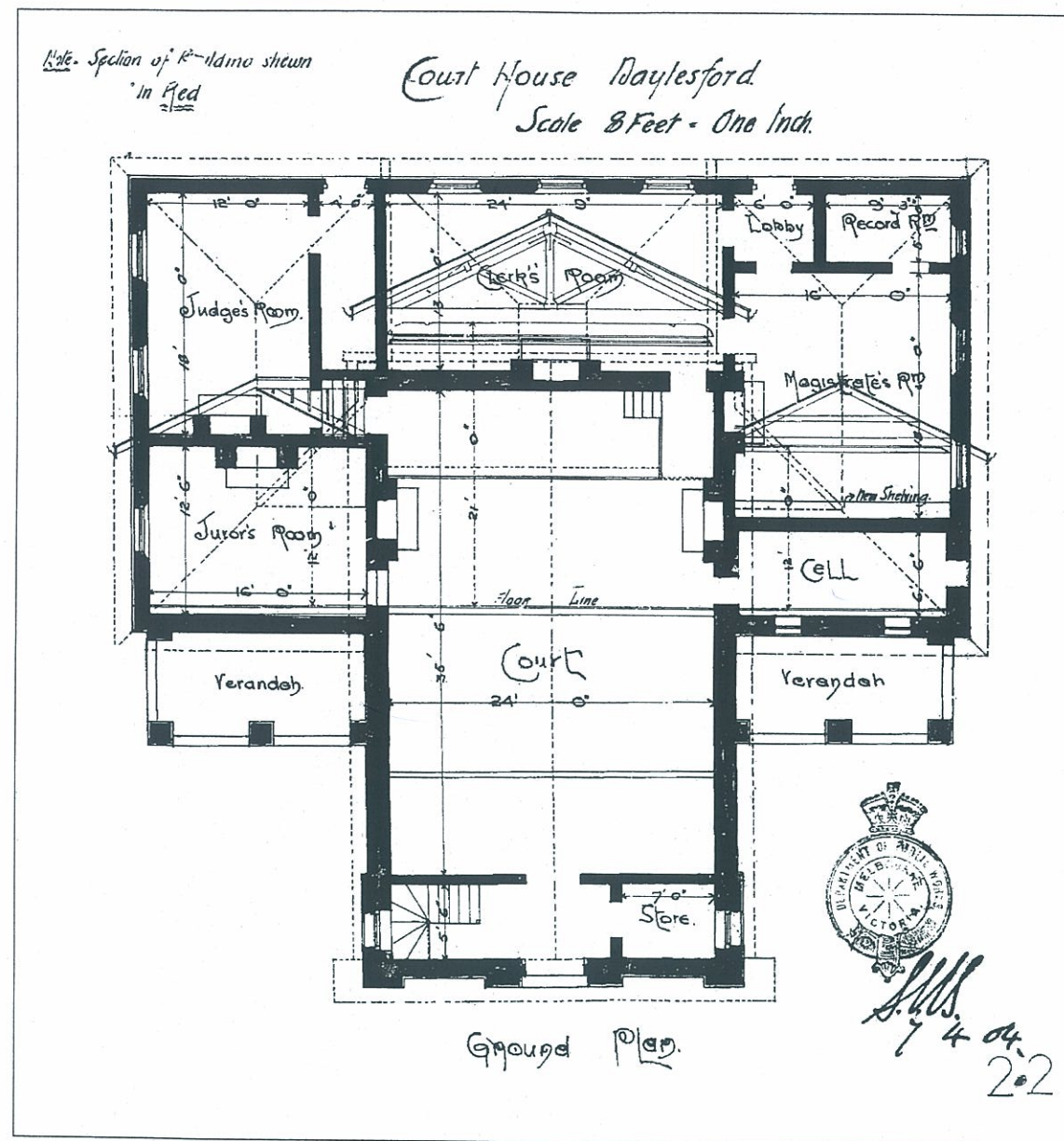
## Lock-up

2000	Repair works including roof timbers, roof plumbing and slates, removal of external paintwork, repointing of brickwork and reinstatement of lime-wash finish	
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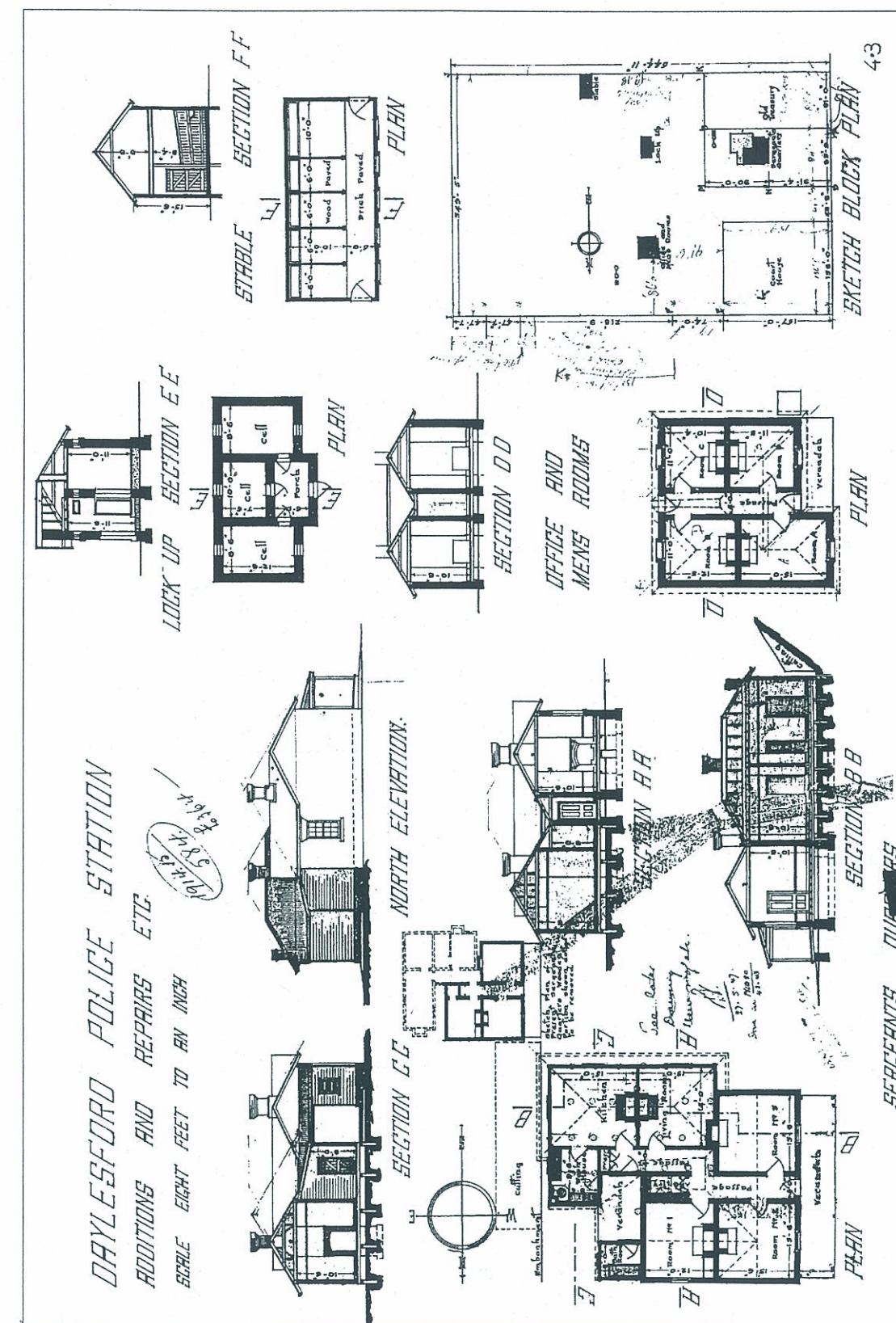
*Contract drawings for courthouse, signed and dated 26 November 1862. (Copy held by Parks Victoria)*



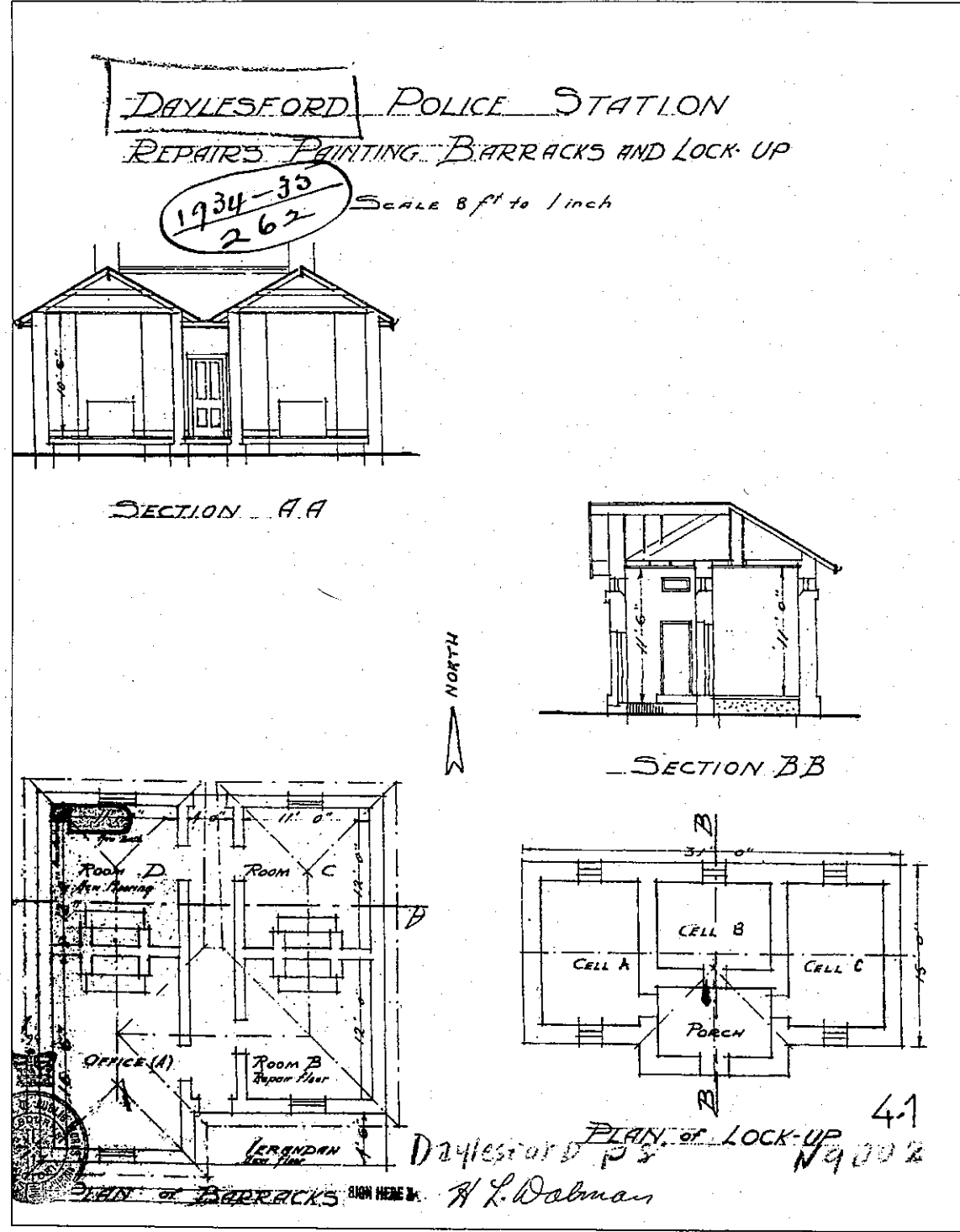




Contract drawing for minor alterations to courthouse, dated 7 April 1904. (Copy held by Parks Victoria)



Drawings for 'additions, repairs, etc' to police buildings, dated 1914. (Copy held by Parks Victoria)



Drawings for 'repairs, painting' to police buildings, dated 1934. (Copy held by Parks Victoria)

## APPENDIX D MAINTENANCE PLAN

### MAINTENANCE PLAN

#### Preamble

The plan is intended to maintain elements of importance in the complex of buildings.

The Courthouse is important to the extent of the original building fabric and its interior features such as original windows, doors and locks, fireplaces, timber mantles and metalwork, courtroom furniture (judge's benches, chairs, prisoner dock and so on) and the spatial arrangement of courtroom, jury bench and retirement areas, public areas, prisoner dock and cell, and magistrates and clerk areas.

The Police Quarters residence is important for its original layout, its intact detailing and the preserved sections of wallpaper revealed and interpreted inside.

The Lock-up is important for its intact condition, its original features including the heavy timber doors and heavy hardware and the prisoner graffiti of names and dates found in the interior.

Some maintenance costs are specific to the works involved and can only be determined by obtaining a quote for damage repair.

Some works require the hire of either a small cherry picker with an allowance of \$100/hr + gst (or less for a small elevated platform) up to \$150/hr + gst for a cherry picker with a reach to the upper roof of the Courthouse.

It is presumed that house keeping maintenance such as vacuuming, mopping, cleaning sinks, toilets etc will be carried out as part of maintaining a safe, clean and healthy environment and does not warrant inclusion in the Maintenance Schedule.



## MAINTENANCE PLAN BY DECREASING FREQUENCY

ITEM	INSPECTION WORK	FREQUENCY	WORK REQUIRED	WHO	BUDGET
		After heavy Storms			* Inspection cost # Work cost
Grounds Maintenance	Inspect for tree damage, split fallen limbs Severe erosion on embankments		Trimming fallen trees Erosion control	Occupant & Handyman	\$50*
Drains	Inspect for collapse, rubbish accumulation		Weed removal, sludge and rubbish removal Rebuilding	Occupant and Handyman Contractor	\$50*
External slates all roofs Courthouse, Police Quarters, Lock-up	Inspect after all heavy storms Inspect top and underside of roofing		Replace loose and damaged slates	Inspect: roofing contractor Repairs: roofing specialist	\$100* \$200 hire cost
External Gutters and Downpipes	Inspect for upturned flashings, leakages, overflowing gutters, water back up		Clean out: Hire cherry picker	Occupant & handyman	\$300* #+ \$200 hire cost
Chimney Tops and Parapets	Check that flue pieces are not storm damaged or chimneys have not been lightning damaged		Clean out: Hire Cherry Picker	Occupant & handyman	\$50* labour \$200 hire cost

			Note DNC to hold yearly contingency for emergency work in a compounded interest account		\$5000 works contingency
		Weekly			
External Doors	Inspect for closing and locking problems		Minor repair	Occupant & Handyman	\$0
Building General	Inspect for debris, cobwebs etc		Broom clean stones, dirt, cobwebs and debris from building, paths etc	Occupant & Handyman	\$50
		Fortnightly			
Grounds	Inspect for overgrowing & invasive planting (spring & summer months)		Weeding, mowing, fire reduction by removal of fallen and unused timber piles.	Occupant & Handyman	\$150
		Monthly			
Grounds	Inspect for overgrowing and invasive plants (autumn & winter months) Embankment erosion		Weeding, mowing, debris removal	Occupant & Handyman	\$200#
Pathways	Inspect for invasive plants		Weeding	Occupant & Handyman	Include with mowing
Interior Floor coverings	Inspect for wearing, tears, impact damage		Rotate carpets, use protective plastic runners or coir mats	Occupant & Handyman	\$0



Ground drains and sumps, trench drains	Inspect for sludge accumulation and invasive planting		Dig out sludge Remove weeds	Occupant & Handyman	\$150#
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		Quarterly			
Drains	Inspect for sludge and debris in trench drains and distributor sumps		Dig out, lift all drain and trench covers, dig out and remove accumulated debris	Handyman	\$150#
Nesting Birds & Rats	Inspect eaves, accessible wall tops, horizontal surfaces at eaves level		Remove nests of birds and rats	Handyman	\$100#
Light bulbs and electrical switches	Inspect for blown bulbs and non- functioning switches		Replace bulbs, clean out well glass fittings, check switches to determine whether to renew	Handyman	\$50#
		Twice yearly			
External gutters and downpipes	Inspect for corrosion, leakages, blocking, lack of support from hooks and brackets		Clean out remove debris Plumber to renew in like for like materials (galv metal or cast iron work). Galv metal to be soldered work	Handyman	\$500# + hire
Brick walls	Inspect for damp		Seek out cause (could be broken sewerage or rain downpipe), otherwise seek professional assistance - may require costly solution	Handyman	\$100* + professional advice
Pathways	Inspect for loss of gravel & other toppings		Buy gravel and spread around	Handyman	\$500#



		Yearly				
External Painting of Timber	Inspect for blistering, lifting peeling etc			Spot touch up	Handyman	\$800#
Exterior doors	Inspect for lock damage, hinge wear, warping etc, paint spot repairs			As required	Handyman	
Fascias	Inspect for any damage, loosening of attachment, rain damage, paint spot repairs			Reattach as required, touch up as required	Handyman	\$500# + hire
External windows	Inspect for wear, loosening of latches condition of sash ropes			Clean glass, open windows, replace sash cords if required, tighten latch fasteners	Handyman	\$250# if required
External water and central heaters	Check that accessible interior is free of leaf litter, pollen & dust Check system operates fully			Open covers and blow out or vacuum out any accumulated debris Overhaul as required by instruction booklet through qualified contractor	Inspection and simple clean out by occupant handyman Service by Contractor	\$50* + service costs
Fire services	Inspect working order of extinguishers and any exit signs			Maintain fire equipment	Fire service contractor	service costs
Fire detectors	Inspect working order of smoke detectors			Replace or carry out maintenance	Handyman or Fire service contractor	service costs

Water & Sewerage	Inspect for wearing of washers in sinks and O rings at flush pipes to toilets		Replace washers O rings and the like as required Clean out water cistern (scrub out accumulated minerals and dirt)	Certified Plumber for major plumbing issues Occupant Handyman for minor repairs	\$50# \$50#
Built-in furniture	Inspect for damage (borer, impact, wear etc)		Carry out detailed repairs using like for like materials. On historic furniture workmanship to be of the highest quality.	Handyman for non-historic furniture Joiner to be used for historic furniture.	Dependent on damage Allowance \$1500# contingency for damage
		2 years			
Roofing Slates	Visual inspection of slates and flashings		Renail or replace broken slates Check all flashings are properly seated	Handyman Slate Contractor	Dependent on damage Allowance \$1500# if required
Roofing Iron	Visual inspection for loose sheets, loosening screws and other fixings		Refix with new screws and washers, reseal flashings	Handyman	\$300#



Chimney Tops	Inspect for loose bricks, cracking or weather surface, loosening of any flue caps	3 years	Hire cherry picker Remortar loose bricks, chimney pots etc Apply slurry of weather topping	Handyman Bricklayer	\$1500# + hire costs
Painting of Timber	Inspect for general touch up of surfaces internally and externally	5 years	Repaint damaged surfaces	Painter	\$5000#
External Painting: Timber	Inspect for signs of blistering, peeling, water damage to end grains Allow for full repaint of surfaces	10 years	Clean down exterior, sand back timber surfaces, remove loose and flaking paint	Inspect: Occupant Work: painting Contractor	\$5000#
External Painting: Render	Inspect for blistering, peeling, water damage, effervescent salts on surface Inspect for blistering of washes on Lock-up and Police Residence		Clean back loose and flaking paint, remove areas of substrate which are failing, remake surfaces in cement render	Contractor	\$15000#
Electrical	Ensure no vermin damage to cables Maintain power board		Repair with electrical contractor	Certified Electrical contractor	Dependent on task

## APPENDIX E FUNDING SOURCES

The following is a list of possible sources of funding for capital works to the Daylesford Courthouse complex, both specifically heritage-related and general works, as well as for other activities of the Daylesford Neighbourhood House (which could then release more funds from the budget for capital works).

- **Regional Partnerships Grants Program**, Dept of Transport and Regional Services

Aims to encourage partnerships with communities, government and private sector and supports projects that focus on: strengthening growth and opportunities for economic and social participation in the community; improving access to services, giving priority to communities in regional Australia with a population of less than 5,000. Previous grants have included \$72,000 for the restoration of Oxley Hall.

No limit to funding specified, but requests for more than \$250,000 closely scrutinised. Eligible organisations include: non-profit organisations, local government, and the private sector.

First step in application is to contact the nearest Local Area Consultative Committee ([www.acc.gov.au](http://www.acc.gov.au)). For more information, see [www.regionalpartnerships.gov.au](http://www.regionalpartnerships.gov.au).

- **National Heritage Investment Incentive**, Environment Australia/Dept of Environment and Heritage

Provides assistance to restore and conserve heritage places listed on the National Heritage List or a state government statutory heritage register (eg, VHR). Priority given to places on the National Heritage List. Eligible projects include: works to repair, reinstate or restore fabric; works to protect or stabilise fabric or to reverse the causes of deterioration; works to remove threats to public safety. Projects must be informed by an approved management plan (5 years old or less).

Grants range from \$10,000 to \$500,000. Eligible applicants include: legally incorporated not-for-profit bodies, state government departments, agencies and authorities.

Contact: [heritagegrants@deh.gov.au](mailto:heritagegrants@deh.gov.au). For more information, see: [www.deh.gov.au/heritage/programs/](http://www.deh.gov.au/heritage/programs/).

- **Community Support Grants**, Dept for Victorian Communities

Support projects that foster community planning, improved skills in the community, strengthened community organisations and community infrastructure.

Grant amounts: up to \$30,000 for Planning projects; up to \$500,000 for Strengthening Communities; \$50,000 to \$1,000,000 for Building Community Infrastructure. The program provides between one and four dollars for every dollar successful applicants contribute to the project. Eligible applicants include: community organisations, local government.

For more information, call: 1 300 366 356; or see:

[http://www.grants.dvc.vic.gov.au/docs/ProgramOverview\\_CommunitySupport.pdf](http://www.grants.dvc.vic.gov.au/docs/ProgramOverview_CommunitySupport.pdf).

- **Small Towns Development Fund** (Regional Infrastructure Development Fund), Dept of Innovation, Industry and Regional Development – Regional Development Victoria

The objectives of the fund are to: assist small rural towns (population of less than 10,000) to create new opportunities for economic growth and develop economic and social infrastructure; support projects that aim to enhance the appeal of rural communities and that contribute to economic development. One of the three priority areas is heritage projects (projects of cultural and historical significance).

The Government's contribution is two thirds of the cost of a project for a maximum amount of \$250,000. Eligibility: projects must be located within one of the 48 Councils defined as rural/regional.

For more information, ring: 9651 9235, or see: [www.business.vic.gov.au/RIDF](http://www.business.vic.gov.au/RIDF).



## Heritage Loan Scheme, Hepburn Shire Council

The aim of the scheme is to provide low interest loans, which will assist people undertaking restoration work to buildings, sites or objects located within the Shire. The type of projects that are eligible for Heritage Loans are those which involve work on a heritage building, object or place, that is either listed, or proposed to be listed in the Hepburn Planning Scheme.

Loans of between \$1,000 and \$5,000 will be made available each year. The terms of the loan agreement will require loans to be repaid within three years, or in the case of a \$1,000 loan within twelve months. In order to be eligible to apply for a loan you must be either the owner of the property or have the owner's consent.

For more information, contact Judith Bedford, Manager Planning & Economic Development or Amanda Jean, Council's Heritage Advisor.

## Community Enterprise Foundation – Small Community Grants Program, Bendigo Bank

Preference will be given to projects that support: community capacity building projects; public education, including tertiary education, school building and libraries; innovative community services; cultural and arts initiatives; and environmental projects.

Grants are up to \$10,000. Eligibility: charitable and not-for-profit organisations.

For more information, ring: 1 300 304 541, or see: [www.bendigobank.com.au/public/foundation/index.asp](http://www.bendigobank.com.au/public/foundation/index.asp).

## Small Grants for Small Rural Communities Program, Foundation for Rural and Regional Renewal

Currently the focus of funding is on projects addressing: community hardship in drought-affected areas; retention of young people in rural and regional Australia; resettlement of immigrants in rural Australia; and community infrastructure. Community buildings and halls have featured in funding allocations recently.

Grants of up to \$5,000. Eligibility: Communities with a population of 10,000 or less, also not-for-profit organisation in these communities, contributing to social and community welfare, economic, environmental, health, education or cultural area.

For more information, ring: 5443 7300, or see: [www.frrr.org.au](http://www.frrr.org.au).

## Volunteer Group Grants, Parks Victoria

The projects funded aim to: help local groups to deliver projects which protect and enhance the natural, cultural and heritage values of parks and reserves; provide diverse recreational, educational, cultural and tourism opportunities. Funding is available to community groups for projects in five categories: Environment, Recreation, Heritage, Community Awareness and Multicultural Diversity.

Funding in 2004/05 of a total \$500,000 went to 150 projects. Eligibility: limited to community groups (including not-for-profit organisations) on land managed by Parks Victoria.

For more information, ring: 13 19 63, or see: [www.parkweb.vic.gov.au](http://www.parkweb.vic.gov.au).

## Victorian Volunteer Small Grants, Dept for Victorian Communities

The grants are to encourage local community organisations to attract new volunteers from diverse backgrounds and create new volunteer opportunities.

Grants of up to \$5,000. Eligibility: community not-for-profit organisations in Victoria that involve volunteers at a local level.

For more information, ring: 1 300 366 356, or see: [www.grants.dvc.vic.gov.au](http://www.grants.dvc.vic.gov.au).

## APPENDIX F THE BURRA CHARTER

### The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance

#### Preamble

Considering the International Charter for the Conservation and Restoration of Monuments and Sites (Venice 1964), and the Resolutions of the 5th General Assembly of the International Council on Monuments and Sites (ICOMOS) (Moscow 1978), the *Burra Charter* was adopted by Australia ICOMOS (the Australian National Committee of ICOMOS) on 19 August 1979 at Burra, South Australia. Revisions were adopted on 23 February 1981, 23 April 1988 and 26 November 1999.

The Burra Charter provides guidance for the conservation and management of places of cultural significance (cultural heritage places), and is based on the knowledge and experience of Australia ICOMOS members.

Conservation is an integral part of the management of places of cultural significance and is an ongoing responsibility.

#### Who is the Charter for?

The Charter sets a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance, including owners, managers and custodians.

#### Using the Charter

The Charter should be read as a whole. Many articles are interdependent. Articles in the Conservation Principles section are often further developed in the Conservation Processes and Conservation Practice sections. Headings have been included for ease of reading but do not form part of the Charter.

The Charter is self-contained, but aspects of its use and application are further explained in the following Australia ICOMOS documents:

- Guidelines to the *Burra Charter*: Cultural Significance;
- Guidelines to the *Burra Charter*: Conservation Policy;
- Guidelines to the *Burra Charter*: Procedures for Undertaking Studies and Reports;
- Code on the Ethics of Coexistence in Conserving Significant Places.

#### What places does the Charter apply to?

The Charter can be applied to all types of places of cultural significance including natural, indigenous and historic places with cultural values.

The standards of other organisations may also be relevant. These include the *Australian Natural Heritage Charter* and the *Draft Guidelines for the Protection, Management and Use of Aboriginal & Torres Strait Islander Cultural Heritage Places*.

#### Why conserve?

Places of cultural significance enrich people's lives, often providing a deep and inspirational sense of connection to community and landscape, to the past and to lived experiences. They are historical records, that are important as tangible expressions of Australian identity and experience. Places of cultural significance reflect the diversity of our communities, telling us about who we are and the past that has formed us and the Australian landscape. They are irreplaceable and precious.

These places of cultural significance must be conserved for present and future generations.

The *Burra Charter* advocates a cautious approach to change: do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.



**Article 1 Definitions****For the purpose of this Charter:**

- 1.1 *Place* means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.  
The concept of place should be broadly interpreted. The elements described in Article 1.1 may include memorials, trees, gardens, parks, places of historical events, urban areas, towns, industrial places, archaeological sites and spiritual and religious places.
- 1.2 *Cultural significance* means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.  
Cultural significance is embodied in the *place* itself, its *fabric*, *setting*, *use*, *associations*, *meanings*, records, *related places* and *related objects*.  
Places may have a range of values for different individuals or groups.  
The term cultural significance is synonymous with heritage significance and cultural heritage value.  
Cultural significance may change as a result of the continuing history of the place.  
Understanding of cultural significance may change as a result of new information.
- 1.3 *Fabric* means all the physical material of the *place* including components, fixtures, contents, and objects.  
Fabric includes building interiors and sub-surface remains, as well as excavated material.  
Fabric may define spaces and these may be important elements of the significance of the place.
- 1.4 *Conservation* means all the processes of looking after a *place* so as to retain its *cultural significance*.
- 1.5 *Maintenance* means the continuous protective care of the *fabric* and *setting* of a *place*, and is to be distinguished from repair. Repair involves *restoration* or *reconstruction*.  
The distinctions referred to, for example in relation to roof gutters, are
- maintenance and regular inspection and cleaning of gutters;
  - repair involving restoration and returning of dislodged gutters;
- repair involving reconstruction and replacing decayed gutters.
- 1.6 *Preservation* means maintaining the *fabric* of a *place* in its existing state and retarding deterioration.  
It is recognised that all places and their components change over time at varying rates.
- 1.7 *Restoration* means returning the existing *fabric* of a *place* to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.
- 1.8 *Reconstruction* means returning a *place* to a known earlier state and is distinguished from *restoration* by the introduction of new material into the *fabric*.  
New material may include recycled material salvaged from other places. This should not be to the detriment of any place of cultural significance.
- 1.9 *Adaptation* means modifying a *place* to suit the existing *use* or a proposed *use*.
- 1.10 *Use* means the functions of a place, as well as the activities and practices that may occur at the place.
- 1.11 *Compatible use* means a *use* which respects the *cultural significance* of a *place*. Such a use involves no, or minimal, impact on cultural significance.
- 1.12 *Setting* means the area around a *place*, which may include the visual catchment.
- 1.13 *Related place* means a *place* that contributes to the *cultural significance* of another place.
- 1.14 *Related object* means an object that contributes to the *cultural significance* of a *place* but is not at the place.
- 1.15 *Associations* mean the special connections that exist between people and a *place*. Associations may include social or spiritual values and cultural responsibilities for a place.
- 1.16 *Meanings* denote what a *place* signifies, indicates, evokes or expresses. Meanings generally relate to intangible aspects such as symbolic qualities and memories.
- 1.17 *Interpretation* means all the ways of presenting the *cultural significance* of a *place*.  
Interpretation may be a combination of the treatment of the fabric (e.g. maintenance, restoration, reconstruction); the use of and activities at the place; and the use of introduced explanatory material.

**Conservation Principles****Article 2 Conservation and Management**

- 2.1 *Places of cultural significance* should be conserved.
- 2.2 The aim of *conservation* is to retain the *cultural significance* of a *place*.
- 2.3 *Conservation* is an integral part of good management of *places of cultural significance*.
- 2.4 *Places of cultural significance* should be safeguarded and not put at risk or left in a vulnerable state.

**Article 3 Cautious approach**

- 3.1 *Conservation* is based on a respect for the existing *fabric*, *use*, *associations* and *meanings*. It requires a cautious approach of changing as much as necessary but as little as possible. The traces of additions, alterations and earlier treatments to the fabric of a place are evidence of its history and uses which may be part of its significance. Conservation action should assist and not impede their understanding.
- 3.2 Changes to a *place* should not distort the physical or other evidence it provides, nor be based on conjecture.

**Article 4 Knowledge, skills and techniques**

- 4.1 *Conservation* should make use of all the knowledge, skills and disciplines which can contribute to the study and care of the *place*.
- 4.2 Traditional techniques and materials are preferred for the *conservation* of significant *fabric*. In some circumstances modern techniques and materials which offer substantial conservation benefits may be appropriate. The use of modern materials and techniques must be supported by firm scientific evidence or by a body of experience.

**Article 5 Values**

- 5.1 *Conservation* of a *place* should identify and take into consideration all aspects of cultural and natural significance without unwarranted emphasis on any one value at the expense of others. Conservation of places with natural significance is explained in the Australian Natural Heritage Charter. This Charter defines natural significance to mean the importance of ecosystems, biological diversity and geodiversity for their existence value, or for present or future generations in terms of their scientific, social, aesthetic and life-support value.
- 5.2 Relative degrees of *cultural significance* may lead to different *conservation* actions at a place. A cautious approach is needed, as understanding of cultural significance may change. This article should not be used to justify actions which do not retain cultural significance.

**Article 6 Burra Charter Process**

- 6.1 The *cultural significance* of a *place* and other issues affecting its future are best understood by a sequence of collecting and analysing information before making decisions. Understanding cultural significance comes first, then development of policy and finally management of the place in accordance with the policy. *The Burra Charter* process, or sequence of investigations, decisions and actions, is illustrated in the accompanying flowchart.
- 6.2 The policy for managing a *place* must be based on an understanding of its *cultural significance*.
- 6.3 Policy development should also include consideration of other factors affecting the future of a *place* such as the owner's needs, resources, external constraints and its physical condition.

**Article 7 Use**

- 7.1 Where the *use* of a *place* is of *cultural significance* it should be retained.
- 7.2 A *place* should have a *compatible use*. The policy should identify a use or combination of uses or constraints on uses that retain the cultural significance of the place. New use of a place should involve minimal change, to significant fabric and use; should respect associations and meanings; and where appropriate should provide for continuation of practices which contribute to the cultural significance of the place.

**Article 8 Setting**

- 8.1 *Conservation* requires the retention of an appropriate visual *setting* and other relationships that contribute to the *cultural significance* of the *place*.  
New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.  
Aspects of the visual setting may include use, siting, bulk, form, scale, character, colour, texture and materials. Other relationships, such as historical connections, may contribute to interpretation, appreciation, enjoyment or experience of the place.

**Article 9 Location**



- 9.1 The physical location of a *place* is part of its *cultural significance*. A building, work or other component of a place should remain in its historical location. Relocation is generally unacceptable unless this is the sole practical means of ensuring its survival.
- 9.2 Some buildings, works or other components of *places* were designed to be readily removable or already have a history of relocation. Provided such buildings, works or other components do not have significant links with their present location, removal may be appropriate.
- 9.3 If any building, work or other component is moved, it should be moved to an appropriate location and given an appropriate use. Such action should not be to the detriment of any *place* of *cultural significance*.

**Article 10 Contents**

Contents, fixtures and objects which contribute to the *cultural significance* of a *place* should be retained at that place. Their removal is unacceptable unless it is: the sole means of ensuring their security and *preservation*; on a temporary basis for treatment or exhibition; for cultural reasons; for health and safety; or to protect the place. Such contents, fixtures and objects should be returned where circumstances permit and it is culturally appropriate.

**Article 11 Related Places and Objects**

The contribution which *related places* and *related objects* make to the *cultural significance* of the *place* should be retained.

**Article 12 Participation**

*Conservation*, *interpretation* and management of a *place* should provide for the participation of people for whom the place has special *associations* and *meanings*, or who have social, spiritual or other cultural responsibilities for the place.

**Article 13 Co-existence of Cultural Values**

Co-existence of cultural values should be recognised, respected and encouraged, especially in cases where they conflict.

For some places, conflicting cultural values may affect policy development and management decisions. In this article, the term cultural values refers to those beliefs which are important to a cultural group, including but not limited to political, religious, spiritual and moral beliefs. This is broader than values associated with cultural significance.

**Conservation Processes****Article 14 Conservation Processes**

*Conservation* may, according to circumstance, include the processes of: retention or reintroduction of a *use*; retention of *associations* and *meanings*; *maintenance*, *preservation*, *restoration*, *reconstruction*, *adaptation* and *interpretation*; and will commonly include a combination of more than one of these. There may be circumstances where no action is required to achieve conservation.

**Article 15 Change**

- 15.1 Change may be necessary to retain *cultural significance*, but is undesirable where it reduces cultural significance. The amount of change to a *place* should be guided by the *cultural significance* of the place and its appropriate *interpretation*. When change is being considered, a range of options should be explored to seek the option which minimises the reduction of cultural significance.
- 15.2 Changes which reduce *cultural significance* should be reversible, and be reversed when circumstances permit. Reversible changes should be considered temporary. Non-reversible change should only be used as a last resort and should not prevent future conservation action.
- 15.3 Demolition of significant *fabric* of a *place* is generally not acceptable. However, in some cases minor demolition may be appropriate as part of *conservation*. Removed significant fabric should be reinstated when circumstances permit.
- 15.4 The contributions of all aspects of *cultural significance* of a *place* should be respected. If a place includes *fabric*, *uses*, *associations* or *meanings* of different periods, or different aspects of cultural significance, emphasising or interpreting one period or aspect at the expense of another can only be justified when what is left out, removed or diminished is of slight cultural significance and that which is emphasised or interpreted is of much greater cultural significance.

**Article 16 Maintenance**

*Maintenance* is fundamental to *conservation* and should be undertaken where *fabric* is of *cultural significance*

and its *maintenance* is necessary to retain that *cultural significance*.

**Article 17 Preservation**

*Preservation* is appropriate where the existing *fabric* or its condition constitutes evidence of *cultural significance*, or where insufficient evidence is available to allow other *conservation* processes to be carried out.

*Preservation* protects fabric without obscuring the evidence of its construction and use. The process should always be applied:

- where the evidence of the fabric is of such significance that it should not be altered;
- where insufficient investigation has been carried out to permit policy decisions to be taken in accord with Articles 26 to 28.

New work (e.g. stabilisation) may be carried out in association with preservation when its purpose is the physical protection of the fabric and when it is consistent with Article 22.

**Article 18 Restoration and reconstruction**

*Restoration* and *reconstruction* should reveal culturally significant aspects of the *place*.

**Article 19 Restoration**

*Restoration* is appropriate only if there is sufficient evidence of an earlier state of the *fabric*.

**Article 20 Reconstruction**

- 20.1 *Reconstruction* is appropriate only where a *place* is incomplete through damage or alteration, and only where there is sufficient evidence to reproduce an earlier state of the *fabric*. In rare cases, reconstruction may also be appropriate as part of a *use* or practice that retains the *cultural significance* of the place.
- 20.2 *Reconstruction* should be identifiable on close inspection or through additional *interpretation*.

**Article 21 Adaptation**

Adaptation must be limited to that which is essential to a use for the place determined in accordance with Articles 6 and 7

- 21.1 *Adaptation* is acceptable only where the adaptation has minimal impact on the *cultural significance* of the *place*. *Adaptation* is acceptable only where the adaptation has minimal impact on the *cultural significance* of the *place*.
- 21.2 *Adaptation* should involve minimal change to significant fabric, achieved only after considering alternatives.

**Article 22 New Work**

- 22.1 New work such as additions to the *place* may be acceptable where it does not distort or obscure the *cultural significance* of the place, or detract from its *interpretation* and appreciation. New work may be sympathetic if its siting, bulk, form, scale, character, colour, texture and material are similar to the existing fabric, but imitation should be avoided.
- 22.2 New work should be readily identifiable as such.

**Article 23 Conserving Use**

Continuing, modifying or reinstating a significant *use* may be appropriate and preferred forms of *conservation*. These may require changes to significant *fabric* but they should be minimised. In some cases, continuing a significant use or practice may involve substantial new work.

**Article 24 Retaining associations and meanings**

- 24.1 Significant *associations* between people and a *place* should be respected, retained and not obscured. Opportunities for the *interpretation*, commemoration and celebration of these associations should be investigated and implemented. For many places associations will be linked to use.
- 24.2 Significant *meanings*, including spiritual values, of a *place* should be respected. Opportunities for the continuation or revival of these meanings should be investigated and implemented.

**Article 25 Interpretation**

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

**Article 26 Applying the Burra Charter process**

- 26.1 Work on a *place* should be preceded by studies to understand the place which should include analysis of physical, documentary, oral and other evidence, drawing on appropriate knowledge, skills and disciplines. The

results of studies should be up to date, regularly reviewed and revised as necessary.

- 26.2 Written statements of *cultural significance* and policy for the *place* should be prepared, justified and accompanied by supporting evidence. The statements of significance and policy should be incorporated into a management plan for the place. Statements of significance and policy should be kept up to date by regular review and revision as necessary. The management plan may deal with other matters related to the management of the place.

- 26.2 Groups and individuals with *associations* with a *place* as well as those involved in its management should be provided with opportunities to contribute to and participate in understanding the *cultural significance* of the place. Where appropriate they should also have opportunities to participate in its *conservation* and management.

#### Article 27 Managing Change

- 27.1 The impact of proposed changes on the *cultural significance* of a *place* should be analysed with reference to the statement of significance and the policy for managing the place. It may be necessary to modify proposed changes following analysis to better retain cultural significance.
- 27.2 Existing *fabric*, *use*, *associations* and *meanings* should be adequately recorded before any changes are made to the *place*.

#### Article 28 Disturbance of Fabric

Disturbance of significant *fabric* for study, or to obtain evidence, should be minimised. Study of a *place* by any disturbance of the fabric, including archaeological excavation, should only be undertaken to provide data essential for decisions on the *conservation* of the place, or to obtain important evidence about to be lost or made inaccessible. Investigation of a *place* which requires disturbance of the *fabric*, apart from that necessary to make decisions, may be appropriate provided that it is consistent with the policy for the place. Such investigation should be based on important research questions which have potential to substantially add to knowledge, which cannot be answered in other ways and which minimises disturbance of significant fabric.

#### Article 29 Responsibility for Decisions

The organisations and individuals responsible for management decisions should be named and specific responsibility taken for each such decision.

#### Article 30 Direction, Supervision and Implementation

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

#### Article 31 Documenting evidence and decisions

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

#### Article 32 Records

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

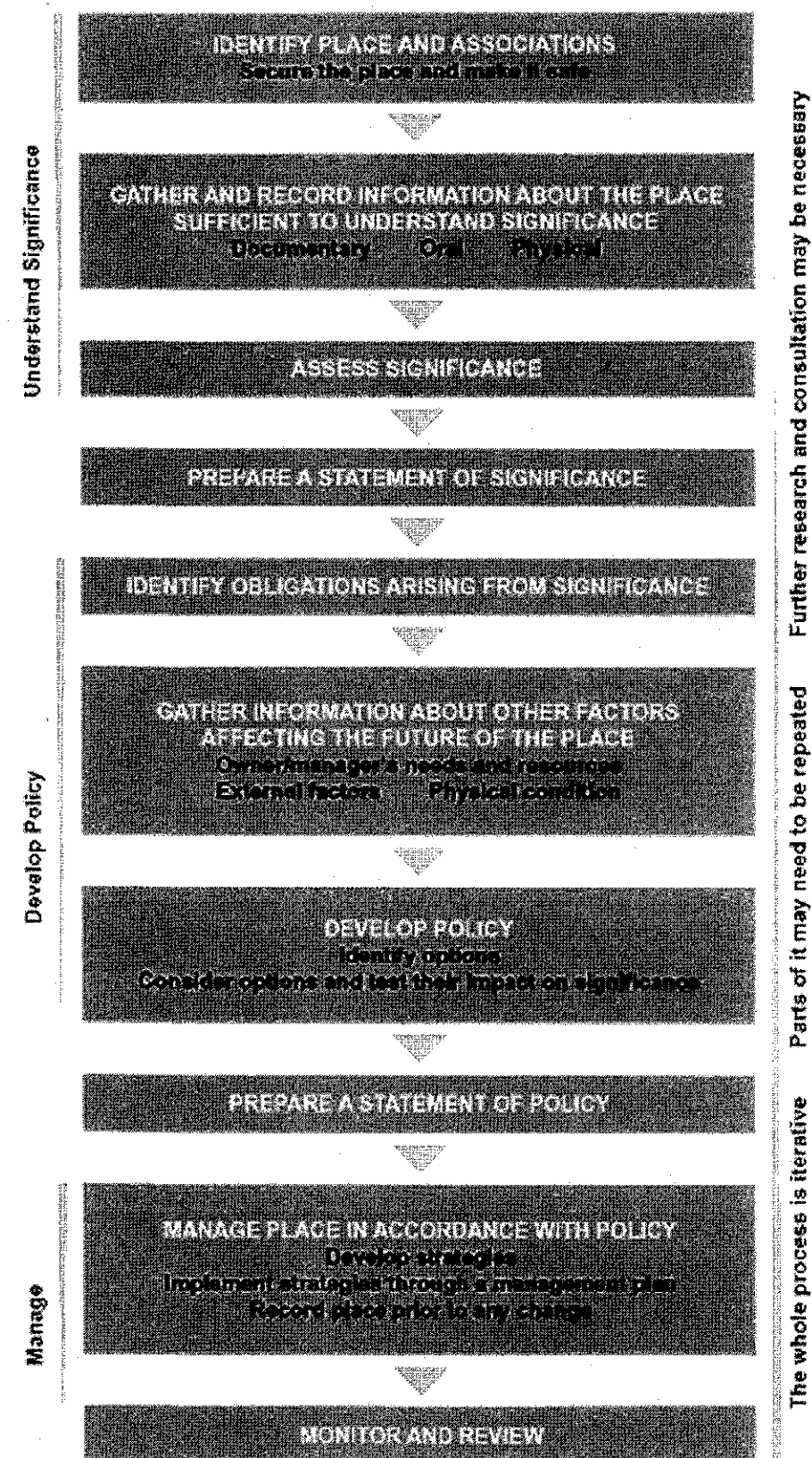
#### Article 33 Removed Fabric

Significant *fabric* which has been removed from a *place* including contents, fixtures and objects, should be catalogued, and protected in accordance with its *cultural significance*.

Where possible and culturally appropriate, removed significant fabric including contents, fixtures and objects, should be kept at the place.

#### Article 34 Resources

Adequate resources should be provided for *conservation*. The best conservation often involves the least work and can be inexpensive.



Further research and consultation may be necessary  
Parts of it may need to be repeated  
The whole process is iterative