

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

**Name:** Lake Wendouree  
**Address:** Wendouree Parade, Lake Wendouree  
**Local Government Authority:** Ballarat City  
**Provisional VHR No.** PROV VHR H2419



## Executive Director recommendation

Under Part 3, Division 3 of the *Heritage Act 2017* (the Act) I recommend to the Heritage Council of Victoria (Heritage Council) that Lake Wendouree, Wendouree Parade, Lake Wendouree should be included in the Victorian Heritage Register (VHR) in the category of registered place.

Handwritten signature of Steven Avery

**STEVEN AVERY**  
Executive Director, Heritage Victoria  
**DATE OF RECOMMENDATION: 18 May 2022**

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Executive Director recommendation to the Heritage Council of Victoria

The Executive Director, Heritage Victoria (Executive Director), recommends that the Heritage Council include Lake Wendouree, Wendouree Parade, Lake Wendouree, in the VHR in accordance with section 49 of the Act by determining:

- That Lake Wendouree is of State-level cultural heritage significance and should be included in the VHR in the category of registered place in accordance with section 49(1)(a) of the Act.
- That the proposed categories of works or activities which may be carried out in relation Lake Wendouree for which a permit under the Act is not required will not harm the cultural heritage significance of the place under section 49 (3) of the Act.

### Background to this recommendation

On 22 March 2022, the Heritage Council served an Interim Protection Order (IPO) for Lake Wendouree. The IPO had the effect of immediately including Lake Wendouree in the VHR. Heritage Victoria is required to make a recommendation on whether to include the place, or part of the place, in the VHR within 60 days of the IPO being served. This report forms that recommendation.

The area subject to the IPO corresponds to the Heritage Overlay for the Lake Wendouree Heritage Precinct (HO163) in the Ballarat Planning Scheme. It is noted that this area does not include the Ballarat Botanic Gardens (VHR H2252) to the western side of Lake Wendouree which is already included in the VHR in its own right. This IPO will be in place until 22 July 2022 unless the Heritage Council revokes the IPO or makes a determination before that time. The Minister for Planning may also extend the period for which an IPO is in effect.



Area covered by IPO and considered as part of this recommendation indicated by the solid blue line. The area already included in the VHR as the Ballarat Botanical Gardens (VHR H2252) is indicated by the yellow shaded area.



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## The process from here

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

The Heritage Council will publish the Executive Director's recommendation on its website for a period of 60 days.

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

Within the 60 day publication period, any person or body with a real and substantial interest in the place or object can make a submission to the Heritage Council. This submission can support the recommendation, or object to the recommendation and a hearing can be requested in relation to the submission. Information about making a submission and submission forms are available on the Heritage Council of Victoria's website:

<https://heritagecouncil.vic.gov.au/registrations-reviews/executive-director-recommendations/>

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

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

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

If submissions are received, the Heritage Council may decide to hold a hearing in relation to the submission. If a hearing does take place, the Heritage Council must make a determination within 90 days after the completion of the hearing.

### 4. Obligations of owners of places and objects (sections 42 and 43)

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

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

### 5. Further information

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

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Description



c.2017, Aerial image of Lake Wendouree and its environs. Note that the eastern extent of the Ballarat Botanical Gardens (VHR H2252) comprises the western shore of the lake and extends from Carlton Street in the south to St Aidans Drive in the north (indicated with arrows). Key structures and features associated with Lake Wendouree are labelled and listed below.

Source: Radius

1. 1956 Olympic Games monument and precinct
2. Rowing course (excavated c.1950)
3. Concentration of small boat sheds (various construction dates) and the Ballarat Yacht Club
4. The Rustic Fountain (built 1879, developed in 1901)
5. View Point (developed from the 1870s)
6. Ballarat City Rowing Club, Golden City Paddle Steamer Museum and larger boatsheds (various construction dates)
7. Durham Point
8. Rowing course start

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

*The following is a description of Lake Wendouree at the time of the site inspection by Heritage Victoria in March 2022.*

Lake Wendouree is located approximately 3 kilometres to the north-west of Ballarat's central business district. It comprises a large semi-artificial lake of approximately 238 hectares with central islands and wetlands. The lake itself is surrounded by a parkland reserve which is characterised by extensive areas of lawn and numerous mature exotic trees, particularly featuring willows, elms, oaks and various species of cyprus and pines. Major promontories include View Point located on the eastern shore and Durham Point on the northern shore. The lake includes a 2000m rowing course which starts at the north east edge of the lake near Haddon Street and finishes on the south west edge of the lake near Hamilton Avenue. The lake is encircled by the Steve Moneghetti Track, a six-kilometre walking track, as well as pathways, promenades and car parks. Much of the lake edge is defined by a shore wall. The reserve surrounding the lake features many built structures and landmarks including monuments (late nineteenth to late twentieth centuries); boat sheds (various construction dates); tram shelters (early twentieth century); and modern pontoons, playgrounds and hospitality venues. The western shore of Lake Wendouree is the site of the Ballarat Botanical Gardens (VHR H2252) and includes the picturesque area characterised by willows and winding paths known as Fairyland.



2022, The 1956 Olympic Games monument (unveiled 1958).



2022, View across the rowing course from the Olympic Games monument. The Ray Todd judges box (built 1979) is visible to the left.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



2021, One of several modern pontoons on the shores of Lake Wendouree.



2022, A mature pine on the southern shore.



2022, Clear vista across the southern shore towards the Ballarat Yacht Club. This is a typical view from many points around the lake.



2022, Some of the smaller boat sheds in the vicinity of the Ballarat Yacht Club.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



2022, The Ballarat Yacht Club originally constructed 1957-58 and substantially upgraded since 1960s.



2022, picnic shelter (1910s) in vicinity of rustic fountain.



2022, Several of the private boat sheds in the vicinity of the Ballarat Yacht Club.



2022, The Rustic Fountain and garden, created in 1879 which celebrates the location of Ballarat's first official water source. The water jet fountain in the background was installed in 1980.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



2022, Nineteenth century drinking fountain constructed from quartz.



2022, Boardwalk and approach to View Point on the south-eastern shore of Lake Wendouree.



2022, View Point.



2022, One of two 1861 cannons on View Point.



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



2022, Weed dredger on Lake Wendouree.



2022, Ned Williams monument, unveiled in 1901. It is one of several monuments around the lake dedicated to important Ballarat residents.



2022, George Tonner memorial pergola, constructed in 1925.



Golden City Paddlesteamer Museum, formerly Gills Boatsheds (late nineteenth century, restored and expanded c.1994).

Source: Visit Victoria

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



2022, Tram shelter (c.1920s).



2022, the Wendouree-Ballarot Rowing Club (1907), one of the larger boat sheds along the eastern shore of Lake Wendouree.



2022, Ballarat & Clarendon College boat shed (KD Baird Clarendon College Boatshed) (1896, restored c.1994).



2022, Ballarat City Rowing Club boat shed (rebuilt 1950).

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



2022, One of the stone cairns erected in 1948 to mark the 1902 regatta rowing course.



2022, Brick overflow well.



2022, The Ballarat Fly Fishers Club Jetty, erected in 1974.



2022, Starting blocks of the rowing course in the north-east corner of the lake.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



2022, View from the northern shore.



2022, View west towards the Ballarat Botanical Gardens.

## History

### Pre-colonial years to European settlement (1830s)

- The place that would come to be known as Lake Wendouree was a large, shallow wetland in open grassy country within the traditional lands of the Wadawurrung people. The Burrumbeet balug clan occupied the land around Ballarat, including Lake Wendouree.<sup>1</sup> With abundant wildlife and seasonal water, the place is an important resource. The swamp is characterised by its dense reeds and dry spells during the summer months.<sup>2</sup>
- 1838: William Yuille and Henry Anderson establish a sheep run in the area, encompassing present-day Lake Wendouree, and name it 'Ballarat'. Yuille establishes a hut on the southern edge of the swamp, which comes to be known as Yuille's Swamp.

### Ballarat's first water supply (1850s)

- 1851: Gold is discovered in Ballarat and W S Urquhart is dispatched to Ballarat to survey the locality. Intensive alluvial mining along the Yarrowee River causes that water source to become heavily polluted and unsuitable for consumption.<sup>3</sup>
- 1858: An underground pipeline is built between Yuille's Swamp and Ballarat township, forming the town's earliest official water supply. A portion of land on the swamp's western shore is reserved as a botanical garden (Ballarat Botanical Gardens, VHR H2252).<sup>4</sup>
- 1859-60: A series of nine-inch cast iron pipes are laid from Kirk's Reservoir to Yuille's Swamp, allowing the swamp to maintain its water levels through the summer months.<sup>5</sup>

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<sup>1</sup> Benchmark Heritage Management, *Lake Wendouree Lighting Project: Cultural Heritage Management Plan*, 2018, p. 34.

<sup>2</sup> McWha, M., *Lake Wendouree Heritage Conservation Analysis*, 1994, p.5; Bate, W., *Lucky City: The First Generation at Ballarat, 1851-1901*, Melbourne University Press, 1978, p.2.

<sup>3</sup> Bate, 1978, p.30.

<sup>4</sup> Bate, 1978, pp.166-67.

<sup>5</sup> Friends of the Ballarat Botanical Gardens History Group, *An Eden of loveliness: Ballarat Botanical Gardens by Lake Wendouree – a pictorial history*, 2012.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

- 1850s: Various industries, attracted by the supply of fresh water, including Frys Flour Mill and the Lewis Soda factory, establish themselves around the lake's edge.
- By 1862 the water supply from Lake Wendouree proves insufficient to support Ballarat. Water is instead supplied directly from Kirk's Reservoir.

## Shaping Lake Wendouree (1860s-70s)

- 1860s: various deep lead mines are established around the lake's perimeter and are worked out by the mid-1870s.
- 1861: Recreational activities on and around the lake increase, and the Ballarat Rowing Club (the second oldest rowing club in Australia) is founded.<sup>6</sup> A channel three chains wide is dredged across the southern portion of the swamp to provide a more appropriate rowing course.<sup>7</sup>
- 1862: A stone quarry is established at View Point, providing construction material for many of the new buildings in Ballarat township.
- Mid-1860s: The earliest boat sheds are erected on the shores of the lake, one belonging to the Ballarat Rowing Club. The lake's first paddle steamer, the *Victoria*, opens to the public. Fifteen paddle steamers plied the lake from the 1860s to the 1960s. A pier is built along the western shore to facilitate passage to the botanical gardens.<sup>8</sup>
- c.1869: The lake completely dries and prisoners from the Ballarat Gaol are utilised to carry out improvement works.<sup>9</sup> This includes clearing a pathway around the edges and fencing its perimeter to prevent cattle from wandering into and polluting the water. The prisoners also plant a cypress hedge along the newly established picket fence (both removed in 1928). Yuille's Swamp comes to be known as Lake Wendouree.
- 1870s: The Ballarat Yacht Club is established.
- 1871: The lake banks raised and shoreline altered.
- 1872: Successful commercial paddle steamer, the *Wendouree*, is opened by Thomas Gill. The Ballarat Fish Acclimatisation Society release trout and carp into the lake.
- 1874: The promontory on the eastern edge of the lake (View Point) is further developed to create a promenade.
- 1875: Thomas Gill's Lake View Hotel is established on Wendouree Parade, overlooking View Point.
- 1877: The circumference of the lake is planted with thousands of trees and shrubs and the southern half of the lake cleared of weeds.
- 1877: Ballarat Yacht Club established.
- 1879: A scoria water feature, the Rustic Fountain, is constructed over the former filter beds to mark the location of Ballarat's first water supply.

## Recreation, leisure and commemoration (1880s-present)

- 1883: Paddle steamers are first used to weed the lake bed. This practise is continued into the twentieth century.

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<sup>6</sup> Hansen Partnership, *Ballarat Heritage Study Stage 2: Heritage Precincts Volume 2*, 2003, p. 30.

<sup>7</sup> Elliott, 2004, p.6; *The lake: the story of our greatest treasure – Lake Wendouree, Ballarat*, The Courier, 2003.

<sup>8</sup> Elliott, 2004, p.18; The Courier, 2003; Friends of the Ballarat Botanical Gardens History Group, 2012.

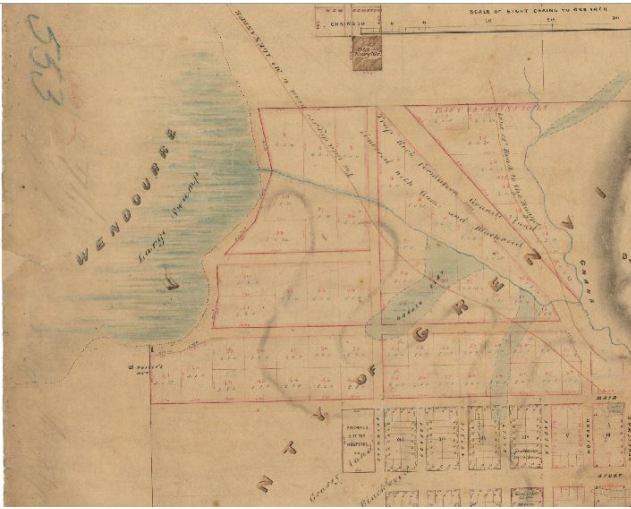
<sup>9</sup> Hansen Partnership, p. 30.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

- 1885: The Golden City paddle steamer, built by Thomas Gill's firm and able to transport up to 150 people around the lake, launches. The Gill family operated the Golden City until the 1940s.
- 1896: KD Baird Clarendon College Boatshed established, one of Australia's oldest extant boatsheds.
- Early 1900s: Further extensive tree planting and construction of seats and picnic shelters.
- 1901: The Ned Williams memorial drinking fountain is unveiled.
- 1902: Severe drought and drying of Lake Wendouree. The regatta rowing course is surveyed and marked out between View Point and Gill's Island.
- 1904: An electric tram line is constructed around the perimeter of Lake Wendouree.
- 1910s: This decade is characterised by various gardening works including the creation of garden beds, the planting of trees and the installation of seating.
- 1911: The Ballarat Fish Acclimatisation Society releases 20,000 trout into the lake for sport.
- 1913: The swampy foreshores at Durham Point in the north and St Patrick's Point in the south are developed into promontories. St Patrick's Point is populated with various exotic plantings.
- 1914: Construction of the Ballarat College rowing shed.
- 1920s: Further planting of exotic trees, including cypresses and pines.
- 1925: Construction of the George Tonner Memorial, designed by Clegg & Morrow architects.
- 1934: A granite memorial dedicated to William Yuille is erected on the lake's southern shore, opposite Pleasant Street.
- 1948: Lake Wendouree hosts test races for the Olympic Games. A new rowing course is surveyed and marked at the start and finish lines by brick piers, while the former 1902 rowing course is permanently marked with stone cairns. Ballarat City Council and the Ballarat Rowing Association begin promotion of Lake Wendouree as a venue for the 1956 Olympic Games rowing, canoeing and kayaking events.
- 1951: Lake Wendouree is formally chosen as the venue for the 1956 Olympic Games rowing, canoeing and kayaking events. An Olympic standard canoeing course is laid out, and areas of the foreshore are improved and beautified to accommodate spectators.
- 1956: Ballarat hosts the Olympic rowing, canoeing and kayaking competitions at Lake Wendouree.
- 1967-68: Low water levels due to drought.
- 1971: Ballarat Tramways closed and tram infrastructure around the lake (apart from with the Botanic Gardens) was removed.
- In the early 2000s, drought caused Lake Wendouree to dry out for several years. Works are carried out to secure the lake's water levels.

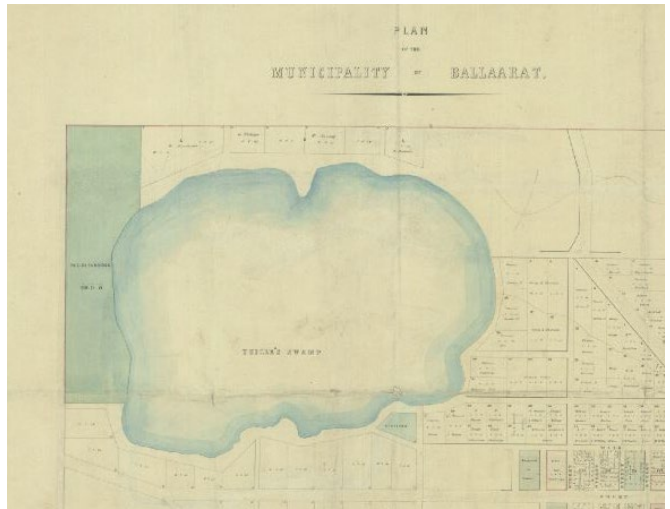
# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Historical images



1852, Lake Wendouree, labelled here as a 'large swamp' to the west of Ballarat township.

Source: PROV



1856, Plan showing the general outline of 'Yuille's Swamp' (Lake Wendouree) and the commencement of land subdivision along its shores.

Source: PROV



1859, View of the swamplands around the present location of Lake Wendouree.

Lithograph by François Cogne.

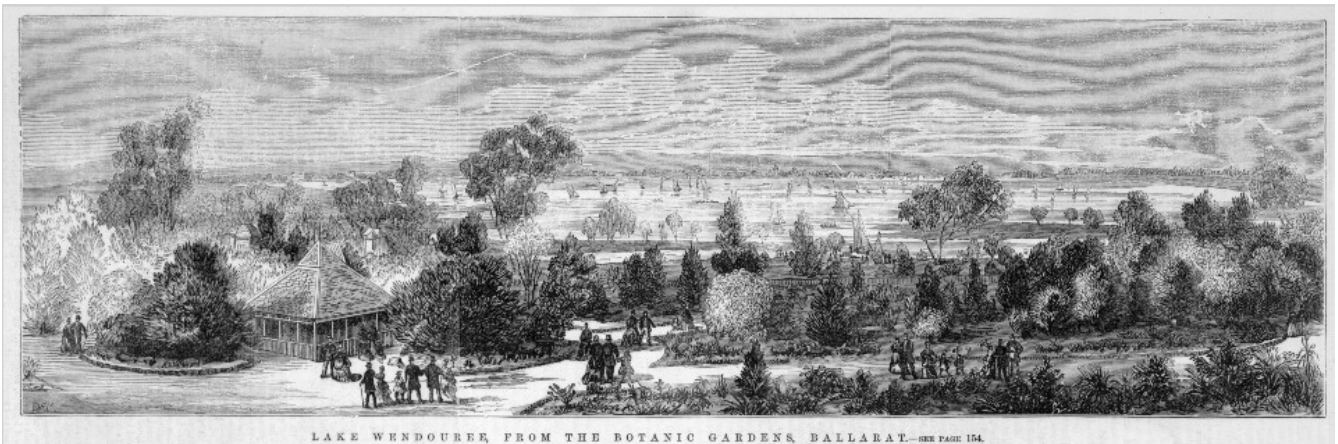
Source: State Library Victoria

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



1861, Plan showing the outlay of Wendouree Parade and the initial development of View Point (indicated).

Source: Visualising Ballarat



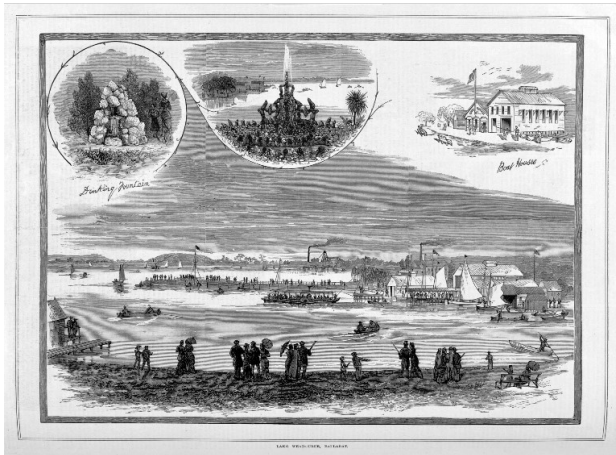
1873, View of Lake Wendouree from the Ballarat Botanical Gardens. Several yachts are visible across the surface of the lake.

Engraving by Samuel Calvert.

Source: State Library Victoria



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1881, Engraving featuring several landmarks around the lake including the quartz drinking fountain, the Rustic Fountain, boat sheds and yachts.

Source: State Library Victoria



1885, Painting depicting crowds at Lake Wendouree.

Thomas Thompson.

Source: *The Ballarat Courier*



Late nineteenth century, View Point Esplanade. Note that the esplanade has not yet been infilled.

Illustration by Max Harris.

Source: Ballarat Mechanics Institute

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



c.1890s, View of Gill's Boat Shed from neighbouring mill.  
Source: City of Ballarat Libraries

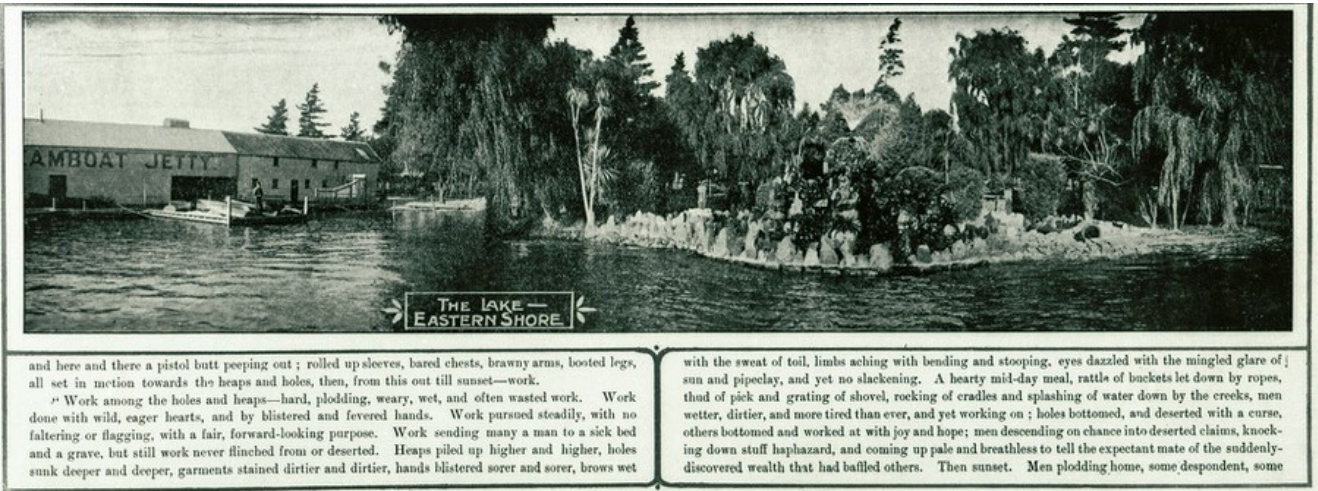


Early twentieth century, Rowing on Lake Wendouree.  
Photograph by George Henry Hutston.  
Source: State Library Victoria



1906, Postcard showing yachts and boat sheds.  
Source: State Library Victoria

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



and here and there a pistol butt peeping out ; rolled up sleeves, bared chests, brawny arms, bosted legs, all set in motion towards the heaps and holes, then, from this out till sunset—work.  
 Work among the holes and heaps—hard, plodding, weary, wet, and often wasted work. Work done with wild, eager hearts, and by blistered and fevered hands. Work pursued steadily, with no faltering or flagging, with a fair, forward-looking purpose. Work sending many a man to a sick bed and a grave, but still work never flinched from or deserted. Heaps piled up higher and higher, holes sunk deeper and deeper, garments stained dirtier and dirtier, hands blistered sorer and sorer, brows wet

with the sweat of toil, limbs aching with bending and stooping, eyes dazzled with the mingled glare of sun and pipeclay, and yet no slackening. A hearty mid-day meal, rattle of buckets let down by ropes, thud of pick and grating of shovel, rocking of cradles and splashing of water down by the creeks, men wetter, dirtier, and more tired than ever, and yet working on ; holes bottomed, and deserted with a curse, others bottomed and worked at with joy and hope; men descending on chance into deserted claims, knocking down stuff haphazard, and coming up pale and breathless to tell the expectant mate of the suddenly-discovered wealth that had baffled others. Then sunset. Men plodding home, some despondent, some

1904, Panorama of Lake Wendouree's south-eastern shore with the Rustic Fountain at centre.  
 Source: Ballarat Mechanics Institute



Early twentieth century, View south from the eastern shore towards View Point.  
 Source: State Library Victoria



Early twentieth century, Views of the boat sheds.  
 Source: University of Melbourne Archives

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



Early twentieth century, View Point and surrounding boat sheds.

Photograph by Charles Daniel Pratt.

Source: State Library Victoria



1938, The Wendouree Rowing Club boat shed (c. 1907) decorated for Ballarat centenary celebrations.

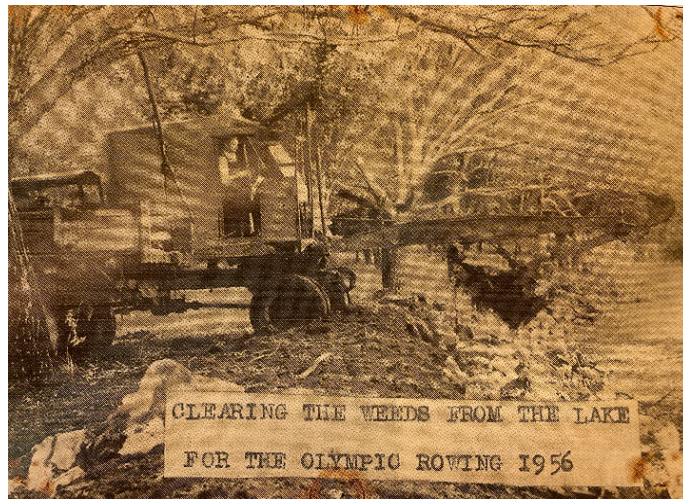
Source: Victorian Collections



1940, Corner of Lake Wendouree.

Illustration by I E Boustead.

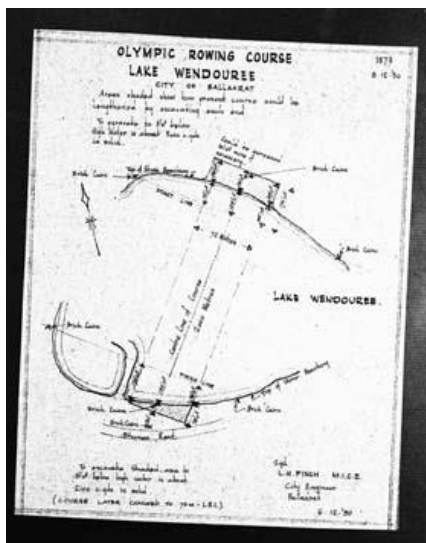
Source: Victorian Collections



1956, Weed clearing in preparation for the Olympic rowing events.

Source: *The Ballarat Courier*

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



1956, Plan of the new rowing course excavated for the 1956 Olympic Games.

Source: National Archives Australia



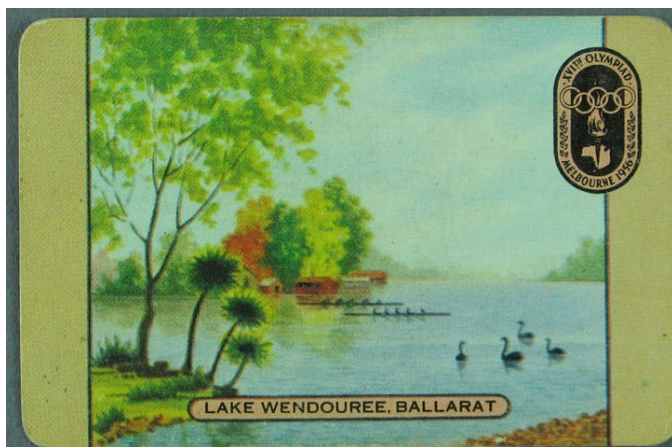
1956, Olympic rowing supplement in the *Ballarat Courier* advertising Lake Wendouree and the new rowing course.

Source: *The Ballarat Courier*



1956, Postcard depicting Lake Wendouree with the rowing course at top left.

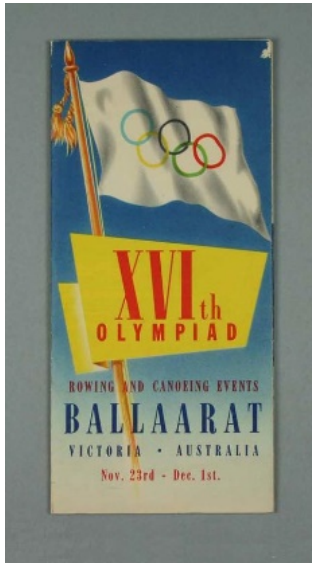
Source: Gold Museum



1956, Coles trading card manufactured for the promotion of the Olympic Games.

Source: Australian Sports Museum

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



1956, Rowing and canoeing events programme for the Olympic Games.

Source: Australian Sports Museum



1973, Watercolour of Lake Wendouree by David Alexander.

Source: Victorian Collections



2007, Lake Wendouree during the Millennium Drought.

Photograph by Ian Kenins.

Source: State Library Victoria



2016, Australia Day fireworks over Lake Wendouree.

Source: Victorian Collections

## Selected bibliography

- Bate, Weston, *Lucky City: The First Generation at Ballarat, 1851-1901*, Melbourne University Press, Carlton, 1978.
- Bate, Weston, *Life After Gold: Twentieth Century Ballarat*, Melbourne University Press, Carlton, 1993.
- City of Ballarat in partnership with Urban Initiatives, *Lake Wendouree Master Plan*, 2017.
- Elliott, Kate, *The boys from the rush beds: the history of the Ballarat City Rowing Club 1870-2004, incorporating the early development of Lake Wendouree, 1860-1870*, 2004.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

- Hansen Partnership in association with Wendy Jacobs and Dr Jan Penney, *Ballarat Heritage Study Stage 2*, 2003.
- McWha, Mark, *Lake Wendouree Heritage Conservation Analysis*, 1994.
- McWha, Mark, *Lake Wendouree Landscape Master Plan*, 1994.
- *An Eden of loveliness: Ballarat Botanical Gardens by Lake Wendouree – a pictorial history*, Friends of the Ballarat Botanical Gardens History Group, 2012.
- *The lake: the story of our greatest treasure – Lake Wendouree, Ballarat*, The Courier, 2003.
- Withers, William Bramwell, *The History of Ballarat, from the first pastoral settlement to the present time*, 1870.

## Further information

<b>Relevant Authority</b>	Ballarat City Council
<b>Heritage Overlay</b>	HO163
<b>Other Overlays</b>	There are no other overlays for this place.
<b>Other Listings</b>	There are no other listings for this place.
<b>Other Names</b>	There are no other names for this place.
<b>Date of creation</b>	1850s onwards
<b>Architect//Builder/Designer/Maker</b>	There is no known designer or maker for this place.
<b>Architectural style</b>	Various, including Federation/Edwardian Period (1902-c.1918) and Interwar Period (c.1919-c.1940)

## Traditional Owner Information

Lake Wendouree is located on the traditional land of the Wathaurong people. Under the *Aboriginal Heritage Act 2006*, the Registered Aboriginal Party for this place is the Wadawurrung Traditional Owners Aboriginal Corporation.

## Victorian Aboriginal Heritage Register

All of the lake and its surrounds are within an area of Aboriginal cultural heritage sensitivity. In addition, there are several registered Aboriginal places identified at various locations around the lake's shore.

## Integrity

The integrity of Lake Wendouree is very good. The late nineteenth and early twentieth century uses of the place are visible in extant structures including the Rustic Fountain, mature trees and various boatsheds. Its associations with the Olympics are apparent at the place and Lake Wendouree continues to host various high-level rowing and sailing competitions. Its history and aesthetic significance as a developed urban lake and parkland can be readily appreciated in the designed landscape which features large numbers of mature exotic trees. (March 2022).

## Intactness

The intactness of Lake Wendouree is good. It has continually evolved since the mid-nineteenth century but its overall character has been maintained since this time. While some comparatively early features remain, some built



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

structures, e.g., boat sheds and jetties, have been removed or replaced since the mid-twentieth century. (March 2022)

## Condition

Overall, the condition of Lake Wendouree is very good. Its various monuments and historic buildings are largely well maintained. (March 2022)

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

## Statutory requirements under section 40.

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

The Executive Director recommends that Lake Wendouree is included in the VHR in the category of Registered Place.

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

**Name:** Lake Wendouree

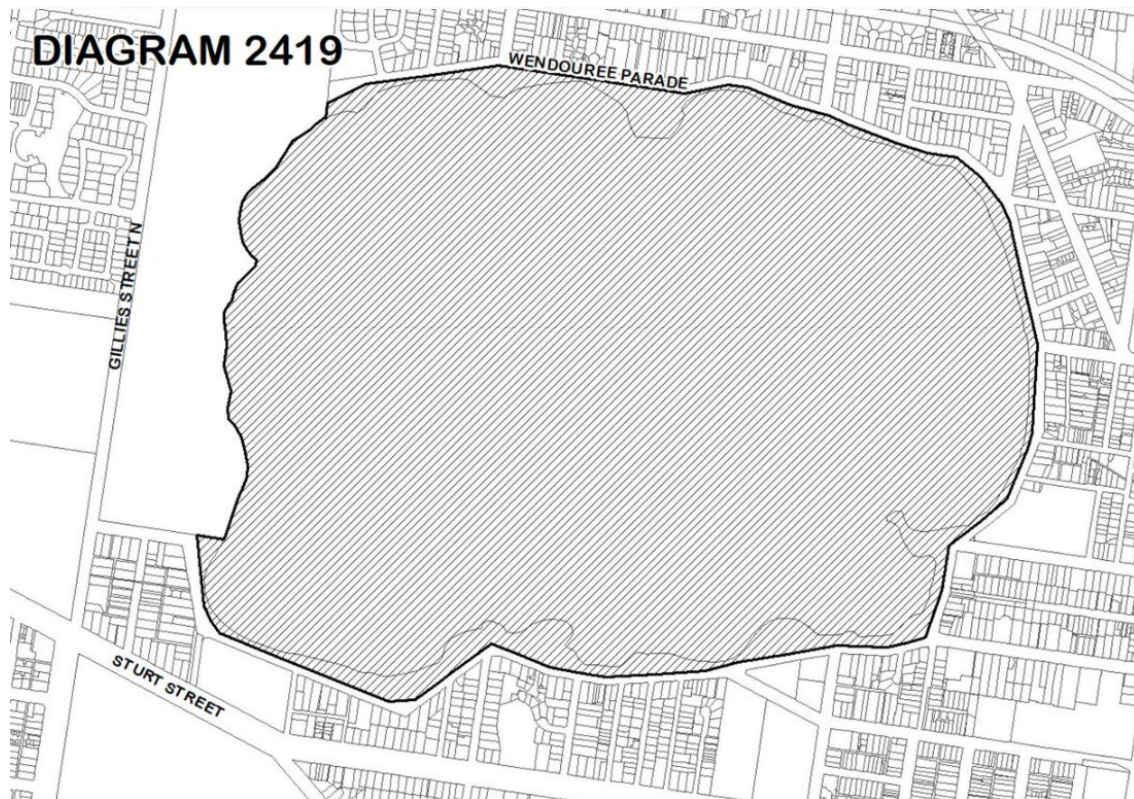
**Address:** Wendouree Parade, Lake Wendouree

### Proposed extent of registration

The Executive Director recommends that the extent of registration for Lake Wendouree be gazetted as: All of the place shown outlined on Diagram 2419 encompassing all of Crown allotment 2018 Township of Ballarat and all of Crown allotment 2019 Township of Ballarat.



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



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

## Rationale for the extent of registration

The recommended extent of registration includes the whole of the Crown allotments upon which the lake and its surrounding reserve are located. It includes all built and landscape features which are associated with the use and development of the place.

The recommended extent of registration varies from the area included in the IPO, which comprised City of Ballarat HO163. The area covered by the IPO included all of the Wendouree Parade road reserve and excluded the Olympic Rings (City of Ballarat HO149) in the south-west corner of Lake Wendouree. The State-level significance of the place largely lies in the lake itself and the reserve immediately surrounding it and it is not considered necessary to include the surrounding road in the VHR. Additionally, it is considered that the Olympic Rings monument (HO149) should be included within the recommended extent of registration for Lake Wendouree.

It should be noted that everything included in the proposed extent of registration including all the land, all soft and hard landscape features, plantings, all buildings (interiors and exteriors, structures, works and fixtures) is proposed for inclusion in the VHR. A permit or permit exemption from Heritage Victoria is required for any works within the proposed extent of registration, apart from those identified in the categories of works or activities in this recommendation.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Reasons for the recommendation, including an assessment of the State-level cultural heritage significance of place/object/object integral (section 40(3)(c)) -

Following is the Executive Director's assessment of Lake Wendouree against the tests set out in *The Victorian Heritage Register Criteria and Thresholds Guidelines*. A place or object must be found by the Heritage Council to meet Step 2 of at least one criterion to meet the State level threshold for inclusion in the VHR.

### CRITERION A: Importance to the course, or pattern, of Victoria's cultural history.

#### Step 1: Test for satisfying Criterion A

The place/object has a *CLEAR ASSOCIATION* with an event, phase, period, process, function, movement, custom or way of life in Victoria's cultural history.

*plus*

The association of the place/object to the event, phase, etc *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources or oral history.

*plus*

The *EVENT, PHASE, etc* is of *HISTORICAL IMPORTANCE*, having made a strong or influential contribution to Victoria.

#### **Executive Director's Response**

It is acknowledged that Lake Wendouree has multiple historical associations. Those most likely to indicate state-level historical significance are explored below.

##### Water supplies in Victoria

Lake Wendouree has a clear association with the development of early township water supplies in Victoria. It provided the first official town supply for Ballarat from 1852–64, during a key period in the city's development. This phase of development is of historical importance to Victoria and strongly contributed towards the development of Victorian communities during the nineteenth century. The association between Lake Wendouree and this phase is evident in many documentary resources as well as the physical fabric of the lake itself and commemorative statuary and signage at the place.

##### Water based sports and recreation

Lake Wendouree has a clear association with the development of activities such as yachting, rowing, boating and fishing. These activities are of historical importance to the state of Victoria, having been particularly popular pursuits during the nineteenth and early twentieth centuries. The lake has been a focus for water-based sport and recreation since the mid-nineteenth century and this association is evident in the lake itself as well as the plentiful buildings and structures around the lake that relate to these pursuits, particularly those from the late nineteenth and early twentieth centuries. It has also been a focus of casual leisure activities since the mid-nineteenth century, evident in the picturesque landscaping at the place and in structures such as picnic shelters and tram shelters. These associations are also abundantly evident in documentary resources.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## 1956 Olympic Games

Lake Wendouree also has a clear association with the 1956 Olympic Games. While predominantly held in Melbourne, Lake Wendouree was the chosen venue for rowing, canoeing and kayaking competitions due to its expanse. It was the only Olympic venue outside metropolitan Melbourne. This association is evident in documentary resources including ephemera, print media, film and photography. It is also evident in the physical fabric of the place, including in the location and alignment of the rowing course and associated Olympic monument. The 1956 Olympic Games are of historical importance to Victoria, being a major international event held in the state during the years of post-war development.

Step 1 of Criterion A is likely to be satisfied.

## **Step 2: Test for satisfying Criterion A at the State Level**

The place/object allows the clear association with the event, phase etc. of historical importance to be *UNDERSTOOD BETTER THAN MOST OTHER PLACES OR OBJECTS IN VICTORIA WITH SUBSTANTIALLY THE SAME ASSOCIATION.*

## ***Executive Director's Response***

### Early water supplies in Victoria

Lake Wendouree does not allow the process of water supply to be understood better than other places in Victoria. Although it played an important role as an early water supply for Ballarat, it was for a relatively short period and this is a function shared with many other water bodies in Victoria. It does not allow the process of water supply to be understood better than other places in Victoria, particularly those that involved substantial engineering works such as the Yan Yean Water Supply System (VHR H2333) which dates from a similar time.

### Water-based sports and recreation

Lake Wendouree allows the development of water-based sports and recreation to be better understood than most other places in Victoria. It has a sizeable and varied array of historic buildings and structures that clearly demonstrate the pursuit of pastimes such as rowing, yachting and boating from an era of particular historical relevance. The lake provides a highly picturesque location that has been a popular place for socialising and leisure since the mid-nineteenth century. The development of the place for these pastimes can still be read in the fabric of the place. Although other places in Victoria also feature built structures associated with similar pastimes, Lake Wendouree presents a particular concentration and variety of historic buildings and features with these associations.

### 1956 Olympic Games

Lake Wendouree also allows Victoria's involvement in the 1956 Olympics to be better understood than other places in Victoria. While it does not include the architecturally significant buildings of places like the Olympic Swimming Stadium (VHR H1977) it is distinguished by being the only Olympic venue in regional Victoria. Its involvement in the Olympics can be readily appreciated in the current rowing course and associated Olympic monument.

Criterion A is likely to be satisfied at the State level.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## **CRITERION B: Possession of uncommon, rare or endangered aspects of Victoria's cultural history.**

### **Step 1: Test for Satisfying Criterion B**

The place/object has a *clear ASSOCIATION* with an event, phase, period, process, function, movement, custom or way of life of importance in Victoria's cultural history.

*plus*

The association of the place/object to the event, phase, etc *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources or oral history.

*plus*

The place/object is *RARE OR UNCOMMON*, being one of a small number of places/objects remaining that demonstrates the important event, phase etc.

*or*

The place/object is *RARE OR UNCOMMON*, containing unusual features of note that were not widely replicated

*or*

The existence of the *class* of place/object that demonstrates the important event, phase etc is *ENDANGERED* to the point of rarity due to threats and pressures on such places/objects.

### **Executive Director's Response**

Lake Wendouree has historical associations with water supply, sports and leisure, and the 1956 Olympics. These associations are evident in the physical fabric of the place and in documentary resources. It is not, however, one of a small number of places in Victoria that demonstrate these associations. It does not contain unusual features of note that were not widely replicated. As a whole, the place belongs to the class of 'urban lakes' and this class is not endangered to the point of rarity.

Step 1 of Criterion B is not likely to be satisfied.

## **CRITERION C: Potential to yield information that will contribute to an understanding of Victoria's cultural history.**

### **Step 1: Test for Satisfying Criterion C**

The:

- visible physical fabric; &/or
- documentary evidence; &/or
  - oral history,

relating to the place/object indicates a likelihood that the place/object contains *PHYSICAL EVIDENCE* of *historical interest* that is *NOT CURRENTLY VISIBLE OR UNDERSTOOD*.

*plus*

From what we know of the place/object, the physical evidence is likely to be of an *INTEGRITY* and/or *CONDITION* that it *COULD YIELD INFORMATION* through detailed investigation.

### **Executive Director's Response**

It is likely that there are archaeological features and deposits at Lake Wendouree, as the place has sustained continuous use and physical change since the early years of European colonisation. However, there is no indication that any currently concealed physical evidence at Lake Wendouree is likely to yield information that is not presently understood through other methods, such as documentary evidence.

Step 1 of Criterion C is not likely to be satisfied.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## **CRITERION D: Importance in demonstrating the principal characteristics of a class of cultural places and objects.**

### **Step 1: Test for Satisfying Criterion D**

The place/object is one of a *CLASS* of places/objects that has a *clear ASSOCIATION* with an event, phase, period, process, function, movement, important person(s), custom or way of life in Victoria's history.

*plus*

The *EVENT, PHASE, etc* is of *HISTORICAL IMPORTANCE*, having made a strong or influential contribution to Victoria.

*plus*

The principal characteristics of the class are *EVIDENT* in the physical fabric of the place/object.

### **Executive Director's Response**

Lake Wendouree is one of a class of urban lakes. This class has several historical associations, notably with the water supply, the establishment of public recreation reserves and the development of water-based sport and leisure. These events and processes are of historical importance. The principal characteristics of the class are predominately an expanse of water and landscaped surrounds. These characteristics are evident at Lake Wendouree.

Step 1 of Criterion D is likely to be satisfied.

### **Step 2: State Level Significance Test Criterion D**

The place/object is a *NOTABLE EXAMPLE* of the class in Victoria (refer to Reference Tool D).

### **Executive Director's Response**

Under the definitions provided in Reference Tool D, Lake Wendouree can be considered as a notable example of its class because it is fine. The lake's substantial size distinguishes it from other examples in the class. Its surrounds have been carefully designed and curated since the mid-nineteenth century and display characteristics that are of a higher quality and historical relevance than other examples. Its array of buildings and structures from the late nineteenth and early twentieth century are of greater historical relevance than other examples.

Criterion D is likely to be satisfied at the State level.

## **CRITERION E: Importance in exhibiting particular aesthetic characteristics.**

### **Step 1: Test For Satisfying Criterion E**

The *PHYSICAL FABRIC* of the place/object clearly exhibits particular aesthetic characteristics.

### **Executive Director's Response**

The physical fabric of the place exhibits particular aesthetic characteristics in its extensive expanse of water and numerous surrounding mature tree plantings. It has been designed and developed from the mid-nineteenth century to provide an experience of considerable visual appeal. Virtually enclosed from surrounding urban development, it provides numerous opportunities for panoramic views to the distant lake shores. The landscape of the lake and its surrounds is complemented by picturesque structures such as boatsheds.

Step 1 of Criterion E is likely to be satisfied.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Step 2: State Level Significance Test for Criterion E

The aesthetic characteristics are *APPRECIATED OR VALUED* by the wider community or an appropriately-related discipline as evidenced, for example, by:

- *critical recognition* of the aesthetic characteristics of the place/object within a relevant art, design, architectural or related discipline as an outstanding example within Victoria; or
- wide public *acknowledgement of exceptional merit* in Victoria in medium such as songs, poetry, literature, painting, sculpture, publications, print media etc.

### *Executive Director's Response*

Lake Wendouree has been carefully designed and developed since the mid-nineteenth century to provide a distinctive sensory experience. There has been wide public acknowledgement of the exceptional merit of Lake Wendouree's aesthetic characteristics in artwork, particularly in photography and painting. Numerous artworks have captured the lakes expansive surface, panoramic views and scenic surrounds. Artistic renderings of the lake's landscape are often depict the picturesque qualities of activities carried out at the lake, such as sailing and boating.

Criterion E is likely to be satisfied at the State level.

## **CRITERION F: Importance in demonstrating a high degree of creative or technical achievement at a particular period.**

### Step 1: A Test for Satisfying Criterion F

The place/object contains *PHYSICAL EVIDENCE* that clearly demonstrates creative or technical *ACHIEVEMENT* for the time in which it was created.

*plus*

The physical evidence demonstrates a *HIGH DEGREE OF INTEGRITY*.

### *Executive Director's Response*

Lake Wendouree exhibits physical evidence of creative achievement as a curated, picturesque landscape. From the 1860s, the place was developed from a swampy wetland into an attractive urban lake with sporting and recreational amenities, historic boat sheds and monuments, exotic plantings and promontories. Although there are other designed urban lakes in Victoria, many of these were formed substantially from the early twentieth century. Lake Wendouree can therefore be considered a creative achievement for the time of its creation (the 1860s) as one of the earliest curated urban lakes in Victoria, along with Albert Park Lake in Melbourne.

Lake Wendouree demonstrates a high degree of integrity in its extant built structures and the general layout of its various gardens and pathways, which allow the historic use of the place as a sporting and leisure venue to be appreciated.

Step 1 of Criterion F is likely to be satisfied.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Step 2: State Level Significance Test for Criterion F

The nature &/or scale of the achievement is *OF A HIGH DEGREE* or 'beyond the ordinary' for the period in which it was undertaken as evidenced by:

- *critical acclaim* of the place/object within the relevant creative or technological discipline as an outstanding example in Victoria; or
- wide *acknowledgement of exceptional merit* in Victoria in medium such as publications and print media; or
- recognition of the place/object as a *breakthrough* in terms of design, fabrication or construction techniques; or
- recognition of the place/object as a successful solution to a technical problem that *extended the limits* of existing technology; or
- recognition of the place/object as an outstanding example of the *creative adaptation* of available materials and technology of the period.

### Executive Director's Response

Although an early example of a curated urban lake, Lake Wendouree cannot be considered to be a creative achievement 'beyond the ordinary' for the period in which it was created. There is little evidence of Lake Wendouree having received critical acclaim, wide acknowledgement of exceptional merit or recognition for its creative attributes within a relevant discipline.

Criterion F is not likely to be satisfied at the State level.

## **CRITERION G: Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons.**

### Step 1: Test for Satisfying Criterion G

Evidence exists of a community or cultural group.

*(A community or cultural group is a group of people who share a common interest, including an experience, purpose, belief system, culture, ethnicity or values.)*

*plus*

Evidence exists of a strong attachment between the COMMUNITY OR CULTURAL GROUP and the place/object in the present-day context.

*plus*

Evidence exists of a time depth to that attachment.

### Executive Director's Response

Several groups and communities have a strong attachment to Lake Wendouree linked to specific activities. This includes groups such as rowing clubs who have premises on the lake and utilise it for training and competitions. Many of these groups have been established since the late nineteenth century or early twentieth century and there is a time depth to this attachment.

There is also a strong attachment between people who live in Ballarat and Lake Wendouree as a popular place of socialising and passive and active recreation. It has had these uses since the mid-nineteenth century and there is ample evidence that it continues to be valued for these reasons in forums such as social media, council surveys and community consultation. The picturesque qualities of the lake and its surrounds are also appreciated by tourists and visitors as evidenced by sources such as Tripadvisor and Google reviews.

Step 1 of Criterion G is likely to be satisfied.



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Step 2: State Level Significance Test for Criterion G

Evidence exists that the social value resonates at a State Level, that is across the 'broader Victorian community'.  
(*'Resonance' means the extent to which the social value of a place/object can be demonstrated to exert an influence. The social value must resonate beyond a particular local, social or cultural community into the 'broader Victorian community'*).

Plus

Evidence exists that the social value is part of an event or story that contributes to Victoria's identity.

### Executive Director's Response

Although views of Lake Wendouree has been enjoyed as a destination for sports, recreation and leisure since the mid-nineteenth century, it is not clear that the place's social value resonates at a State level. There are many places in Victoria which play an important role in their respective community's sporting and recreational life, including urban lakes, swimming pools and public reserves. However, few could be said to 'exert an influence' across the Victorian community. It is a highly picturesque place that is popular with visitors to Ballarat but the same could likely be said of multiple tourist destinations across the State. Similarly, there are a great number of long running places associated with pastimes such as rowing and fishing in Victoria, and there is not strong evidence that Lake Wendouree can be differentiated from other places in this regard.

Criterion G is not likely to be satisfied at the State level.

## CRITERION H: Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

### Step 1: Test for Satisfying Criterion H

The place/object has a *DIRECT ASSOCIATION* with a person or group of persons who have made a strong or influential *CONTRIBUTION* to the course of Victoria's history.

plus

The *ASSOCIATION* of the place/object to the person(s) *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources and/or oral history.

plus

The *ASSOCIATION*:

- directly relates to *ACHIEVEMENTS* of the person(s) at, or relating to, the place/object; or
- relates to an *enduring and/or close INTERACTION* between the person(s) and the place/object.

### Executive Director's Response

Lake Wendouree has a direct association with various individuals, primarily:

*William Cross Yuille (1819-1894)*

Yuille acquired the land currently comprising Ballarat and Lake Wendouree in c.1838 and operated a successful sheep run in the district for several years. In the early 1850s, Yuille sold his Ballarat station and later became a notable figure in Victoria's horse racing community. Although an active member of nineteenth century society, Yuille's activities cannot be said to have made a strong or influential contribution to the course of Victoria's history.

*Edward King 'Ned' Williams (1825-1900)*

Ned Williams was a pioneer in Ballarat society and a driving force in the transformation of Yuille's Swamp into Lake Wendouree, and the development of the Ballarat Rowing Club. Highly respected by the community, Williams was commemorated with the unveiling of a memorial drinking fountain opposite the Lake View Hotel in 1901. Although

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Williams made a substantial contribution towards the development of Lake Wendouree, it is likely that this contribution is best understood by the Ballarat community rather than the broader Victorian community.

*George Tonner (d.1923)*

George Tonner was a former President of the Ballarat Rowing Club. His contributions are memorialized in the commemorative pergola constructed opposite the Lake View Hotel in 1925. There is little evidence indicating that Tonner's contributions resonated beyond the Ballarat community.

*Steve Moneghetti (b.1962)*

Steve Moneghetti is a Ballarat-born marathon runner who represented Australia at several Olympic and Commonwealth Games between 1986 and 2000. In 2014, Moneghetti's athletic achievements were further recognized at the national level when he was awarded an Order of Australia Medal. His connection to Ballarat is commemorated in the Steve Moneghetti Track, the six-kilometre track encircling Lake Wendouree where he trained. Although Moneghetti has made strong contributions to Australian athletics, having represented the nation several times, his achievements are better represented via objects and documentary evidence rather than the training track.

Step 1 of Criterion H is not likely to be satisfied.

## Comparisons

Although there are several places in the VHR which feature lakes within their extent, there are currently no lakes in Victoria that have been recognised as being of state level cultural heritage significance. It is therefore useful to compare Lake Wendouree with places both in the VHR and not in the VHR, but which may be in local heritage overlays.

Lake Wendouree is compared with the following places:

- Public reserves in the VHR with recreational use. This allows Lake Wendouree to be compared to places already included in the VHR which share Lake Wendouree's historical associations.
- Urban lakes (not in the VHR). This enables a comparison with other major urban lakes in Victoria, all of which are in local heritage overlays. None are yet included in the VHR.
- Places associated with the 1956 Olympic Games in the VHR. Lake Wendouree was the official venue for rowing, canoeing and kayaking competitions during the 1956 Olympic Games. This allows Lake Wendouree to be compared with other places in the VHR which have similar associations with the Games.
- Boat sheds in the VHR. There are several boat sheds of various construction dates around Lake Wendouree. This enables a comparison of the Lake Wendouree boat sheds with boat sheds that are of state level significance.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Public reserves in the VHR associated with recreation

### The Brighton Bathing Boxes and Dendy Street Beach, Brighton, Bayside City (VHR H2369)

The Brighton Bathing Boxes and Dendy Street Beach are historically significant for their association with the development of beach culture in Victoria from the 1840s. The bathing boxes are architecturally significant as representative examples of their class with gables roofs and rudimentary design. They are also aesthetically significant for their vibrant, brightly painted exterior walls and as an iconic symbol of Melbourne and its beach culture. The bathing boxes are socially significant for their landmark qualities, and have been reproduced in multiple mediums including photography, painting, digital and film media and promotional products.



### Eastern Beach Bathing Complex and Reserve, Greater Geelong City (VHR H0929)

The Eastern Beach Bathing Complex and Reserve is of historical significance to the state of Victoria. Constructed between 1928 and 1939, it is the last major enclosed sea bathing facility to be built on Port Phillip Bay and represents the culmination of the ethos of sea bathing. The complex are illustrative of the traditional pastime of sea bathing, popular since the 1840s, and represents the transition from segregated and private bathing in the nineteenth century to mixed public bathing in the early twentieth century.



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## **Bells Beach Surfing Recreation Reserve, Surf Coast Shire (VHR H2032)**

Bells Beach Surfing Recreation Reserve is of historical and social significance to the State of Victoria. Bells Beach was utilised by pioneer surfers as early as 1939 and has become more publicly accessible since an access track was developed in 1960. The place is historically significant for its role in important developments in surfboard and wetsuit technology, and in the development of nearby Torquay – headquarters for several major surfing companies. Bells Beach Surfing Recreation Reserve is socially significant as an international icon of Australian surfing culture, and as the location of the world's longest running surf competition.



## **Hanging Rock Reserve, Newham, Macedon Ranges Shire (VHR H2339)**

Hanging Rock Reserve is of historic, aesthetic and social significance to the State of Victoria. Reserved in stages in 1870 and 1884, it is an early and popular recreational destination for Victorians. The Reserve is also historically significant for its long association with horse racing in Victoria from the 1860s to the present day. The Hanging Rock formation is of aesthetic significance as a distinctive and unusual place of beauty which has been recognised and enjoyed by Victorians since the 1860s. Since the 1850s, the unique features of Hanging Rock have stimulated innumerable written and artistic responses including sketches, paintings, photographs, writing, film and music.



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## **Buchan Caves Reserve, Buchan, East Gippsland Shire (VHR H1978)**

The Buchan Caves Reserve was developed along the Buchan-Murrindal cave system. The place was a popular attraction from the 1880s, when a camping reserve was set aside along Buchan-Gelantipy Road. Landscaping of the reserve occurred from 1929 to a design laid out by the esteemed landscape gardener Hugh Linaker. The Buchan Caves Reserve is historically significant as an early tourist attraction based in a natural landscape, and for demonstrating the influence of 1930s National Parks landscape ideals. It is aesthetically significant as an example of the work of Hugh Linaker, and for the spectacular caves and geological formations that comprise the underground features of the reserve.



## **Hepburn Mineral Springs Reserve, Hepburn Shire (VHR H2098)**

The Hepburn Mineral Springs Reserve is of historic, aesthetic, scientific and social significance to the State of Victoria. The place has been in continuous use as a health tourism destination since at least the 1870s and has been developed into a picturesque combination of regrowth native vegetation and exotic trees, cultivated parklands and Castlemaine slate paving. Hepburn Mineral Springs Reserve is historically significant as an intact expression of nineteenth and early twentieth century nature and health tourism in Victoria, and for the retention of its 1895 bathhouse. The place is socially significant as a major recreational attraction for Victorians, and for its association with the local Swiss-Italian community.



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Wattle Park, Burwood, Whitehorse City (VHR H0904)

Wattle Park was developed by the Hawthorn Tramways Trust for the provision of public recreational purposes, as well as the promotion of its transport services. The Park is historically significant for its close association with the Hawthorn Tramways Trust, which was the first of the suburban tramway authorities to run trams into the City of Melbourne proper. The layout of the grounds and rustic buildings are an important work of A G Monsborough, architect of the Hawthorn Tramways Trust board between 1926 and 1938. Wattle Park is also architecturally significant for the Wattle Park chalet, which has operated continuously since 1928 as a café, dance hall and reception venue. Wattle Park is one of three major inner Melbourne parks that has retained a natural bush setting and continues to be a valuable community gathering place.



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Urban lakes (not in the VHR)

### Albert Park Lake, Albert Park, Port Phillip Planning Scheme HO446

Prior to European settlement, Albert Park Lake was one of several large lagoons in the Yarra delta region. Initially used for cattle grazing, the land around Albert Park Lake was fenced in 1857 and reserved for public use in 1862. Early users of the parkland included the Albert Park Yacht Club (1874), the Albert Park Rowing Club (1875), the South Melbourne Rowing Club (1876) and the Lake Rowing Club (1879).

As Albert Park was developed from the late nineteenth century, it retained its distinctive Y-shaped lake. Many of the nineteenth century structures and carriageways were redeveloped during the post-WWII years and the 1990s, leaving little evidence of the park's original Victorian character.

Albert Park is historically and socially significant as a longstanding sporting and recreational venue in inner Melbourne. It is aesthetically significant as one of the largest open public spaces in inner Melbourne and for its distinctive Y-shaped lake, which is enhanced by an ornamental island and avenues of trees.



### Lake Weeroona, Lake Weeroona Park, Greater Bendigo Planning Scheme HO213

In 1873, Sandhurst (now Bendigo) Council proposed that part of the site adjoining the Bendigo Creek be developed for an ornamental lake and reserve. The following year, the land currently comprising Lake Weeroona Park was reserved for recreation purposes. The Lake Weeroona precinct, including the lake and network of paths and plantings, was designed by the renowned landscape gardener and botanist William Guilfoyle (1840-1912).

A number of significant trees are planted within Lake Weeroona Park including English elms, Bunya Bunya pine, Kau apple, Canary Island date palm, and flame bottle tree. There are relatively few built structures on the shores of Lake Weeroona.



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Victoria Park Lake, Shepparton, Greater Shepparton Planning Scheme HO169

Prior to 1928 the area that currently comprises the Victoria Park Lake was a lightly timbered swamp used for grazing purposes. In 1929, the swamp was filled with water from the Goulburn River to create a public reserve for the people of Shepparton. Victoria Park Lake was developed from the 1930s and lengthened during the twentieth century to accommodate a rowing course.

Victoria Park Lake is of historical, aesthetic and social significance to Greater Shepparton as a place for recreation since the 1930s. It is an important landmark in Shepparton and has facilitated the development of several local clubs. Establishments around Victoria Park Lake include a caravan park, skate park, the Shepparton Rowing Club and an aquatic centre.



## Lake Guthridge Landscape Precinct, Sale, Wellington Planning Scheme HO123

Lake Guthridge was developed from existing swamplands to the south of Sale township during the 1860s. The lake's parkland features various plantings dating to the 1930s including willows, pines and plane trees.

The south-eastern shore of Lake Guthridge forms a natural boundary for the Sale Botanic Gardens, which were developed from 1866. Built structures around the lake are primarily utilitarian, such as public toilets and modern playgrounds.





# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Lake Sambell, Beechworth, Indigo Planning Scheme HO247

Lake Sambell originated during the c.1850s when gold was discovered near Beechworth. The lake was the site of the Rocky Mountain Mining Company, an open cut sluice operation from the mid-nineteenth century until the early twentieth century. The place was developed into a recreational lake during the 1920s.

Lake Sambell is notable for the Beechworth Chinese Gardens, which were established on its shores in 1998.



## Lake Benalla, Benalla, Benalla Rural City (no HO)

Lake Benalla is an artificial lake, constructed in 1974-75 by the damming of the Broken River. The lake features a concrete girder bridge (Broken River Bridge, VHR H1043), built in 1909-1910, as well as the Benalla Botanical Gardens and Art Gallery (VHR H2260) which abuts its south-western shore.

Lake Benalla's shores are also the site of locally significant places including the Arundel Street Conservation Area (Benalla Rural City Planning Scheme HO25) and the Benalla Central Urban Conservation Area (Benalla Rural City Planning Scheme HO26).



## Lake Colac, Colac, Colac Otway Shire (no HO)

Lake Colac is the largest natural freshwater lake in Victoria. European settlement commenced in its southern shores in the 1840s and was stocked with fish from the early 1860s. In 1865, a portion of land on its south shore was reserved for the purposes of recreation and a botanical gardens (Colac Botanic Gardens, VHR H2259). From the 1870s, activities on Lake Colac included steamer cruising, bathing, fishing and yachting. There are two remaining primary structures on the lake's southern shore which are associated with these activities – the Colac Rowing Club boat shed and the boat ramp.

Lake Colac continues to be an important natural and recreational landmark of Colac.



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Lake Daylesford, Daylesford, Hepburn Shire (no HO)

Lake Daylesford is a U-shaped artificial lake covering the former site of the Wombat Flat gold diggings. After a long succession of public efforts, a dam wall was constructed across its eastern portion in 1929 and the lake opened the following year as a public recreational site.

Lake Daylesford features the Former Leggatts Hotel (Hepburn Shire Planning Scheme HO662), a locally significant Victorian-era house.



## Lake Hamilton, Hamilton, Southern Grampians Shire (no HO)

Lake Hamilton was created in 1977 by the formation of a clay embankment across the Grange Burn. The lake and its surrounds are popular with residents for water sports as well as cycling, walking and picnicking.



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Places associated with the 1956 Olympic Games in the VHR

### Melbourne Cricket Ground, East Melbourne, Melbourne City (VHR H1928)

The Melbourne Cricket Ground (MCG) is of historical and social significance to the State of Victoria. Established in 1853 for the promotion of cricket, the place has developed from a modest urban oval into a major piece of sporting infrastructure. The MCG was the main venue and ceremonial focus for the 1956 Olympic Games and continues to be a premier sporting facility in Victoria, being the symbolic home of Australian Rules Football. The MCG has important associations with the Melbourne Cricket Club, the oldest cricket club in Victoria, and contains elements of individual architectural importance.



### Olympic Swimming Stadium, Melbourne, Melbourne City (VHR H1977)

The Olympic Swimming Stadium (10-30 Olympic Boulevard, Melbourne) is of architectural and historical significance to the State of Victoria. The design of this building was the winner of one of three international competitions held in 1952 to provide stadia for the 1956 Olympic Games. Designed by architects Kevin Borland, Peter McIntyre, John and Phyllis Murphy and engineer Bill Irwin, it was completed in 1956. The Olympic Swimming Stadium is historically significant as the only major stadium structure remaining from the 1956 Olympic Games. Its architectural significance lies in its early use of pre-tensioned steel frame construction, and in its influence on the development of Structuralist architecture in Australia following World War II.



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## **Beaurepaire Centre, Parkville, Melbourne City (VHR H1045)**

The Beaurepaire Centre at the University of Melbourne, Parkville, is of architectural, aesthetic and historical significance to the State of Victoria. Constructed prior to the 1956 Olympic Games, the Beaurepaire Centre is notable for its extensive use of glass, sun control devices and internal acoustic treatments. It is significant as an early work of the burgeoning architectural practice of Eggleston Macdonald and Secomb, which produced many key buildings for the University of Melbourne. The Beaurepaire Centre also features the 'Symmetry of Sport' mural by Leonard French, one of Australia's most distinguished twentieth century artists. The place is also historically significant for its strong associations with the Olympic swimmer Frank Beaurepaire, and with the 1956 Olympic Games.



## **Festival Hall, West Melbourne, Melbourne City (VHR H2386)**

Festival Hall is of historical and social significance to the State of Victoria. Constructed in 1955 to replace the former West Melbourne Stadium (built in 1913), Festival Hall remained a principal boxing, wrestling and live music venue in Victoria until the 1980s. It hosted the boxing and gymnastics events for the 1956 Olympic Games and also some of the biggest national and international acts of the twentieth century including the Beatles, Buddy Holly, Neil Young, The Kinks and Frank Sinatra.



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Boat sheds in the VHR

### Melbourne University Boat Shed, Melbourne City (VHR H0682)

The Melbourne University Boat Shed is historically significant to the State of Victoria for its associations with the University Boat Club (established in 1859), the oldest rowing club in Australia. Constructed in 1908, it is also a rare example of a substantial early twentieth century rowing club building. The Melbourne University Boat Shed is associated with many of Victoria's and Australia's best rowers.



### Proudfoot's Boathouse, Warrnambool City (VHR H0620)

Proudfoot's Boathouse is of historical, architectural and social significance to the State of Victoria. The earliest single-storey portions of the boathouse were constructed c.1885, with the double-storey addition completed c.1893. Proudfoot's Boathouse is architecturally one of the finest and most outstanding examples of a nineteenth century boathouse in Victoria, which were popular tourist and recreational facilities between the 1880s and early twentieth century.



## Summary of Comparisons

### *Recreation reserves in the VHR*

These places demonstrate the many ways in which Victorians have used and developed landscapes for recreational purposes since the time of European settlement. They also demonstrate a breadth of outdoor activities enjoyed by Victorians since the mid-nineteenth century, from seaside bathing to caving, picnicking and hiking. Although each place has been marked by human development to varying degrees, their recreational or tourism function is easily discernible due to the presence of built structures such as hospitality venues, information centres and other amenities. Several places, such as Hanging Rock, Tower Hill and the Brighton Bathing Boxes, are also aesthetically significant and iconic Victorian landmarks.

Similar influences are also visible at Lake Wendouree. The collection of boat sheds, jetties, exotic plantings and monuments illustrate how the place is and has been used since initial landscaping works of the 1860s. Like other recreation reserves in the VHR, Lake Wendouree has also been a source of creative inspiration for artists since the mid-nineteenth century. Like other places included in the VHR it has a density and variety of features that demonstrate its historical recreational associations.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## *Urban lakes (not in the VHR)*

There are several places in the VHR which are set on the shores of urban lakes, although the lakes themselves are not recognised as having state level heritage significance. Lake Wendouree shares a similar history with most of these municipal lakes, which were predominantly created for recreational purposes from existing swampland and/or the damming of a local waterway. In comparison with other municipal lakes though, Lake Wendouree has a relatively long history of development with excavation and improvement works occurring as early as the 1850s. As such, it is one of the earliest urban lakes developed in Victoria. At around 238 hectares it is also one of the largest. It is distinguished by the diverse array of historic buildings and structures that clearly demonstrate its nineteenth and early twentieth century recreational history. As a landscape it has been highly curated since at least the 1850s and demonstrates particularly fine characteristics. Its expansiveness and sense of enclosure provide it with distinctive aesthetic characteristics not seen at other urban lakes in Victoria.

## *Places associated with the 1956 Olympic Games in the VHR*

The majority of events at the 1956 Olympic Games were held in metropolitan Melbourne, with the exception of rowing, canoeing and equestrian competitions.<sup>10</sup> Swimming events were held at the Olympic Swimming Stadium while competitors trained at the Beaurepaire Centre; boxing and gymnastics at Festival Hall and the opening and closing ceremonies at the Melbourne Cricket Ground. Due to the lack of suitable waterways within metropolitan Melbourne for large-scale competitive rowing and canoeing, Lake Wendouree was chosen as the venue for these sports. It is the only place outside metropolitan Melbourne (in Australia) which hosted events for the 1956 Olympic Games. While it does not present as architecturally significant in comparison to the Olympic Swimming Centre, it reflects the purposes for which it was employed during the Olympics and the Olympic rowing course is still discernible and utilised for rowing competitions. Lake Wendouree's Olympic history is complemented by the Olympic monument, erected in 1958. As the site of Olympic competition, it is differentiated from the many places around Melbourne used for training during 1956.

## *Boat sheds in the VHR*

There are relatively few boat sheds or boat houses recognised as having cultural heritage significance at the state level. Proudfoot's Boathouse is a particularly early example of a colonial-era public boat house, constructed at a time when rowing and yachting were popular leisure pursuits in Victoria. The Melbourne University Boatshed is significant both as an early twentieth century boat shed and for the close association with its rowing club, which is the oldest in Victoria. Several of the extant boatsheds at Lake Wendouree are from a comparable era. It is also distinguished by the number and variety of boatsheds.

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<sup>10</sup> Due to strict quarantine laws in Australia during the 1950s, equestrian events for the 1956 Olympics were held in Stockholm, Sweden.



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

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

The ED recommends that Lake Wendouree be included in the VHR as a registered place.

## Statement of significance

### What is significant?

Lake Wendouree is a substantial urban lake of approximately 238 hectares, which was developed from existing wetlands from the 1850s. The place comprises the lake, its rowing course, surrounding public reserve with numerous mature trees, and significant built features including historic boat sheds, monuments and esplanades.

### How is it significant?

Lake Wendouree is of historical and aesthetic significance to the State of Victoria. It satisfies the following criterion for inclusion in the Victorian Heritage Register:

#### Criterion A

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

#### Criterion D

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

#### Criterion E

Importance in exhibiting particular aesthetic characteristics.

### Why is it significant?

Lake Wendouree is historically significant for its associations with the development of water-based sports and recreation in Victoria. Initially known as 'Yuille's Swamp', it has been a popular rowing and boating site since the 1860s. Subsequent improvements to the lake and its surrounding reserve facilitated the development of recreational groups, including rowing and yachting clubs, fly fishing clubs and commercial paddle steamers, as well as the construction of their associated boat sheds. Lake Wendouree has retained an array of boat sheds and other features which enable the popularity of water-based sports and recreation during key periods the late nineteenth and early twentieth centuries to be fully appreciated. These historic uses, many of them ongoing, are complemented by the picturesque landscape surrounds of the lake which, along with the adjacent Ballarat Botanical Gardens (VHR H2252), has been a popular destination for leisure activities since the mid-nineteenth century. [Criterion A]

Lake Wendouree is also historically significant for its close association with the 1956 Olympic Games, which were predominantly held in metropolitan Melbourne. Lake Wendouree was the only Olympic venue in regional Victoria, selected for its substantial scale which enabled up to ten rowing or canoeing crews to race abreast. Its role in the 1956 Olympics is evident in the location and alignment of the existing rowing course, which was dredged specifically for the rowing and canoeing competitions for that event. Lake Wendouree's central role in the 1956 Olympic Games can also be appreciated in the associated monument on the south-western shore. [Criterion A]



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Lake Wendouree is significant as a notable example of an urban lake in Victoria. It is a substantial example that exhibits fine landscape characteristics, particular in its array of mature trees. Its early boat sheds, tram and picnic shelters, park furniture, monuments and statuary are of a higher degree of historical relevance than those found at other urban lakes. [Criterion D]

Lake Wendouree is aesthetically significant as a landscape that has been carefully designed and developed from the mid-nineteenth century to provide a distinctive and highly appealing sensory experience. This is characterised by uninterrupted vistas across the lake surface and a sense of enclosure from the surrounding city by numerous mature exotic trees. Winding pathways and historic boatsheds contribute to the scenic visual qualities of the place and it is complemented by the adjacent Ballarat Botanical Gardens (VHR H2252). It has inspired numerous artworks since at least the 1870s, particularly photography and painting. Artistic renderings of Lake Wendouree typically depict the picturesque qualities of activities carried out at the lake, such as sailing, rowing, fishing and walking. [Criterion E]



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Categories of works or activities (permit exemptions) recommended under section 38 (section 40(4)(b))

### Introduction

The purpose of this information is to assist owners and other interested parties when considering or making decisions regarding works to a registered place. It is recommended that any proposed works be discussed with an officer of Heritage Victoria prior to making a permit application. Discussing proposed works will assist in answering questions the owner may have and aid any decisions regarding works to the place.

It is acknowledged that alterations and other works may be required to keep places and objects in good repair and adapt them for use into the future. However, under the *Heritage Act 2017* a person must not knowingly, recklessly or negligently remove, relocate or demolish, damage or despoil, develop or alter or excavate all or any part of any part of a registered place without approval. It should be noted that the definition of 'develop' in the Act includes any works on, over or under the place.

If a person wishes to undertake works or activities in relation to a registered place or registered object, they must apply to the Executive Director, Heritage Victoria for a permit. The purpose of a permit is to enable appropriate change to a place and to effectively manage adverse impacts on the cultural heritage significance of a place as a consequence of change. If an owner is uncertain whether a heritage permit is required, it is recommended that Heritage Victoria be contacted.

Permits are required for anything which alters the place or object, unless a permit exemption is granted. Permit exemptions usually cover routine maintenance and upkeep issues faced by owners as well as minor works or works to the elements of the place or object that are not significant. They may include appropriate works that are specified in a conservation management plan. Permit exemptions can be granted at the time of registration (under section 38 of the Heritage Act) or after registration (under section 92 of the Heritage Act). It should be noted that the addition of new buildings to the registered place, as well as alterations to the interior and exterior of existing buildings requires a permit, unless a specific permit exemption is granted.

### Disrepair of registered place or registered object

Under section 152 of the Act, the owner of a registered place or registered object must not allow that place or object to fall into disrepair.

### Failure to maintain registered place or registered object

Under section 153 of the Act, the owner of a registered place or registered object must not fail to maintain that place or object to the extent that its conservation is threatened.

### Conservation management plans

The *Lake Wendouree Heritage Conservation Analysis* was completed by Mark McWha Landscape Architects and Positive Space in October 1994. It is recommended that a revised conservation management plan should be completed to better understand the cultural heritage significance of various features at the place and account for any subsequent change to the place.



# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Archaeology

There is no identified archaeology of State level significance at the place. However any works that may affect historical archaeological features, deposits or artefacts at the place is likely to require a permit, permit exemption or consent. Advice should be sought from the Archaeology Team at Heritage Victoria.

## Aboriginal cultural heritage

To establish whether this place is registered under the *Aboriginal Heritage Act 2006* please contact First Peoples – State Relations in the Department of Premier and Cabinet. The *Heritage Act 2017* and the *Aboriginal Heritage Act 2006* are separate pieces of legislation. Please be aware that both Acts are required to be satisfied and satisfying the requirements of one Act may not satisfy the requirements of the other.

If any Aboriginal cultural heritage is discovered or exposed at any time it is necessary to immediately contact First Peoples – State Relations in the Department of Premier and Cabinet to ascertain requirements under the *Aboriginal Heritage Act 2006*. If works are proposed which have the potential to disturb or have an impact on Aboriginal cultural heritage it is necessary to contact First Peoples – State Relations in the Department of Premier and Cabinet to ascertain any requirements under the *Aboriginal Heritage Act 2006*.

## Other approvals

Please be aware that approval from other authorities (such as local government) may be required to undertake works.

## Notes

- All works should ideally be informed by a Conservation Management Plan prepared for the place. The Executive Director is not bound by any Conservation Management Plan and permits still must be obtained for works suggested in any Conservation Management Plan.
- Nothing in this determination prevents the Heritage Council from amending or rescinding all or any of the permit exemptions.
- Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits where applicable.

## General Conditions

- All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place.
- Should it become apparent during further inspection or the carrying out of works that original or previously hidden or inaccessible details of the place are revealed which relate to the significance of the place, then the exemption covering such works must cease and Heritage Victoria must be notified as soon as possible.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Permit Exemptions

### General (all buildings, structures and areas)

1. Minor repairs and maintenance which replaces like with like. Repairs and maintenance must maximise protection and retention of existing fabric and include the conservation of existing details and elements. Any repairs and maintenance must not:
  - exacerbate the decay of fabric due to chemical incompatibility of new materials.
  - obscure fabric; or
  - limit access to such fabric for future maintenance.
2. Painting of previously painted external surfaces in the same colour, finish and product type, provided that preparation or painting does not remove all evidence of earlier paint finishes and/or schemes.
3. Inspection, maintenance, repair, replacement, disconnection and removal of existing services such as plumbing and sewerage; electrical cabling and wiring, switchboards and substations; surveillance systems (including cctv cameras); communications infrastructure; pipes; speakers and public address systems; gas meters; and fire services which does not involve changes in location, scale, fixing or additional trenching. Buildings, structures and landscaping are to be made good and returned to the original configuration and appearance on completion of works.
4. Repair to or removal of modern extraneous items such as antennae, aerials, air conditioners and associated pipe work, ducting and wiring.
5. Works or activities, including emergency stabilisation, necessary to secure safety in an emergency where a structure or part of a structure has been irreparably damaged or destabilised and poses a safety risk to its users of the public. The Executive Director of Heritage Victoria must be notified within seven days of the commencement of these works or activities.
6. All regular and post-event cleaning such as rubbish removal and washing down of surfaces.
7. All works to manage and remove graffiti, including but not limited to painting and surface treatments. This excludes memorials, cannons, statues, plaques and metal surfaces.

### Internal works to buildings

8. All repainting of previously painted internal surfaces. This does not apply to areas where specialist paint techniques such as graining, marbling, stencilling, hand-painting, murals or signwriting are present or to wallpapered surfaces.
9. Works to maintain or upgrade existing bathrooms, kitchens and bar areas including installing new appliances, tiling and the like.
10. Installation, removal or replacement of carpets and or flexible floor coverings, window furnishing, devices for mounting wall hung artworks.
11. Installation, maintenance, removal or replacement of internal boat hangars and associated infrastructure within boatsheds and rowing sheds/clubrooms.
12. Installation, removal or replacement of existing hooks, brackets and the like for hanging wall mounted artworks.
13. Installation, maintenance, repair and replacement of light fixtures, switches, fittings, tracks and the like in existing locations.
14. Installation, removal or replacement of smoke and fire detectors, alarms and the like.
15. Installation, repair, removal or replacement of existing ducted, hydronic, split system or concealed radiant type heat provided that the central plant is concealed, and that the work is done in a manner which does not visibly alter the building fabric.
16. Installation of plant within the roof space, providing that it does not impact on the external appearance of the building or involve structural changes.
17. Installation, removal or replacement of bulk insulation in the roof space.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Events

Installation or erection of the following lightweight temporary structures and infrastructure in support of public events provided they are in place no longer than two days and no more than 52 times a year. This includes:

18. Lightweight temporary shelters, marquees, pop-up gazebos, boat racks, tents and the like. These are to be weighted down with sand bags or water tanks as a first preference and located no closer than three metres from the base of a tree. Limited use of pegging can occur when unable to be avoided, provided this is located to avoid tree roots (i.e. not driven into if encountered).
19. Temporary signage, banners, public address systems, furniture and like in support of events which is free standing and does not require fixing to the ground, trees or buildings.
20. Use of temporary floating pontoons, launches and the like.

Installation or erection of the following temporary structures and infrastructure in support of public events for a maximum period of 3 weeks and no more than six times a year in the same location. This includes:

21. Lightweight temporary shelters, marquees, pop-up gazebos, boat racks, tents and the like. These are to be weighted down with sand bags or water tanks as a first preference and located no closer than three metres from the base of a tree. Limited use of pegging can occur when unable to be avoided, provided this is located to avoid tree roots (i.e. not driven into if encountered).
22. Temporary signage, banners, public address systems, furniture and like in support of events which is free standing and does not require fixing to the ground, trees or buildings.
23. Use of temporary floating pontoons, launches and the like.
24. Lighting, public address systems, and the like which do not require fixing into the ground.
25. Security fencing, scaffolding, hoardings or surveillance systems to prevent unauthorised access or to secure public safety, as long as metal stakes are not used to affix these.
26. Built or mobile structures such as vendor and food vans which are located on existing hardstand and paved/asphalted areas and pathways.
27. Delivery and removal of temporary refuse receptacles, including skip bins.
28. Temporary power feeds.

Installation or erection of the following temporary structures and infrastructure for a maximum period of 1 week and no more than six times a year in the same location. This includes:

29. Track mat, board or super-track and/or other protective surfaces to prevent damage to turf in areas of high pedestrian/vehicular traffic or where heavy structures will be located.
30. Heavy items such as generators, stages, projection equipment, screens, stage trucks and portable toilets, portable showers and the like which are placed on existing hard stand areas or areas of turf where protective surfaces (board or track mat) are used.

## Signage

31. Removal and replacement of information, interpretive, directional and event advertising signage within existing signage areas, locations and dimensions.
32. Installing of marine safety signage as required by relevant legislation.

## Lake maintenance and management

33. Maintenance, repair and like for like replacement of structures such as pontoons, jetties, decking, boardwalks and bridges.
34. Maintenance, relocation and replacement of infrastructure on the lake's surface associated with aquatic sports including buoys, markers, lane ropes, flags and the like.
35. The processes associated with maintaining the lake including cutting and removal of aquatic plants and maintenance of litter traps, gross pollutant traps and the like.
36. Maintaining the lake water level to promote the ecological health and to prevent flooding.
37. Use of temporary pontoons and launches in maintenance and management activities.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

38. All works and activities necessary to maintain the usual operation of the modern jet fountain feature near the south-east shoreline.

## **Landscaping**

### *Hard landscaping*

39. Like for like repair and maintenance of existing hard landscaping including footpaths, edging, roadways, kerbs, driveways, crossovers, fences, tracks, walls, rock features, concrete and bluestone beaching paving, and carparking areas.
40. Installation, maintenance and removal of road marking and traffic safety features such as pedestrian crossings, speed humps and bollards.
41. Removal or replacement of external directional signage provided the size, location and material remains the same and is non-illuminated.
42. Installation of physical barriers or traps to enable vegetation protection and management of vermin such as rats, mice and possums.

### *Gardening, trees and plants*

43. The processes of gardening including mowing, pruning, mulching, fertilising, removal of dead or diseased plants (excluding trees), replanting of existing garden beds, disease and weed control and maintenance to care for existing plants.
44. Removal of tree seedlings and suckers.
45. Management and maintenance of trees including formative and remedial pruning, removal of deadwood and pest and disease control. This should be completed by a suitably trained horticulturalist or arborist.
46. Emergency tree works essential to maintain public safety provided the Executive Director is notified within seven days of the removal or works occurring. If a tree has been removed it may be replanted with an example of the same species.
47. Turf maintenance undertaking aerating, fertilizing, overseeding.

## **Monuments, memorials and plaques**

48. Onsite repairs and conservation of monuments, sculptures, statues, fountains, memorials and plaques undertaken by a conservator accredited by the Australian Institute for the Conservation of Cultural Material (AICCM). If items need to be removed from site for conservation works, a permit or permit exemption is required from Heritage Victoria.
49. Adding of hand/footprints and plaques to the Olympic and Paralympics precinct in line with existing design.

## **Park furniture, play equipment etc**

50. Installation of standard City of Ballarat park furniture including seats, bins, bollards, bicycle parking, drinking fountains and the like outside tree protection zones.
51. Demolition, removal and repairs to post-1960s outdoor gym and playground equipment, barbeques, drinking fountains, toilet facilities and park furniture.

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

## Appendix 1

### Heritage Council of Victoria determination (section 41)

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

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

Within the period of 60 days, any person or body with a real and substantial interest in the place or object may make a submission to the Heritage Council regarding the recommendation and request a hearing in relation to that submission. Information about making a submission and submission forms are available on the Heritage Council's website.

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

- (1) The Heritage Council must consider—
  - (a) any written submission made to it under section 44; and
  - (b) any further information provided to the Heritage Council in response to a request under section 45.
- (2) The Heritage Council must conduct a hearing in relation to a submission if—
  - (a) the submission includes a request for a hearing before the Heritage Council; and
  - (b) the submission is made by a person or body with a real or substantial interest in the place or object that is the subject of the submission.
- (3) Despite subsection (2), the Heritage Council may conduct a hearing in relation to a submission in any other circumstances the Heritage Council considers appropriate.

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

- (1) After considering a recommendation that a place or object should or should not be included in the Heritage Register and any submissions in respect of the recommendation and conducting any hearing into the submissions, the Heritage Council may—
  - (a) determine that the place or part of the place, or object, is of State-level cultural heritage significance and is to be included in the Heritage Register; or
  - (b) determine that the place or part of the place, or object, is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or
  - (c) in the case of a recommendation in respect of a place, determine that the place is not to be included in the Heritage Register but—
    - (i) refer the recommendation and any submissions to the relevant planning authority for consideration for an amendment to a planning scheme; or
    - (ii) determine that it is more appropriate for steps to be taken under the Planning and Environment Act 1987 or by any other means to protect or conserve the place; or

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

- (d) in the case of a recommendation in respect of additional land which has been nominated to be included in the Heritage Register as part of a registered place in accordance with section 32, determine that the land be included in the Heritage Register if—
    - (i) the State-level cultural heritage significance of the place would be substantially less if the land or any part of the land which is or has been used in conjunction with the place were developed; or
    - (ii) the land surrounding the place is important to the protection or conservation of the place or contributes to the understanding of the place; or
  - (e) determine that the object is integral to understanding the cultural heritage significance of a registered place or a place the Heritage Council has determined to be included in the Heritage Register.
- (2) The Heritage Council must make a determination under subsection (1)—
- (a) within 40 days after the date on which written submissions may be made under section 44; or
  - (b) if any hearing is conducted into the written submissions, within 90 days after the completion of the hearing.
- (3) A determination that a place or part of a place, or object, should be included in the Heritage Register may include categories of works or activities which may be carried out in relation to the place or object for which a permit under this Act is not required, if the Heritage Council considers that the works or activities would not harm the cultural heritage significance of the place or object.
- (4) If the Heritage Council determines to include a place in the Heritage Register, with the consent of the owner of the place, the Heritage Council may determine to include in the Heritage Register additional land of the owner that is ancillary to the place.
- (5) If a member of the Heritage Council makes a submission under section 44 in respect of a recommendation, the member must not take part in the consideration or determination of the Heritage Council.
- (6) The Heritage Council must notify the Executive Director of any determination under this section as soon as practicable after the determination.

## Obligations of owners of places and objects (section 42)

- (1) The owner of a place or object to whom a statement of recommendation has been given must advise the Executive Director in writing of—
- (a) any works or activities that are being carried out in relation to the place or object at the time the statement is given; and
  - (b) any application for a planning permit or a building permit, or for an amendment to that permit, that has been made in relation to the place but not determined at the time the statement is given; and
  - (c) any works or activities that are proposed to be carried out in relation to the place or object at the time the statement is given.
- (2) An advice under subsection (1) must be given within 10 days after the statement of recommendation is given under section 40.
- (3) The owner of a place to whom a statement of recommendation has been given must advise the Executive Director in writing of an application, permit or amendment if, before a determination under section 49 or 52 in respect of a place—

# Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

- (a) an application for a planning permit or a building permit or for an amendment to that permit in relation to the place is made; or
  - (b) a planning permit or building permit or an amendment to that permit in relation to the place is granted.
- (4) An advice under subsection (3) must be given within 10 days after the making of the application or the grant of the permit or amendment.
- (5) The owner of a place or object to whom a statement of recommendation has been given must advise the Executive Director in writing of the following activities or proposals if, before a determination is made under section 49 or 52 in respect of a place or object—
- (a) any activities are carried out in relation to the place or object that could harm the place or object;
  - (b) any activities are proposed to be carried out in relation to the place or object that could harm the place or object.
- (6) An advice under subsection (5) must be given within 10 days after the owner becomes aware of the activity or the proposal, as the case requires.
- (7) If, before a determination is made under section 49 or 52 in respect of a place or object, a proposal is made to dispose of the whole or any part of the place or object, the owner of the place or object must advise the Executive Director in writing of that proposal.
- (8) An advice under subsection (7) must be given at least 10 days before entering into the contract for the disposal of the place or object.
- (9) The owner of a place or object who proposes to dispose of the whole or any part of the place or object before a determination is made under section 49 or 52 in respect of the place or object must, before entering into a contract for that disposal, give a copy of the statement of proposed contract, is to acquire the place or object or part of the place or object.

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

An owner of a place or object to whom section 42 applies must comply with that section.

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