

# Courthouse and Norfolk Island pines (former)

## Item details

Name of item: Courthouse and Norfolk Island pines (former)  
Other name/s: Clerk of Petty Sessions (former)  
Type of item: Complex / Group  
Group/Collection: Law Enforcement  
Category: Courthouse  
Location: Lat: -31.4287921973 Long: 152.9097027480  
Primary address: Clarence Street (cnr), Port Macquarie, NSW 2444  
Parish: Macquarie  
County: Macquarie  
Local govt. area: Port Macquarie-Hastings  
Local Aboriginal Land Council: Birpai

## Property description

Lot/Volume Code	Lot/Volume Number	Section Number	Plan/Folio Code	Plan/Folio Number
LOT	675		DP	722652

## All addresses

Street Address	Suburb/town	LGA	Parish	County	Type
Clarence Street (cnr)	Port Macquarie	Port Macquarie-Hastings	Macquarie	Macquarie	Primary Address
Hay Street (cnr)	Port Macquarie	Port Macquarie-Hastings	Macquarie	Macquarie	Alternate Address

## Owner/s

Organisation Name	Owner Category	Date Ownership Updated
Department of Planning and Infrastructure	State Government	16 Oct 97

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## Statement of significance:

The Courthouse reflects the role of Port Macquarie in the late 19th century as a centre of public administration. It is an early example of James Barnet's phase with the Colonial Architect's office and typical of the Victorian Georgian style. It is one of the last 19th century buildings remaining in Port Macquarie. It makes an important contribution to the historic centre of the town and has important relationships with the adjacent Museum, Garrison Centre and Police Lock up buildings. (Architectural Projects 1992:36)

**Date significance updated:** 16 Oct 97

*Note: There are incomplete details for a number of items listed in NSW. The Heritage Division intends to develop or upgrade statements of significance and other information for these items as resources become available.*

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## Description

Designer/Maker: James Barnet

Builder/Maker: Butler and Bourne

Construction years: 1869-1869

Physical description: The block is on the corner of Clarence and Hay Streets. The site has two large mature Norfolk Island pines (*Araucaria heterophylla*) on the eastern side of the courthouse (which enhance the building's setting)(National Trust (NSW), 1982). Much of the rest of the surrounds of the building is grassed.

The former court house is a symmetrically planned single storey Victorian Georgian painted brick building of unpretentious form with a central gabled portion (the courtroom) and smaller hipped roofed wings on either side. Roofs are of premium grade bloodwood shingles, with chimneys retaining their metal pots. Doors are four-panelled and windows are large paned. There is a simple verandah with iron roofs to three sides on squared timber posts (National Trust (NSW),1982).

The interior is made up one major room, the Courtroom and originally four since modified to three, secondary rooms. These rooms contains the Clerk of Petty Sessions on the West Wing and the Magistrates and Judges room on the East wing (Architectural Projects, 1992: 31-32)

Physical condition and/or Archaeological potential:

Physical condition is good. Archaeological potential is medium. Evidence of convict drains occur in the eastern part of the site.

**Date condition updated:** 16 Oct 97

Modifications and dates: 14th September 1867 - notice placed in the Government Gazette.  
8th October 1867 - tenders closed.  
5th October 1867 - acceptance of the tender.  
1867-1969 - courthouse constructed.

	1870 - kitchen added to the Lockup/Court House. 12th November 1868 - journalist visits Port Macquarie and describes work. 1924 - toilet blocks added north of the east wing. 1993 - restoration undertaken.
Further information:	1900 changes to verandahs, the walls in face brick, the roof in slate with galvanised metal cappings and timber floors internally and to the verandahs. The external ground line appears to have been lower.  1974 a concrete floor laid in the court, magistrate's and judge's rooms.  1986 Justice Department vacated the building. A community campaign led to granting trusteeship to Hastings Municipal Council.  1993 restoration works undertaken .
Current use:	Justice museum with interpretive displays
Former use:	Courthouse and lockup

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## History

Historical notes:	<p>The land for the present Courthouse was allotted in the 1830s. Also during this time Port Macquarie was Gazetted for a Court of Petty Sessions. In September 1836 the newly appointed Police Magistrate, William Nairn Gray, recommended that a brick building in Hay Street (occupied by Stephen Partridge) be used as court as the present Police Office was too small and not fit for court.</p> <p>On 14th August 1838, Port Macquarie was gazetted as a place for Trial by Jury. During the 1840s complaints were lodged about the delapidated state of the Courthouse. In 1852 repairs to the building were authorised.</p> <p>In 1865 a letter from Charles Sinclair, Police Magistrate was sent to the Colonial Architect regarding the poor state of the building.</p> <p>On 14th September 1867 a notice was placed in the Government Gazette calling for tenders for the erection of a courthouse and lockup at Macquarie. Tenders closed at noon on 8th October 1867.</p> <p>The building was designed by James Barnet and the builder chosen for the task was Butler and Bourne of Port Macquarie who bid 875 pounds. The acceptance of the tender was announced in the Government Gazette on 25th October 1867.</p> <p>A journalist who travelled with Sir John Robertson and Mr Forster when they visited Port Macquarie on 12th November 1868, clearly explained the need for a new courthouse in the town by describing the state of the existing building. "This is a very dilapidated place indeed and looks both externally and internally, as though it was in the very last stages of decay. The verandahs were choked up with piles of bricks, plaster and other debris and the inner walls were as dingy and damp as neglect could make them. This is</p>
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the place where the 'nomination', was to 'come off' on the following Monday and I should fancy that it would be the closing scene of this seedy old ruin's career as a courthouse. It is to be degraded into a stable for the police horses and the very magisterial dais itself is to become the depository of cattle fodder.'

The journalist remarked upon the construction underway on the current historic courthouse which was 'within a stone's throw' of the old building. The journalist also noted the omission of jury rooms, an omission that would have a bearing on the ultimate decision to build another courthouse in 1986.

'It is a very neat building built of brick and nearly completed. the walls are all but finished and part of the edifice is roofed. A rather awkward mistake , however, has been made in the plan of the courthouse. No provision has been made for the jury rooms and, as these apartments are indispensably necessary they will have to be added to the new building.'

The courthouse's construction cost more than anticipated - a total of 109 pounds plus 10 pounds for furniture. The additional cost of 205 pounds was made necessary to overcome dampness. The building opened its doors as a courthouse in 1869.

The first additions were made to the building in 1890 when 303 pounds was spent on extensions on the western wing which was carried out under the control of James Barnet.

During 1900 photographs reveal the changes to the Courthouse with verandahs, the walls in face brick, the roof in slate with galvanised metal cappings and timber floors internally and to the verandahs. The external ground line appears to have been lower.

In 1974 a concrete floor was laid in the court, magistrate's and judge's rooms.

In 1986 the Justice Department vacated the building. A community campaign led to the granting of trusteeship of the building to Hastings Municipal Council. Recognising the significance of the building to the status of Port Macquarie as an important historic town, Council engaged a conservation specialist to prepare a report on its condition and the likely cost of conservation work. Evidence of original finishes was found in early photographs and 100 year old measured drawings, and by researching similar court houses of the period (Pennay, 1996, 9).

Through a grant from the Heritage Properties Restoration Programme and community fundraising the restoration costs were met. Work on the restoration began on 12th February 1993. Concrete floors were removed and replaced by new timber, shingles were reinstated on the roof and second-hand bricks laid under the verandah awning. All joinery was repainted, except for the cedar doors leading into the court room, which were stripped and clear-finished (ibid, 1996).

The works were completed on 8th October 1993. (Hastings Council 1994) (Architectural Projects 1992:17-20)

Following its reopening by the Premier the building is now used as a justice museum with interpretive displays depicting the town's early days as a penal settlement (ibid, 1996).

## Historic themes

Australian theme (abbrev)	New South Wales theme	Local theme
4. Settlement-Building settlements, towns and cities	Towns, suburbs and villages-Activities associated with creating, planning and managing urban functions, landscapes and lifestyles in towns, suburbs and villages	Developing civic infrastructure and amenity-
4. Settlement-Building settlements, towns and cities	Towns, suburbs and villages-Activities associated with creating, planning and managing urban functions, landscapes and lifestyles in towns, suburbs and villages	Creating landmark structures and places in regional settings-
7. Governing-Governing	Government and Administration-Activities associated with the governance of local areas, regions, the State and the nation, and the administration of public programs - includes both principled and corrupt activities.	(none)-
7. Governing-Governing	Law and order-Activities associated with maintaining, promoting and implementing criminal and civil law and legal processes	(none)-
7. Governing-Governing	Law and order-Activities associated with maintaining, promoting and implementing criminal and civil law and legal processes	Dispensing justice-


## Assessment of significance

- SHR Criteria a) [Historical significance] The Courthouse reflects the role of Port Macquarie in the late 19th century as a centre of Public administration. The Courthouse is an early work of James Barnet's phase of the Colonial Architect office typical of the Victorian Georgian style. Its date of design in 1867-1869 locates it amongst the earlier examples of Country Court Houses when Barnet had more direct contact with the projects. (Architectural Projects 1992:36)
- SHR Criteria c) [Aesthetic significance] The Courthouse contributes to the historic centre of the town including the adjacent Museum, Garrison Centre and Police Lock up buildings. The Norfolk Pine trees within the boundary of the site contribute to the natural surrounding of mature, pine trees typical of Port Macquarie. (Architectural Projects 1992:36)

SHR Criteria f) [Rarity] The Courthouse is one of the last nineteenth century government buildings remaining in Port Macquarie. (Architectural Projects 1992:36)

SHR Criteria g) [Representativeness] The Courthouse is representative of the architectural simplicity of the area compared to other towns and areas in NSW. (Architectural Projects 1992:36)

Integrity/Intactness: The volume and massing of the Courthouse have sustained little external change since its initial conception. (Architectural Projects 1992:36)

Assessment criteria: Items are assessed against the  [State Heritage Register \(SHR\) Criteria](#) to determine the level of significance. Refer to the Listings below for the level of statutory protection.

## Recommended management:

## Recommendations

Management Category	Description	Date Updated
Statutory Instrument	Nominate for State Heritage Register (SHR)	17 Mar 16
Statutory Instrument	Nominate for State Heritage Register (SHR)	17 Mar 16
Statutory Instrument	Nominate for State Heritage Register (SHR)	17 Mar 16

## Procedures /Exemptions

Section of act	Description	Title	Comments	Action date
57(2)	Exemption to allow work	Heritage Act	Record converted from HIS events  Order Under Section 57(2) to exempt the following activities from Section 57(1): (1) The maintenance of any building or item on the site where maintenance means the continuous protective care of existing material; and (2) Garden maintenance including cultivation, pruning, weed control, the repair and maintenance of existing fences, gates, garden walls and tree surgery but not extensive lopping.	Jan 22 1988
57(2)	Exemption to allow work	Standard Exemptions	SCHEDULE OF STANDARD EXEMPTIONS HERITAGE ACT 1977 Notice of Order Under Section 57 (2) of the Heritage Act 1977  I, the Minister for Planning, pursuant to subsection 57(2) of the Heritage Act 1977, on the recommendation of the Heritage Council of New South Wales, do by this Order:	Sep 5 2008

			<p>1. revoke the Schedule of Exemptions to subsection 57(1) of the Heritage Act made under subsection 57(2) and published in the Government Gazette on 22 February 2008; and</p> <p>2. grant standard exemptions from subsection 57(1) of the Heritage Act 1977, described in the Schedule attached.</p> <p>FRANK SARTOR Minister for Planning Sydney, 11 July 2008</p> <p>To view the schedule click on the Standard Exemptions for Works Requiring Heritage Council Approval link below.</p>	
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## Listings



Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Heritage Act - State Heritage Register		00554	02 Apr 99	27	1546
Heritage Act - Permanent Conservation Order - former		00554	22 Jan 88	12	0374
Regional Environmental Plan			23 Dec 94		
National Trust of Australia register					
Register of the National Estate			21 Mar 78		

## Study details

Title	Year	Number	Author	Inspected by	Guidelines used
Municipality of Hastings Heritage Study	1991	HS0013	Suters Architects Snell		No

## References, internet links & images

Type	Author	Year	Title	Internet Links
Tourism	Heritage NSW	2013	Former Port Macquarie Courthouse	<a href="#">View detail</a> 
Written	Pennay, Bruce	1996	Looking after your community's heritage - an introductory guide for Local Government Councillors	

Tourism	Port Macquarie-Hastings Council	2006	Historic Courthouse Museum	<a href="#">View detail</a> 
Tourism	Total Travel	2007	Historic Courthouse Museum	<a href="#">View detail</a> 

Note: internet links may be to web pages, documents or images.




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## Data source

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