



Amendment C191 and Permit Application PLP/2014/829
Bakery Hill Ballarat

Expert Witness Statement - Heritage
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INTRODUCTION

Purpose

1. This expert witness statement has been prepared under instruction from Harwood Andrews on behalf of Ballarat City Council. The purpose of this statement is to provide opinion with regard to heritage issues on Amendment C191 and the revised redevelopment proposal (Permit Application PLP/2014/829) before the Panel.
2. I have prepared this statement with assistance from Erin Williams, Heritage Consultant and Researcher, of my office. The views expressed are my own.
3. Summary of Evidence

In summary, I find the following:

- The subject site has a likely historical association with the mass protest meetings which occurred on Bakery Hill in the lead up to the 1854 Eureka rebellion. The meetings themselves are events of considerable cultural significance and it is considered that they are of at least State significance, and potentially of National significance or even World significance for their historic and social values.
- There is no known extant fabric at the subject site that relates to the 1854 mass protest meetings.
- The proposed removal of the heritage overlay from the road reserve would be an acceptable heritage outcome.
- It is appropriate that mechanisms to recognise and manage the intangible cultural significance associated with the mass protest meetings, likely to have been associated with the subject site, are put in place. This could be achieved either through the planning process or through some other means.
- The proposed rezoning would not have a negative heritage impact.
- Due to the heritage context of the subject site and its particular physical relationship with significant nearby landmarks, I believe that it is reasonable to consider the impact of the development on the surrounding affected heritage places, and on views to the site with heritage value, despite the lack of heritage controls pertaining to CA2050.
- The maximum height of buildings on the more elevated and heritage sensitive northern part of the site should be modified to two or three storeys. The height of the proposed buildings on the lower and less heritage sensitive southern part of the site is acceptable.
- The architectural expression of the façades to the proposed multi-level apartment buildings (M1, M2 and M3) should be modified to better respond to the heritage context. The architectural expression of the town houses is acceptable.
- Due to the likely historical association of the site with the mass protest meetings of 1854, I recommend consideration be given to the retention of some open space at the subject site for public use for the purpose of recognising and interpreting the cultural significance of the mass protest meetings. Preferably this space would be in the more elevated northern part of the site, because that is the area considered likely to have been associated with the meetings.
- More appropriate nomenclature for the development and the lanes should be chosen.
- An archaeologist should be engaged to advise on post-contact archaeological potential.

Background

4. The permit application was received by Ballarat City Council in 2014.
5. The proposal was publically exhibited from 2 March 2015 to 1 May 2015. A total of 39 submissions were received during this period. Heritage concerns were among the key issues raised, a summary of the main points is provided below:
 - Claims that the subject site was associated with the mass protest/monster meetings that took place on Bakery Hill in the lead up to the 1854 Eureka rebellion,
 - Concern for the impact of the development on surrounding heritage context and key views e.g. from Sturt Street,
 - Concern that the long history of public use and accessibility of land would be discontinued,
 - Concern regarding the choice of nomenclature,

- Concern for the removal of the HO from the Road Reserve,
 - Importance of possibility of ongoing public interpretation and pilgrimage,
 - Negative impact on the prominent tower forms of St Paul's Church and the Fire Station.
 - Potential for use of the site as part of the HUL (Historic Urban Landscape),
 - Concern for the bluestone channelling at the site,
 - The archaeological potential of the site.
6. As a result of the heritage concerns raised by the submissions, RBA were instructed by Harwood Andrews on behalf of Ballarat City Council to undertake research and provide a report in respect to the historical development and cultural significance of the subject land. This report was completed in September 2015. I am instructed that it has been provided to the Panel and to the submitters.
7. Following exhibition, the applicant made some changes to the proposal. The amended plans were then recirculated in July.

Location

8. The subject site is comprised of CA 2050, Township of Ballarat East, and a 650m² road reserve adjacent to the west. It is bounded by St Pauls Way to the north, and on the east and south side by undeclared roads.



Aerial, approximate boundaries of subject site indicated
(Source: Nearmap)

Methodology

9. The process of preparing this report has included the following:
- Two site visits,
 - Historical research, analysis and assessment of cultural significance,
 - Review of Amendment C191,
 - Review of the redevelopment proposal.

SITE DETAILS

Description

10. The subject site is devoid of buildings, however there are two hard surfaced car parking areas and a number of mature trees. The irregularly shaped site slopes down to the south, and there is a centrally located retaining wall which divides the site into two roughly equal parts – the higher northern area, and the lower southern area. The Road Reserve, part of the upper area, is unused and is grassed.



Aerial, subject site is outlined and St Paul's Church and the Fire Station are indicated.
(Source: Nearmap)



Northern carpark, showing channelling with bluestone pavers in foreground

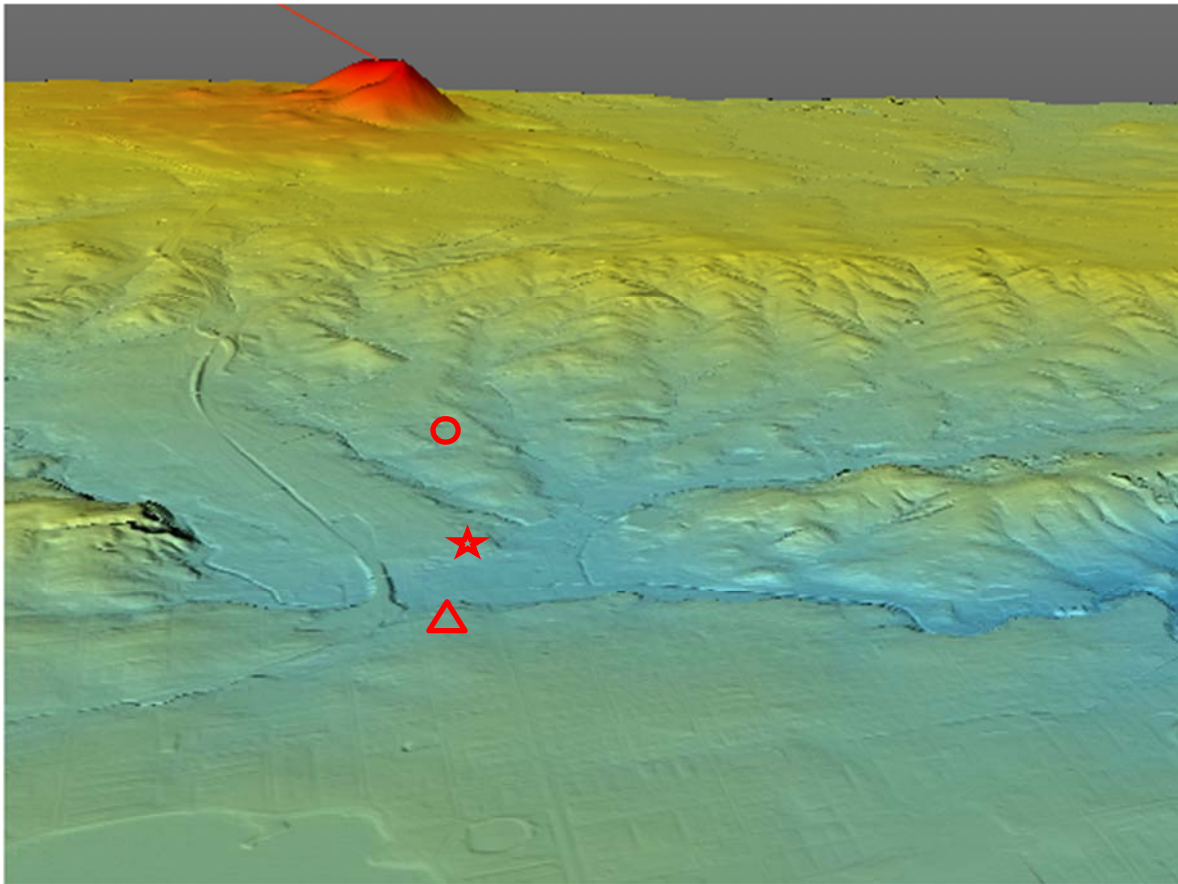


Southern area, with southern carpark in the background



Road Reserve. The tower of St Paul's can be seen on the right behind the tree.

11. The subject site is located on Bakery Hill, a gently sloping landform which rises up from the flats between the east and west parts of Ballarat, increasing in height towards the east before merging with other more elevated areas. The subject site is located on a slope, near the western 'front' of the landform where it first rises from the flats (refer 3D terrain image below).
12. By way of illustrating the broader context, during the 1850s, the Government Camp could be seen across the flats from Bakery Hill (the camp was located on the site of the present day Art Gallery). The Eureka Stockade precinct is to the east of the subject site, on the opposite side of Specimen Vale Creek (refer 3D terrain image below).



3D terrain map of Ballarat looking east toward Mt Warrenheip. Approximate location of subject site indicated by the star. The triangle represents the location of the government camp and the circle represents the vicinity of the Eureka stockade.
(Source: Historic Urban Landscape Ballarat website, Ballarat 3D terrain map)

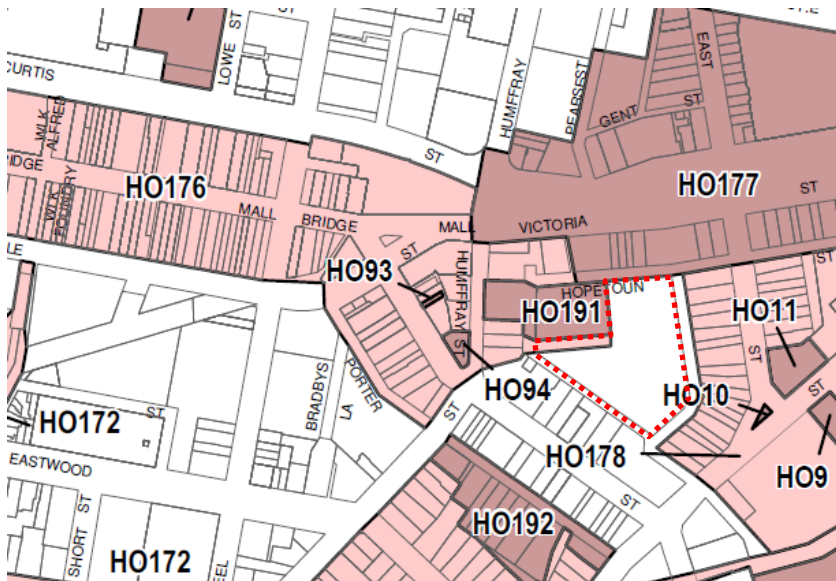
Context

13. Narrow roadways adjoin the north, east and south boundaries of the site, providing rear access for the surrounding residential and commercial buildings. The residences are mostly single storey, while the commercial buildings, including several hotels/motels, are a mix of single and two storey.



Narrow roadway to east of subject site

14. A number of heritage overlays adjoin the site, including three broad precincts and one individual place listed on the Victorian Heritage Register (VHR). In addition, the Ballarat East Fire Station, also listed on the VHR, while not adjoining, is prominent in the context of the subject site. Refer to HO map below, and Appendix B for citations.



Map no. 23HO
(Source: Ballarat Planning Scheme)

Heritage Overlay Precincts

15. The Bridge Street Mall/Bakery Hill Precinct (HO176) adjoins the subject site to the west. The precinct is centred on Bridge Street Mall, and contains many original and intact commercial and cultural/community developments dating from the 1850s to the late 1930s. Most of the commercial buildings are two storey in height, with some single and three storey buildings. The precinct also includes St Paul's Church.
16. The Victoria Street Precinct (HO177) adjoins the site to the north. The precinct is centred around the broad tree lined Victoria Street boulevard. The precinct is characterised by substantially intact residential buildings of varying styles, dating from the late 1850s to 1940s/50s, and tend to be of modest scale and form with prominent chimneys. The precinct also includes St Pauls Way.



Victoria Street, south side. Subject site is behind.



St Pauls Way, looking west towards subject site



St Pauls Way, subject site on left

17. The Ballarat East Civic Precinct (HO178) adjoins the subject site to the east. It is centred on Barkly and East Street South Streets and is characterised by civic and residential buildings dating from the 1850s to the 1930s. The residences are a mix of timber and brick, and are mostly single storey, with some two storey examples. The precinct includes the Ballarat East Fire Station (HO11).



East Street South



Barkly Street

VHR sites

18. Adjacent to the north-west is the property of St Paul's Anglican Church. The red brick church was constructed in 1864 and comprises a gabled nave and rear gabled chancel and porch, a tower at the rear and a later vestry. The Church incorporates a number of elements from an earlier church which was located to the east of the tower and which collapsed as a result of mining activity beneath. At the rear of the church is a small timber cottage dating to 1902, as well as some more recent single storey brick units, but neither of these buildings are identified in the VHR extent of registration as significant.
19. The Ballarat East Fire Station tower was constructed in 1864 while the engine house dates to 1916. The stepped, octagonal brick tower has a timber viewing platform at the top, and is a local landmark. The engine house features notable decorative brickwork. It is located east of the subject site, but is not adjoining.



St Paul's Church

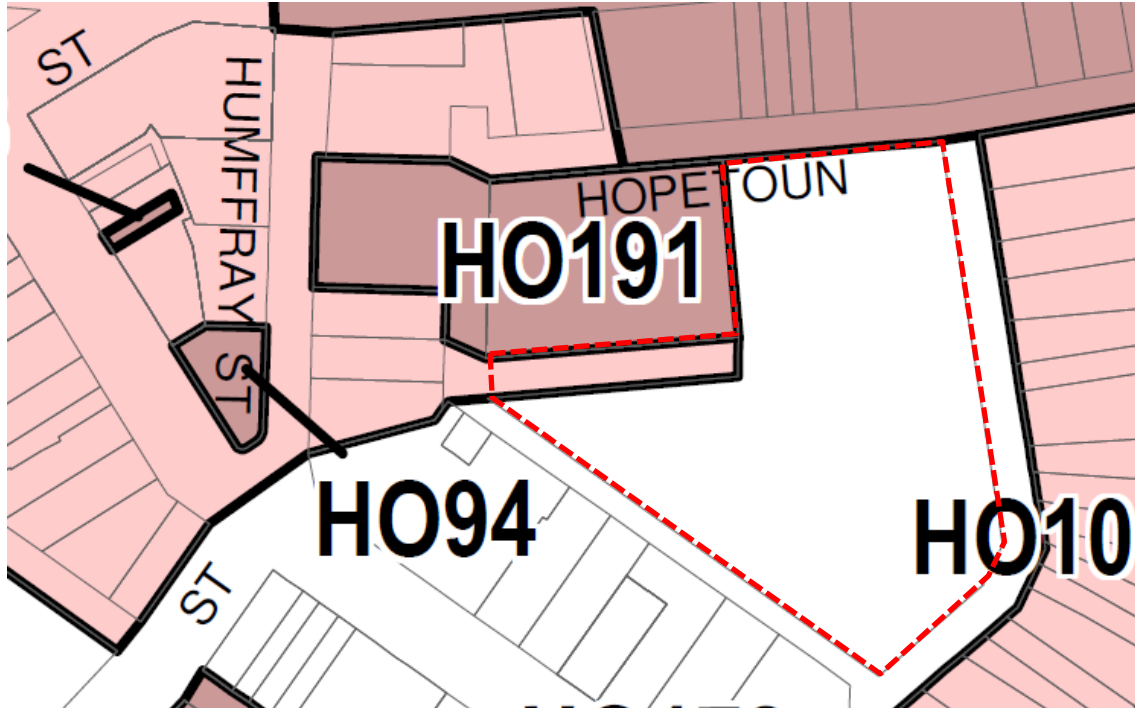


Fire Station

HISTORY AND CULTURAL SIGNIFICANCE

Heritage Status

20. The majority of the subject site, that is, CA2050 is not included in the Schedule to the Heritage Overlay in the *Ballarat Planning Scheme*. However the road reserve is included within a broad heritage overlay, HO176, the Bridge Mall/Bakery Hill Precinct (refer diagram below, and Appendix B for citation).



Map no. 23HO. Subject site outlined in red.
(Source: *Ballarat Planning Scheme*)

21. The subject site is not listed on the Victorian Heritage Register or National Trust Register.

Historical Summary

22. Although the subject site does not have a heritage overlay, it is located on Bakery Hill which is an area known to be associated with a series of highly significant mass protest meetings held in the lead up to the Eureka rebellion in 1854. The exact location of the meetings however is not confirmed.
23. For this reason, RBA were engaged by Ballarat City Council to undertake research and provide a report detailing historical information to determine the relationship of the mass meetings and the subject site, if any, and to determine the cultural significance of the site. The following information is a summary derived from the report.

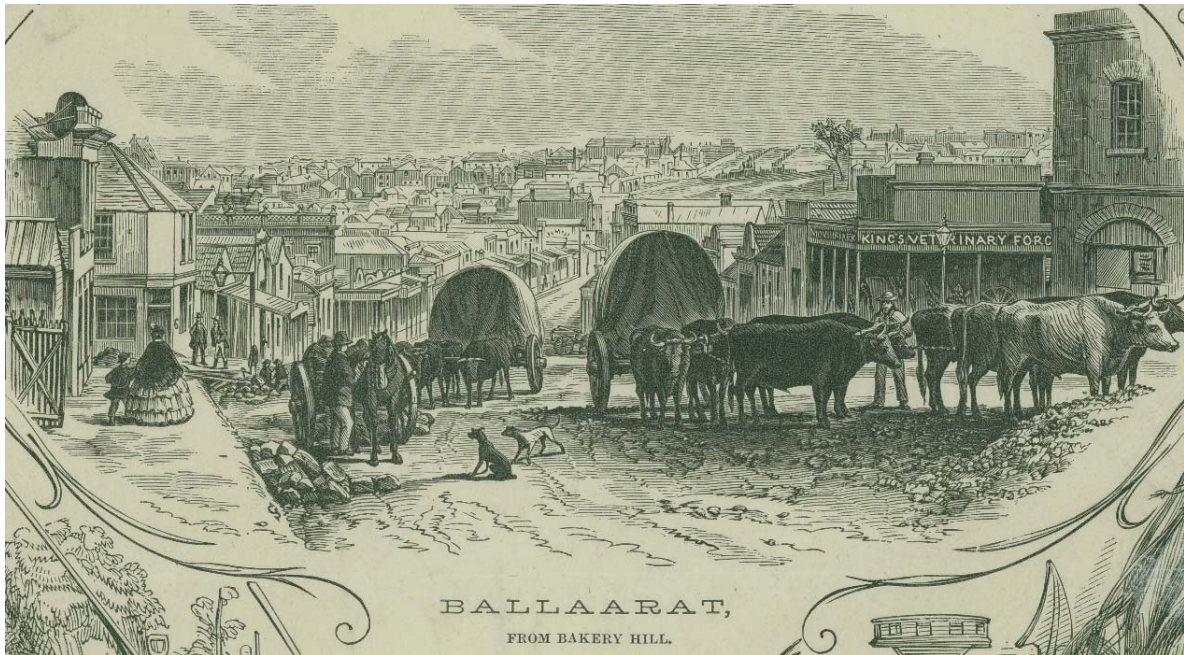
Bakery Hill

24. During the early 1850s, Bakery Hill was a nexus of the burgeoning township, being part of the main thoroughfare between the gold diggings spread to the east, and the official township on the high ground to the west.

The early goldfield bore the marks of spontaneous growth. Its major roads were like the radial and its minor ones the lateral strands of a spider's web coming to a focus at Bakery Hill.¹

25. The junction of two major roads at Bakery Hill, one leading to Melbourne (Victoria Street) and the other to Geelong (Main Road), led to a high concentration of businesses in the area.

¹ W Bate, *Lucky City: The First Generation at Ballarat 1851-1901*, p165



'Ballarat from Bakery Hill', George Strafford, 1862
(Source: State Library of Victoria, H4207)

Mass Protest Meetings

26. On goldfields throughout Victoria during the early 1850s, struggles between the authorities and the people resulted in discontent and agitation against the Colonial administration which culminated in the Eureka rebellion in Ballarat on 3 December 1854.
27. Bakery Hill has strong associations with the Eureka story being the place of many large protest meetings, some upwards of 10,000 people, at which the diggers discussed their grievances, particularly in the weeks leading up to the Eureka rebellion (at least 8 meetings prior, and at least 3 in the weeks after). Two particularly notable meetings included that of the 11 November 1854 at which the Charter of the Ballarat Reform League was adopted, and the meeting of the 29 November 1854 at which the Southern Cross flag (Eureka flag) was flown for the first time.
28. Both the Charter of the Ballarat Reform League and the Eureka Flag survive today, and are included on the Victorian Heritage Register.² The charter is also included on the Australian Memory of the World Register.³
29. The other key events that preceded the Eureka rebellion include:
 - The monster meeting at Chewton on 15 December 1851, held just 3 months after the discovery of gold was made known. The meeting was a large and well-organised public meeting which attracted some 14,000-15,000 diggers in response to the move by Governor Latrobe to double the price of the gold licence to £3 a month.⁴ The diggers flag, with the symbols of a bundle of sticks, a pick and shovel, the scales of justice, and a kangaroo and emu, was flown at the meeting.⁵
 - Protest meetings were held on Agitation Hill in Castlemaine. In May 1853, businessmen and diggers met on the hill to express their grievances over treatment by the authorities and organised a petition to the Governor. Agitation Hill overlooked the government camp.⁶
 - The Red Ribbon Agitation in Bendigo. The diggers drew up a petition to present to Governor Latrobe which contained 30,000 signatures from all over the goldfield. When the petition failed, diggers wore red ribbons as an indication that they had pledged to not pay the licence fee.⁷

² The Charter of the Ballarat Reform League (H2081), the Eureka Flag (H2097)

³ The Australian Memory of the World Register is maintained under the auspices of the Australian National Commission for UNESCO.

⁴ Ken McKimmie, *Chewton Then and Now*, p62

⁵ www.monstermeeting.net/information/

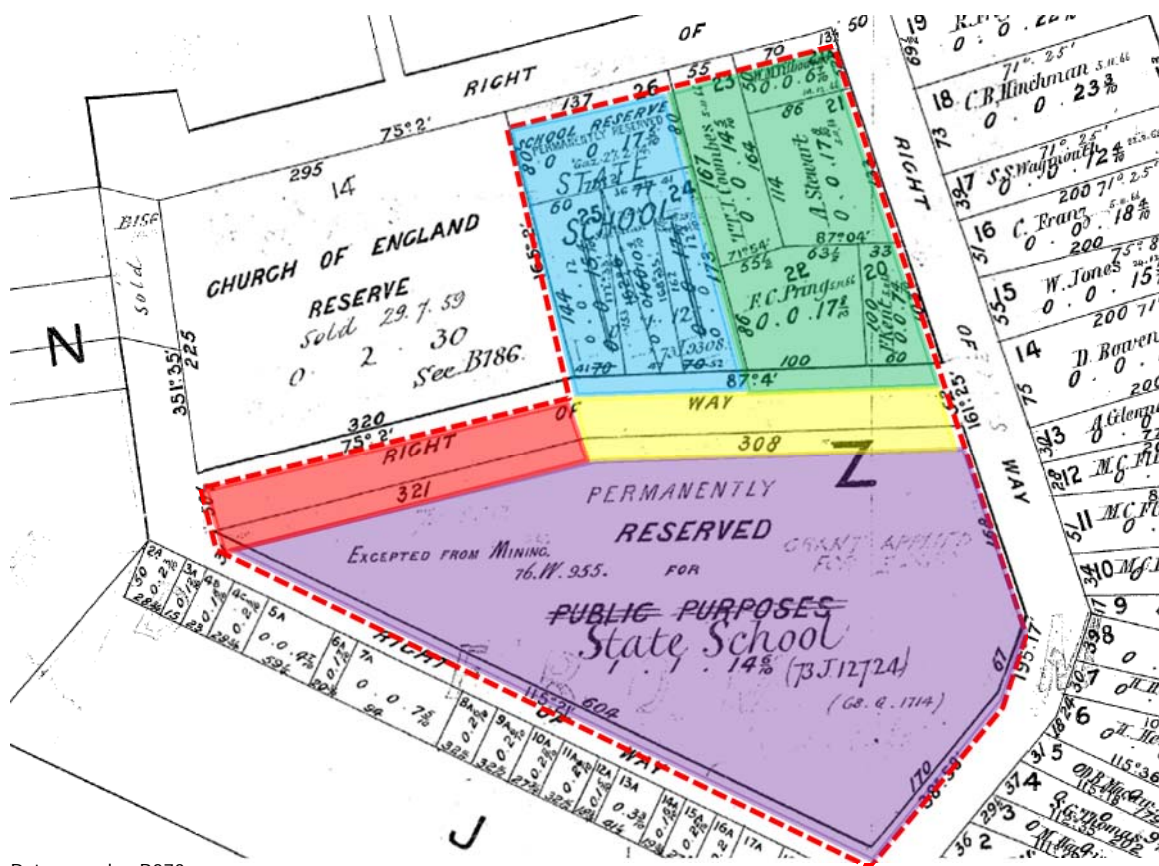
⁶ Geoff Hocking, *Castlemaine, from Camp to City*, p80

⁷ www.monstermeeting.net/information/

30. It is of interest to note that these goldfields assemblies and agitations occurred during a time when the broader international context was also characterised by a revolutionary climate. In Britain, the political movement Chartism, which sought democratic reform, flourished between 1837 and 1848, and then in 1848 there were a series of uprisings led by the middle and working classes which began in France and subsequently spread through much of Europe and parts of Latin America. Some of those involved with these reform movements subsequently migrated to Australia during the gold rush of the early 1850s, and brought with them their political experience and principles.
31. There are numerous historical references to meetings on Bakery Hill, however conclusive documentation providing evidence for exactly which part of the hill the meetings took place on has not been found. From the documentation that survives, it may not be possible to ever confirm the precise area used for the meetings.
32. Nevertheless, there are some historical references which provide clues as to the location, and from an analysis of this material, it is considered that an area in the vicinity of the subject site corresponds with the likely location of the mass meetings. Refer to the History and Cultural Significance Report (RBA, 2015) for further detail on this point.

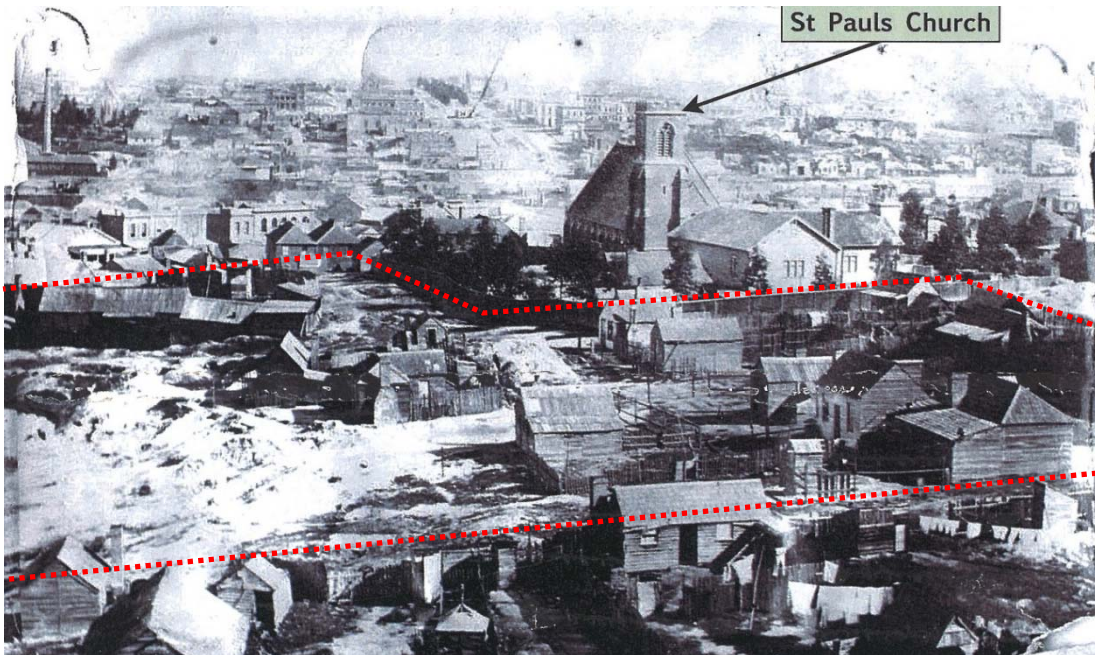
Subject Site

33. An 1858 survey plan shows a number of modest sized structures on the subject site arranged disorderly – a group on the northern part, and another group in the western corner of the southern part of the site.
34. Early on, the subject site was divided into two parts, the north and the south, separated by a right of way. The southern part of the subject site (allotment 27, shaded purple) was initially reserved for public purposes while the northern part was subdivided into nine small parcels (allotments 20-26, 21A and 24A). The eastern allotments (20-23, 21A, shaded green) were sold on 5 November 1866. It appears that the western allotments (24-26, 24A, shaded blue) were never sold.



Put away plan B273
(Source: Land Victoria)

35. The 1863 photograph below shows timber houses built upon the whole of the northern part of the site. At this time, the southern area was largely vacant, except for some houses/structures immediately south of the right of way, and the disturbed and uneven ground suggests it was being used for mining purposes. There also appears to be a structure and fencing located across the right of way.



Photograph dated 1863, approximate boundary of subject site indicated
(Source: Reproduced from Aboriginal Heritage Advice Report, Clarkeology, 14 September 2014)

36. Mining activity occurred on, and close to the boundaries, of the subject site until at least the 1870s or 1880s. The Old Gravel Pits Lead runs close to, or even partly beneath, the subject site. Several mining shafts are known to have been sunk on the site.
37. In 1873, most of the subject site was reserved for school purposes, the remainder of CA2050 being added in the following couple of years. State School no.1919, commonly known as St Paul's (it replaced the old St Paul's school on the Church property adjacent to the west)⁸, was opened in 1877 and was located on the northern part of the subject site.⁹ The southern part of the site was used as a playground and was planted with trees (as shown in the photograph below).



The subject site c.1925-40. The approximate boundaries of the subject site are given. The school buildings can be seen on the northern part of the site (right) and the playground in the southern part of the site (left). The playground includes the western section of the right of way (the road reserve). (Source: State Library of Victoria, H91.160/1679)

⁸ L J Blake, *Vision and Realisation*, vol.2, p618. The earlier St Paul's school was no.56.
⁹ L J Blake, *Vision and Realisation*, vol.2, p800

38. The original 1870s school buildings were demolished during the 1960s. In the 1980s-90s, portable buildings were erected on the site,¹⁰ and these also extended over onto the church property adjacent to the west. The 1994 aerial image below shows these buildings, as well as the two extant two car parks (one to the northern part, and one to the southern part).



Aerial, 1994
(Source: Visualising Ballarat website)

39. The buildings were removed in 1998, and it is understood that the site has been vacant since that time.

Conclusion

40. Based on the research undertaken, it is considered likely that the mass protest meetings held on Bakery Hill in the weeks preceding the Eureka rebellion took place either on the northern, more elevated part of the subject site (if not the location of the speaker, then at least part of the crowd), or in its near vicinity. It may not be possible, from the documentation that survives, to confirm the precise area used for the protest meetings.
41. The meetings themselves, irrespective of the site on which they occurred, are events of considerable cultural significance and it is considered that they are of at least State significance, and potentially of National significance or even World significance (if grouped with related sites) for their historical and social values.
42. The subject site has a likely historical association with the highly significant mass protest meetings of 1854. Otherwise, the subject site is of some local historical interest for its associations with the early settlement of East Ballarat, mining activity during the gold rush, and the Department of Education for over 100 years. As there is no physical evidence of the mining activity or the school phase (above ground at least), and both of these uses are typical in the Ballarat context, in my opinion the subject site is not of heritage significance for its historic values and can only be said to be of 'historical interest'.¹¹

¹⁰ SED Advisory, Section 96(a) planning scheme amendment, subdivision and development application, St Paul's Way Bakery Hill, Planning Report, 26 February 2015, p6

¹¹ The term 'heritage significance' is used in the HERCON criteria, which are widely employed. There are 8 HERCON Criteria (A to H) and they are similar to the earlier AHC (Australian Heritage Commission) criteria. Within the HERCON criteria system, historic significance is Criterion A and in the AHC criteria, it is A4. It should also be noted that heritage significance is equivalent to the term 'cultural significance' employed in the Burra Charter.

AMENDMENT C191

Amendment Overview

43. Ballarat City Council have prepared amendment C191 at the request of the owners of the site, Horizon Synergy Pty Ltd.
44. The amendment proposes to excise a small portion, consisting of a road reserve, from the broad Heritage Overlay, HO176 (the Bridge Street Mall/Bakery Hill Precinct).
45. The amendment also proposes to rezone 2 parcels of land, both CA 2050 Ballarat East and the adjoining road reserve from Public Use Zone – Education (PUZ2) and Commercial 1 Zone (C1Z) respectively, to Residential Growth Zone (RGZ2). It is noted that this part of the amendment has changed from what was originally exhibited, which was to rezone the land to Mixed Use Zone.

Heritage Overlay

46. Although the statement of significance for HO176 (Bridge Street Mall/Bakery Hill Precinct) does not make specific reference to the road reserve, the road reserve is located on the elevated Bakery Hill landform. While the bulk of the HO176 precinct is concerned with the Bridge Street Mall, which is historically and physically separate (though proximate) to Bakery Hill, Bakery Hill is nonetheless mentioned in the Statement of Significance for its association with the mass protest meetings of 1854.
47. Bakery Hill has a likely historical association with the mass protest meetings of 1854, which have intangible cultural heritage significance.
48. No physical evidence of the mass protest meetings of 1854 is known to remain on any part of Bakery Hill.
49. With the exception of the road reserve and the land on which St Paul's Anglican Church is now located (VHR H0401), the extent of and focus of HO176 is related to its being the oldest commercial and retail area in Ballarat and is unconnected with the mass protest meetings story of Bakery Hill other than to say that Bakery Hill (including the road reserve) is located on the higher ground at the eastern end of the precinct.
50. The nearby Victoria Street Precinct (HO177) similarly in its Statement of Significance draws a link to Bakery Hill. In the case of the Victoria Street precinct though, more of what can be understood to be the geographical/physical extent of Bakery Hill is included. Again though, the principal heritage value attached to the Victoria Street precinct relates to the 'continuous progression of urban development from the 1860s- early 1960s, more so than about the Bakery Hill mass protest meetings.
51. The cultural significance of Bakery Hill and its association with the mass meetings and the Eureka story is inadequately captured in either of the two heritage overlays which lay claim to the place.
52. Hitherto, prior to the recent research undertaken by my practice at the request of the Ballarat Council, limited, if any, attempt had been made to definitively research and map the stories of Bakery Hill and considerable inaccuracy has abounded.
53. The fact that no physical evidence of the highly significant mass meetings events remains, raises unique challenges as to how to ensure appropriate heritage management.
54. To commence this discussion, it can be clearly concluded that retention of the Road Reserve within HO176 for the purposes of maintenance of a tenuous link with the mass meetings is not required for the purposes of the heritage management of the significance of Bakery Hill or indeed those attached to the Bridge Street Mall.
55. The means by which the heritage values of Bakery Hill can be adequately conserved remains unresolved.
56. It is my view that the Heritage Overlay mechanism, which is designed primarily to protect the cultural significance of tangible heritage places is not the appropriate mechanism.
57. I do not believe that the Heritage Overlay is an effective device to recognise and manage the intangible cultural significance associated with the meetings. I do however believe that this desirable outcome (recognition and management including improved interpretation) can be achieved independent of a heritage overlay, either through the planning process or through some other means.
58. Interestingly, the City of Ballarat is part of an international pilot program to implement UNESCO's Historic Urban Landscape approach (HUL). In distinction from the Planning Scheme Heritage overlay process, the HUL approach moves beyond the preservation of the physical environment, to encompass other factors including intangible heritage and local community values, allowing for a more abstract approach to heritage conservation. The HUL approach may be effective as a device to

recognise and manage the intangible cultural significance associated with the meetings at Bakery Hill. While HUL currently exists outside the City's statutory framework, its implementation is included as an initiative in the 2015 strategy document 'A Greener, More Vibrant and Connected Ballarat' which, it is understood, is intended to become part of the *Ballarat Planning Scheme* in the future.

59. Interpretative devices would also be a way of recognising the intangible cultural significance associated with the meetings (following the processes of research and documentation).
60. Thus, in conclusion the removal of the Heritage Overlay from the road reserve, as is proposed, would be an acceptable heritage outcome. However, it is appropriate that mechanisms to recognise and manage the intangible cultural significance associated with the mass protest meetings likely to have been associated with the subject site are put in place.

Zoning

61. The parcel of land referred to as CA 2050 is currently in a Public Use Zone, based on the site's previous use for education purposes. The site is no longer used for this purpose and is now privately owned.
62. The road reserve is a remnant of a road which formerly bisected CA 2050 and of which a portion (about 50%) has been absorbed into CA 2050 (understood to have occurred in the 1870s with the establishment of the first school use).

Comment

63. The zonings of the two parcels of land cannot be understood to be related to any attached or inherent heritage values.
64. The proposed change of use amendment cannot be said to have any negative heritage impact.
65. The more than 120 year association of the CA 2050 land parcel with educational purposes, all physical evidence of which is now removed, has not been attributed by others or myself with recognisable heritage significance.
66. With respect to the road reserve, sometime after 1858 but probably by 1863, there is some documentary evidence to indicate the existence of a road in the relevant location. It is a road though, which almost certainly has no connection with the critical significance which pertains to Bakery Hill, the mass meetings and their relationship to the Eureka story of 1854.
67. However, the subject site (CA 2050 and the road reserve) has had a long history of public use and accessibility and the amendment to rezone the land from Public Use to Residential Growth Zone would change this.
68. Given that the subject site is likely to have been associated with the meetings leading up to the Eureka rebellion, an appropriate action, as part of the current redevelopment proposal, might be to reserve a portion of the land for ongoing public access for the purpose of facilitating some memorialisation/interpretation of the mass meetings and the Eureka story.

PERMIT APPLICATION

Introduction

Proposal Overview

69. The proposed development comprises three apartment blocks (1 three storey (M1) and 2 four storey (M2 + M3)), together providing a total of 77 dwellings, as well as eighteen two storey townhouses and a common single storey outdoor pavillion. A further seven two storey townhouses are indicated on the road reserve, however these are not subject to this application. Car parking is provided for on the ground floors of the apartment buildings. It is also proposed to subdivide the land into five lots (the road reserve to be a sixth, though not subject to this application).
70. The proposed development is illustrated in the set of town planning drawings TP-00 – TP34 by Project Now and dated July 2015. The proposed development is further illustrated in a set of seven photo comparisons, also prepared by Project Now and dated 8.09.2015. There is also a landscape plan prepared by Papworth Davies, dated 13.07.2015.

Comment on Heritage Issues

71. As previously discussed, the subject site is not formally recognised as having cultural significance through inclusion in the schedule to the heritage overlay (with the exception of the road reserve from which it is proposed to remove the Heritage Overlay as part of amendment C191).
72. As also previously discussed, I do not believe that a conventional heritage overlay is an effective device to recognise and manage the intangible cultural significance associated with the meetings, nor do I believe that a heritage overlay is necessary for the site.
73. The absence of a heritage overlay means that there are no heritage controls pertaining to the site that affect the development proposal.
74. There are however a number of heritage places adjoining, or close to, the subject site which would potentially be impacted upon by the proposal. These include three heritage precincts (HO176, HO177, HO178) and two VHR sites (St Paul's Church and the Fire Station). In addition, there are also long views to the site which have some heritage value as part of the Ballarat cityscape.
75. Despite the lack of statutory heritage controls, I do believe that development on the subject site should be sympathetic to its heritage context and that general principles of good heritage practice should be applied.
76. I note that even if a heritage overlay applied to the subject site, it would not necessarily require a consideration of impact on adjoining heritage places.
77. Clauses 22.05 and 43.01 of the *Ballarat Planning Scheme* limit their application to heritage places affected by the heritage overlay. However a basis for general good heritage conservation, which may be interpreted to include development that occurs outside the heritage overlay but adjoining places with identified heritage values, can be found in Clause 15 of the State Planning Policy Framework. The relevant strategies are as follows:

Clause 15.03-1

- *Encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations.*
- *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*

Surrounding Heritage Places and Views

78. Some perspectives illustrating the proposal have been provided by the applicant, although they are limited and do not show all of the heritage sensitive viewpoints. Ideally, the height relationship between the development and St Paul's and the fire tower would be better illustrated. Also, a perspective illustrating the view from Sturt Street around the intersection of Lydiard or Armstrong Streets (i.e. where Sturt Street rises in elevation to be approximately commensurate with the subject site) would be desirable.
79. The citation for HO176 (Bridge Street/Bakery Hill precinct) refers to St Paul's Church as forming a dramatic landmark on the skyline (refer to architectural significance). The need to protect such elements is also expressed in a strategy in the Municipal Strategic Statement Clause 21.05 - *Maintain important views and vistas within the Ballarat CBD including skyline views of spires and towers and the Yarrowee escarpment.*

80. Currently when looking towards the site from Sturt Street (west of Lydiard Street) the 19th century forms of St Paul's and the tower of the Fire Station are prominent in the view towards Mt Warrenheip, and are set amongst trees with some lower buildings visible, much the same as it is shown in Von Guerard's well-known 1870 view from the tower of the Sturt Street Fire Station (refer Appendix C).
81. The perspective from Little Bridge Street (PL1), on the southern edge of HO176, which is lower in elevation than the subject site, shows that both M1 and M2 would project above the eaves line of St Paul's Church. If viewed from further back on Sturt Street, around the intersection of Lydiard or Armstrong Streets, where the elevation is similar to the subject site, then more of the development would be visible than is shown in perspective no.1, and this would potentially compromise this key view.

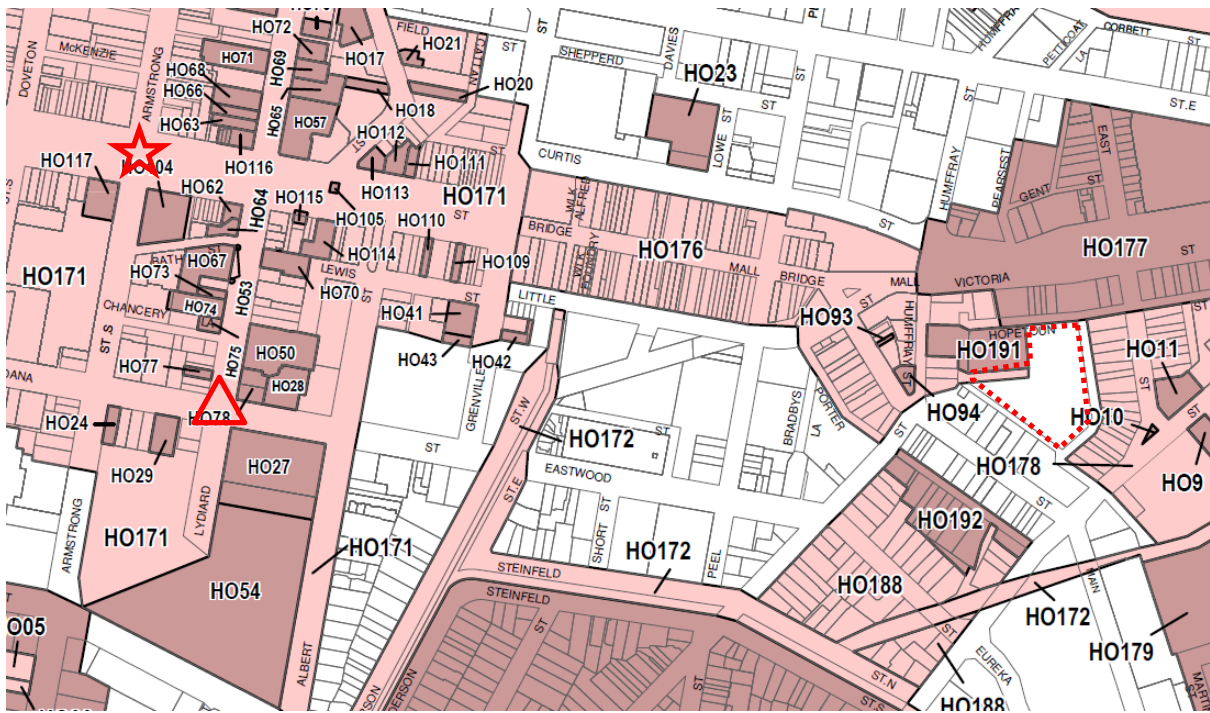


View from the intersection of Sturt and Armstrong Streets (zoomed-in) towards the subject site, showing the prominence of the roof and tower of St Paul's Church and the tower of the Fire Station. Mt Warrenheip is in the background.

82. Another vantage point from which a long view of the cityscape can be taken is the intersection of Dana and Lydiard Streets. Based on the Little Bridge Street perspective (PL1), it is expected that the proposed development would also be visible in this view.



View towards subject site from intersection of Dana and Lydiard Streets (zoomed-in)



Showing vantage points for above two photographs. The star represents the location of Sturt/Armstrong Streets, and the triangle Dana/Lydiard Streets.

83. According to other perspectives (PL3, 5 and 7), there would be some visibility of the development in mid-field views above the single storey residences in Barkly Street and Victoria Street which are in heritage overlay precincts. I note that a perspective is not provided for East Street South, which is in HO178. Whilst partially visible, the setback from these streets is such that the development would appear recessive.
84. Perspectives PL4 and PL6 show close range views, from St Pauls Way which is included within HO177. The proposed development would change the low scale character of St Paul's Way.
85. For the purposes of addressing the issue relating to the long views to the site, as well as the impact on St Paul's Way, the maximum height of buildings on the more elevated and heritage sensitive northern part of the site should be two or three storeys. The height of the proposed buildings on the lower and less heritage sensitive southern part of the site is acceptable.
86. In other respects, the architectural expression of the façades to the multi-level apartment buildings (M1, M2 and M3) should be altered to better respond to the heritage context, consistent with part 5 of Heritage Victoria's 'The Heritage Overlay – Guidelines for Assessing Planning Permit Applications; Public Draft February 2007' (referred to in Clause 22.05 of the *Ballarat Planning Scheme*) which applies to New Buildings in an Area Heritage Overlay. A more sympathetic approach might be to modulate the forms and façades to achieve a less monolithic built form in order to relate to the existing building stock, which is characterised by modest scale free-standing buildings. I believe such modifications could be satisfactorily managed by way of Permit Conditions.
87. The proposed architectural expression of the town houses is acceptable.
88. It is understood that parts of the bluestone channelling that border the site would be removed, although this is not shown on the town planning drawings. This would be acceptable, although channelling should be retained where possible. I observe that St Pauls Way is included within HO177 which would also apply to the associated channelling. This should be considered in the context of St Pauls during this process if changes are required to the bluestone guttering.

Interpretation and Retention of Open Space

89. As discussed previously, it may not be possible, with the historical documentation that survives, to reliably confirm whether or not the subject site was the location of the 1854 mass protest meetings. However, at the very least the subject site is a remnant open space in the part of Bakery Hill where the meetings are likely to have taken place, and is evocative of an open space in which large meetings could have occurred.

90. It is understood that currently anniversary events etc. are held at the Victoria Street roundabout (at the beginning of Bridge Mall) where there is a plaque and a flag pole with the Southern Cross flag. While this demonstrates an effort to recognise the cultural significance of the meetings, its location in the middle of the road is not ideal and is also an unlikely location for the mass meetings. There is also another flagpole close to St Paul's Church which it is understood relates to the 'Eureka Trails' self-guided tour.
91. I recommend consideration be given to the retention of some open space at the subject site for public use for the purpose of recognising and interpreting the cultural significance of the mass protest meetings. Preferably this space would be in the more elevated northern part of the site, because that is the area considered likely to have been associated with the meetings.
92. This approach would be similar to the Eureka Stockade gardens where land has been set aside for commemorative purposes in the accepted vicinity of the Eureka stockade, although the exact location of the stockade continues to be contested.
93. Interpretation should be guided by the 'ICOMOS Charter for the Interpretation and Presentation of Cultural Heritage Sites' (also known as the Ename Charter).

Nomenclature

94. The name for the proposed redevelopment 'Marvella Heights', and the names of the two lanes, David Lane and Daniel Lane, do not appear to relate to the significance, history or context of the site. Nomenclature which references an historical association or the landform on which it is sited, would be more appropriate.

Archaeological Potential

95. There may be archaeological potential in relation to the activity that is known to have occurred on the subject site - mining, residential occupation and the school from the 1870s, and there may also be a possibility that some evidence associated with the meetings remains. The late 20th century education buildings on the site were apparently portable buildings, and therefore may have had limited impact on subsurface remains from earlier phases. An archaeologist should be engaged to advise on the post-contact archaeological potential.

APPENDIX A – Expert Witness Background

My full name is Roger Baley Beeston. I hold a Bachelor of Architecture degree from Melbourne University and am a registered architect in the State of Victoria. I have been in practice since 1985 and for most of that time I have specialised in heritage conservation and management. I established the practice, RBA Architects and Conservation Consultants Pty Ltd (RBA) in 1994 after seven years as senior architect at Allom Lovell & Associates. The practice is located at 4C/171 Fitzroy Street, St Kilda.

RBA employs historians, heritage consultants, conservation architects and landscape specialists. We specialise in the assessment, restoration, management and sensitive adaptation of buildings and places of heritage significance. The practice is recognised for our conservation work by Heritage Victoria, the peak heritage body in the State, and also the AIA (we have thrice won the prestigious John George Knight Heritage Award). We have undertaken a wide variety of heritage assessment and conservation work throughout Victoria for various State and local government agencies, as well as for private individuals, organisations and corporations (details of our projects can be found on our webpage (<http://www.rbaarchitects.com.au/>)).

As a practice, we have experience assessing a wide range of heritage places. Among the larger assessment projects, we have prepared the heritage studies for the shires of Strathbogie and Towong. In addition, we have undertaken various heritage reviews including: City North Heritage Review (for the City of Melbourne) and French Island Heritage Review. We have recently completed the Mt Alexander Thematic Heritage Study. As a practice, we are well versed in statutory heritage protection at the local, State and Federal levels, and have been asked to comment on many occasions on the suitability of proposed change at places of heritage significance.

As an expert witness on matters related to places of cultural heritage significance (from the local to the State level), I have appeared before the Heritage Council of Victoria, Planning Panels Victoria, the Supreme Court, and VCAT. Since late 2010, I have also been acting as a Heritage Advisor for the City of Melbourne.

Currently I am the Deputy Chairman of AusHeritage (Australia's Export Network for Cultural Heritage Services) where I am involved in cultural heritage management (built environment) projects in India and commencing negotiations in relation to capacity building initiatives in Singapore and Taiwan.

I undertake intermittent teaching roles and I am former a member of the Academic Advisory Board at Deakin University in the Cultural Heritage and Museum Studies courses. In addition, I am a member of Australia ICOMOS, The National Trust of Australia (Victoria), and the Society of Architectural Historians of Australia and New Zealand (SAHANZ). I have recently been appointed an Adjunct Research Fellow in the Faculty of Education and Arts at Federation University and am in negotiations to be uptake a similar role at the University of Melbourne in the Architecture faculty.

In the preparation of this report, I have made all inquiries that I believe are desirable and appropriate, and no matters of significance, which I regard as relevant, to my knowledge have been withheld from the Planning Panel.

September 2015



APPENDIX B – Citations

Bridge Street Mall/Bakery Hill Precinct

List Ballarat Planning Scheme
 Heritage Overlay HO176



Statement of Significance

The Bridge Mall/Bakery Hill Precinct is historically significant at a LOCAL level (AHC criterion A & H.1).

A The place's importance in the course, or pattern, of Australia's natural or cultural history;

A.4 & H.1 Importance for association with events, developments, cultural phases and individuals which have had a significant role in the human occupation and evolution of the region.

The Precinct is historically significant as the oldest commercial retail area in Ballarat, located in the river flats of Yarrowee River. The Precinct was the narrow pivotal meeting point in the 1850s, between Main Road and the chaotic alluvial mining and commercial centre which spread over Ballarat Flats, Yarrowee Creek and Golden Point, and the official government township surveyed in 1851 and the police camp on the high basalt escarpment overlooking Yarrowee River to the west.

The Precinct is historically significant for its association with the early settlement of East Ballarat from the 1850s as a result of gold discoveries in the area, and with the early development of this particular area of East Ballarat as a focus of commercial and cultural/community activities in contrast with the contemporary government town that was being established under neoclassical auspices of hierarchy and axial ordering in West Ballarat.

The Precinct is historically significant for its association with Bakery Hill located on the high ground at the eastern end of the precinct, the site of the much analyzed place in Australian history as the meeting point for miners during the Eureka Rebellion, which took place on the Ballarat goldfields in November and December 1854. Defiant miners gathered at Bakery Hill in their thousands, in full view of the government camp, to air their grievances over mining licenses and corrupt officialdom. They stood together on Bakery Hill as Peter Lalor symbolically raised the Eureka Flag, with its design modeled on the stars of the Southern Cross. No physical evidence of this event remains at Bakery Hill, but the location nevertheless maintains its historical importance. Bakery Hill was also the site of an important deep lead, which although rich, was difficult to work due to high water levels.

The Precinct is historically significant for its association with the early un-planned area of East Ballarat that was subject to major flooding, noise, proliferation of mine shafts, pudding machines, debris, noxious fumes, polluted water and general environmental degradation associated with gold mining. A basic bridge was erected across Yarrowee River in 1862 to provide passage over

this area. The width of the bridge is reported to have determined the width of Bridge Street and accordingly, storekeepers built the frontages of their shops to align with the bridge. Throughout the 1850s and 1860s, floods regularly harassed Bridge and Main Street retailers and in the 1860s engineering works were carried out to raise the level of the street, up to six feet in some places. The present day level of Bridge Street is considerably higher than it was during the 1850s and 1860s. In particular the continuing commercial activities along Main Road are an important reminder of its early role as a flourishing commercial and retail thoroughfare in the 1850s. The commercial buildings in Main Road, Bridge Mall and Victoria Street are also associated with continuing commercial developments in the precinct from the 1860s and into the early decades of the twentieth century. Associations with the cultural/community developments in the precinct from the 1860s and into the early decades of the twentieth century are identified by St Paul's Anglican Church, its associated Parish Hall and the former ANA Hall, which was formerly a Seventh Day Adventist Church.

The Bridge Mall/Bakery Hill Precinct is architecturally significant at a LOCAL level (AHC criteria D.2, E.1).

(d) the place's importance in demonstrating the principal characteristics of: (i) a class of Australia's natural or cultural places; or (ii) a class of Australia's natural or cultural environments;
(e) the place's importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;

The Precinct is architecturally important because it demonstrates many original and intact historic architectural design qualities associated with the commercial and cultural/community development of the area between the 1850s and the late 1930s. The commercial buildings in the Bridge Mall/Bakery Hill Precinct range in their period of construction from Victorian to Federation to Inter-war, although a number of 19th century facades have been remodeled. There is an outstanding group of very early 19th century two storey shops in the eastern area, which may date to the 1850s/60s and which are a scarce example of a particular type of shop design that is no longer common. Although most of the commercial buildings are two storey in height there are a number of historic single story buildings within the precinct. There is also a pair of notable semi-detached three storey buildings at 24-26 Bridge Mall and the distinctive three storey hotel at 92 Bridge Mall (on the corner of Peel Street). Many of the historic commercial buildings feature parapets, which are a dominant element in the streetscape. The dominant style of heritage buildings in this precinct is commercial Victorian erected from c.1865-c.1900. There is also a small number of commercial Federation styled buildings erected from c.1890-c.1918 and a small number of commercial Inter-war styled buildings. Some of these were erected on the sites of earlier buildings from c.1920-c.1940 while others are nineteenth century buildings that have been substantially refaced. The Precinct is architecturally important for the fine example of St Paul's Anglican Church in Humffray Street South, which forms a dramatic landmark on the skyline. Its architectural development is also important as an example of how the design and construction of buildings in this area were adapted to the risks associated with mining conditions of its site.

The Bridge Mall/Bakery Hill Precinct is aesthetically significant at a LOCAL level (AHC criteria D.2, E.1).

(d) the place's importance in demonstrating the principal characteristics of: (i) a class of Australia's natural or cultural places; or (ii) a class of Australia's natural or cultural environments;
(e) the place's importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;

The Precinct is aesthetically significant for its distinctive heritage visual qualities that assist in understanding the historical, cultural and architectural development of the area, particularly in contrast with Ballarat West, and contribute to the gold mining townscape of Ballarat. These views include the dramatic rear views of the buildings on the western basalt escarpment of Lydiard Street and Camp Street as well as internal rear views of the buildings within the precinct. Most of these views originate from the distinctive topography of the Precinct whereby the rising ground in both directions provide enclosed vistas at each end and reinforce the sense of enclosure formed by the contrasting narrowness of Bridge Mall. These views include (but are not limited) to the confined commercial streetscape along Bridge Mall between Grenville Street and Peel Street South contrasted with the vista westwards up the wide boulevard of Sturt Street with its mature trees, memorials and dominant towers of the Town Hall and former Post Office on top of the

escarpment; the views into and along Bridge Mall and Victoria Street from the eastern and western edges of the Precinct; the stepped facades of the significantly intact early buildings along the northern side of Victoria Street as it changes alignment from its intersection with Bridge Mall and inclines upwards towards the intersection with Humffray Street South; the complex vistas northwards along Humffray Street South and Main Road from the point where they intersect at a sharp angle on the southeastern edge of the precinct; and the dynamic appearance of the rear facades of the commercial buildings throughout the Precinct, which can be seen from many locations both within and outside of the precinct, and comprise a variety of shapes, heights, sizes and building materials.

Other important aesthetic qualities are substantially demonstrated by the significant urban foci. Notably the distinctive former East Ballarat Post Office which forms a significant corner streetscape element at the southeastern entry to the Precinct; St Paul's Anglican Church in Humffray Street South, which due to its position on the highest point of the precinct and its imposing tower, forms a dramatic landmark on the skyline and can be seen from many vantage points both within and outside of the Precinct; the Bakery Hill Tavern (the former Munster Arms Hotel) at 10 Victoria Street, and the stepped series of face brick buildings at 19-27 Victoria Street, which are both on prominent corner locations at the main eastern entry to the Precinct; the three-storey Bridge Mall Tavern (the former North Grand Hotel) at 92 Bridge Mall, which is also on a prominent corner location; the former State Savings Bank of Victoria at 95-99 Bridge Mall, which concludes the northern vista along Main Road; and the notable three-storey pair of buildings at 24-26 Bridge Mall, which can be seen from a number of vantage points both within and outside of the Precinct. Further important aesthetic qualities are contributed by the well detailed, stepped face brick retaining wall with a bluestone base and a rendered moulded capping and the short lengths of cast iron palisade fence with a bluestone plinth and piers of the former Ballarat East Post Office; and by the cast iron gates with heavy bluestone piers and the substantial and intricate cast iron palisade fence on a bluestone plinth of the St Paul's Anglican church site.

The Bridge Mall/Bakery Hill Precinct is scientifically significant at a LOCAL level (AHC criterion C.2).

(c) the place's potential to yield information that will contribute to an understanding of Australia's natural or cultural history. (f) the place's importance in demonstrating a high degree of creative or technical achievement at a particular period.

The Precinct is of importance for contributing to a history of the infrastructure development of Ballarat East, as identified by the significantly intact bluestone lanes, channels, gutters and kerbs. The kerbstones are of additional significance for the markings left in them by former verandah posts.

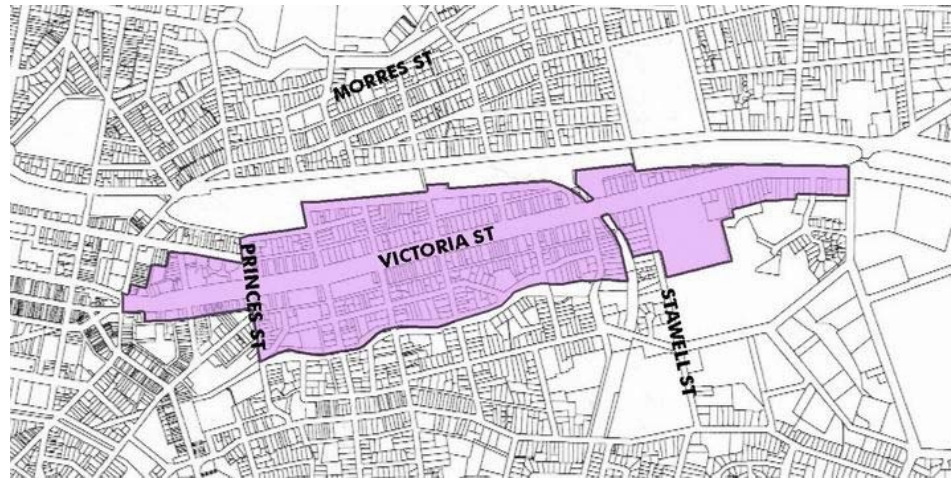
The Bridge Mall/Bakery Hill Precinct is socially significant at a LOCAL level (AHC criterion G.1).

(g) the place's strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;

The Precinct is recognized and highly valued by the local community for commercial and religious reasons.

Victoria Street Precinct

List Ballarat Planning Scheme
 Heritage Overlay HO177



Statement of Significance

The Victoria Street Precinct is historically significant at a LOCAL level (AHC criterion H.1).

A The place's importance in the course, or pattern, of Australia's natural or cultural history;

A.3 Importance in exhibiting unusual richness or diversity of built landscapes and cultural features.

A.4 & H.1 Importance for association with events, developments, cultural phases and individuals which have had a significant role in the human occupation and evolution of the region.

The Precinct is particularly significant as a cultural landscape that is associated with the whole period of gold mining activity that once characterized the Ballarat goldfields, and in particular the spontaneous clustered settlements of the early alluvial miners on the Eureka Lead, Black Hill Lead and Old Gravel Pit Lead which prompted one of the richest alluvial gold mining rushes in the world between 1852- 53.

The Precinct is historically important for its association with the site at western end of Victoria Street at Bakery Hill of a large meeting in 1854 of thousands of miners, which was the prelude to the Eureka Stockade uprising later that year.

The Precinct, in particular Victoria Street boulevard, is historically important as an early example of civic beautification movement that characterized the development of the whole of Ballarat and resulted in a visually unified townscape of beauty. The creation of a wide elegant boulevard designed in the European tradition, through a chaotic early alluvial and deep lead gold mining area reflects the community's social aspirations and universally admired aesthetic. The subsequent layout of many of the other roads during the 1870s in a partly distorted grid pattern is important as it illustrates attempts by bureaucracy to introduce a formal urban plan over the haphazard development of the area that was dominant by mining for many years in the alluvial creeks and flats and quartz-rich hills.

Victoria Street, unlike Sturt Street its counterpart in West Ballarat, which was also originally a rough cattle stock route, was not part of W.S. Urquhart's city plan. By the late 1850s, although Victoria Street had progressed to a wide thoroughfare with houses, the occasional store and hotels, the allotments remained un-surveyed. But by 1861 a map compiled by surveyor J. Brache shows the wide street reservation with most of the buildings now sited within the allotment boundaries and not on the street reserve. The area was also substantially clear of any mining works, which allowed for the development of residential buildings.

The dominant tree lined boulevard design of Victoria Street commenced in the 1860s when Tasmanian Blue Gums were planted. Blue Gum seeds were sent from Dr Mueller of the Melbourne Botanic gardens but by 1891 they were replaced with European oaks. The beautification project continued throughout the 1880s and 1890s when most of the streets in the area were formed and substantial bluestone spoon drains constructed. Early in 1900s the newly electrified tram system ran along Victoria Street to the Stawell Street terminus and by 1914 the street was regarded as the formal entrance to Ballarat from Melbourne, designed in a manner to

compare favourably with beautiful streets of the world. In 1917 planting began for Avenue of Honour with plantings continuing to 1930.

The Precinct is historically important as it demonstrates a continuous progression of urban development from the 1860s- early 1960s. The Precinct is important for its association with the earliest establishment of a place for Catholic worship in the district and development of the St Alipius Catholic parish as well as the Sisters of Mercy convent and school. Many significant historic sites are located on Victoria Street and include the sites of the District Orphan Asylum established in 1865, the St Alipius complex (church, presbytery and kindergarten), the St Alipius School, and former Convent of Sisters of Mercy, the Victoria Bowling Club and greens, and Victoria Street campus of Damascus College. Other significant larger sites include the former Ballarat East (Queen Street) Primary School No.1998 on the corner of Queen Street and Dyte Parade, the St Alipius Hall and tennis courts in Hopetoun Street, McKenzie Reserve in King Street South, and reserve adjacent to Pearse Street. The extension of the tram system in the early 1900s encouraged wealthy residential development in the area, especially the small scale retail corner shops.

The Victoria Street Precinct is architecturally and aesthetically significant at a LOCAL level. (AHC criteria D.2, E.1).

(d) the place's importance in demonstrating the principal characteristics of: (i) a class of Australia's natural or cultural places; or (ii) a class of Australia's natural or cultural environments;
(e) the place's importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;

The Precinct is architecturally important as it demonstrates many original and intact architectural design qualities associated with the residential, educational, and cultural/community development of this area of East Ballarat between the 1860s and the 1940s as well as some early 1960s residences.

It is important for its heterogeneous mixture of substantially intact residential buildings of varying styles which were constructed from the late 1850s to 1940s/50s, and which are distributed almost equally throughout the Precinct. Although constructed in different eras, the residences tend to be similar in scale, of a small size and simple form with dominant chimneys. There is an important collection of early small Victorian cottages and vernacular styled timber miners cottages scattered throughout the precinct, which reinforces the visually dominant historic mining character of the area and its historical context with Eureka Stockade.

The residential allotment sizes vary considerably, many are based on the 19th century Government survey others are based on the original sizes and shapes of land selected and leased by individuals under Miner's Right leases (later termed as Residential Area Right leases) from the mid-19th century onwards. In the southern section, adjacent to the Specimen Vale Creek Channel allotment sizes are predominantly irregular and reflect the distinctly undulating topography, as well as Crown land held under Miner's Right lease for many decades. While the most regular, government surveyed allotments can be seen along the axial line of Victoria Street.

The Precinct is aesthetically significant as it demonstrates important visual qualities that reflect the historical, cultural and architectural development of the Precinct, and contribute to the setting of Ballarat. Victoria Street is a place of strong aesthetic value and is a significant focus of the Ballarat area and provides the setting for a variety of significant urban landmarks, a number of which can be seen from outside of the Precinct. Other attributes include the complex views across and through the precinct to other parts of Ballarat including to the northern and southern areas of East Ballarat, to Black Hill, to the Specimen Vale Creek Channel, to the city centre, and to the adjacent former civic area of the municipality of Ballarat East.

The important visual qualities of the Precinct are also enhanced by the mature street trees that are a significant component of most of the streetscapes; by the gravel/grass road shoulders and turf nature strips or footpaths; and by extensive areas of landscaped public open spaces including school grounds and many private gardens with their mature canopy trees. These landscaped and treed areas provide the Precinct with a garden setting of considerable variety, particularly along the Victoria Street axis. The McKenzie Reserve and the grassed and treed slopes along much of the southern boundary, which provide a scenic 'rural' focus to this edge of the Precinct.

Furthermore, the visual qualities of the Precinct are specially enhanced by the continued use of

the former tram shelters, and by the substantial integrity of the original engineering infrastructure, particularly as identified by the extensive network of spoon drain channels constructed of bluestone pitchers.

The architectural and aesthetic important features of the Precinct are associated with many educational and cultural/community buildings including, but not limited to, the former Baptist Church, the former convent of the Sisters of Mercy, the distinctive complex of buildings associated with the St Alipius parish - the presbytery, church, and kindergarten as well as the former Ballarat East (Queen Street) School No.1998, which forms an important focus to arrival from the only entry point on the northern side of the Precinct; the former hotel building at the eastern end of Victoria Street; the road bridge and footbridges over the former branch railway line to Buninyong, the remains of the former Sunshine Biscuit Factory building on the corner of Victoria Street and East Street North; the highly decorated 'Old Curiosity Shop' and its surrounds at 7 Queen Street; the distinctive terrace row at 152-162 Victoria Street and the shops at the various corner intersections with Victoria Street.

The Victoria Street Precinct is scientifically significant at a LOCAL level (AHC criteria C2).

(c) the place's potential to yield information that will contribute to an understanding of Australia's natural or cultural history.

(f) the place's importance in demonstrating a high degree of creative or technical achievement at a particular period.

The Precinct is of importance for contributing to a history of the infrastructure development of East Ballarat, as identified by the extensive network of significantly intact bluestone channels, gutters and kerbs, the early short span integrated concrete kerb and spoon gutters and the asphalt footpaths. Furthermore the precinct contains a highly significant specimen of Tasmanian Blue Gum (*Eucalyptus globulus* subsp. *globulus*), which is believed to be some 140 years old.

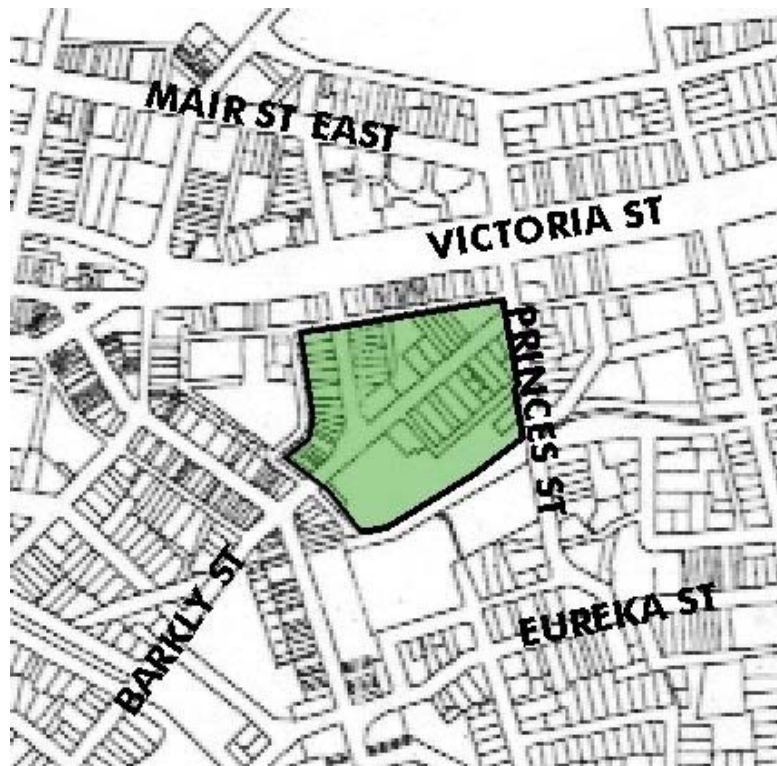
The Victoria Street Precinct is socially significant at a LOCAL level (AHC criterion G.1).

(g) the place's strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;

The Precinct is recognized and highly valued by the local community for residential, educational, religious, and recreational reasons.

Ballarat East Civic Precinct

List Ballarat Planning Scheme
Heritage Overlay HO178



Statement of Significance The Ballarat East Civic Precinct is historically significant at a LOCAL level (AHC criterion A and H).

9a) The place's importance in the course, or pattern, of Australia's natural or cultural history; (a4) & (h1) Importance for association with events, developments, cultural phases and individuals which have had a significant role in the human occupation and evolution of the region.

The Precinct has historical importance for its association with the discovery of gold in the early 1850s and for its close relationship with the early development of Main Road, recognized as the commercial centre of the alluvial and deep lead mining area by 1853-1854. The profits generated from the sale of services and goods from the many commercial and retail ventures stretched along the length of Main Road from Bridge Street in the north through to Golden Point in the south were often reinvested among small co-operatives of miners. This helped to facilitate the commercial cooperation between miners and storekeepers that was so crucial while exploration of the Ballarat goldfields continued. It also created an integrated social and commercial system that helped to create the municipal framework of early East Ballarat.

The Precinct has historical importance for its association with the early development of East Ballarat as a municipality, with a separate political and social identity from West Ballarat. In spite of the many difficulties associated with its development on the main alluvial diggings site, in February 1857 sale of frontages (freehold land) in Main Road provided the basis for ratepayer to elect a local government and form the municipality of Ballarat East in 1857. Plans began shortly afterwards for a collection of civic and cultural buildings in Barkly Street off Main Road including a Town Hall, Police Court, Mechanics Institute, Museum and Public Library.

The Precinct has historical importance for its substantially intact physical evidence, scarce examples of the now defunct transient mining development along Main Road which because of its flood prone, low lying ground made it a most unsuitable site for a permanent commercial centre. The priority given to alluvial and deep lead mining interests in this area helps to explain the distinctive street pattern through the Ballarat East Civic precinct. Streets and lanes developed organically from the main arteries and the urban pattern is in stark contrast to the formal surveyed

grid layout of Ballarat West.

The Ballarat East Civic Precinct is socially significant at a LOCAL level (AHC criterion G.1).

(g) the place's strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;

The Precinct is recognised and highly valued by the local community for civic, religious and educational reasons. Collectively, the civic buildings surviving in East Ballarat are symbols of the way in which the residents of East Ballarat developed and indeed, cultivated a separate municipal, political and social identity from the township above on the plateau.

The Ballarat East Civic Precinct is architecturally significant at a LOCAL level (AHC criteria D.2, E.1).

(d) the place's importance in demonstrating the principal characteristics of: (i) a class of Australia's natural or cultural places; or (ii) a class of Australia's natural or cultural environments;
(e) the place's importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;

The Precinct is architecturally important for its association with the location of the new civic centre and municipality of East Ballarat, which was built on one of the highest points in the area with commanding views over much of mining activity in Yarrowee creek below. The new town hall (1861 demolished 1949) with its later formal botanic garden glasshouse and fernery was a symbol of order and civilization in contrast with the ad hoc transient nature of life on the diggings. The associated civic buildings incorporated the full range of facilities symbolic of cultivated European society in the nineteenth century inclusive of a museum and library for education and self-improvement and a police court as an instrument of law and order. Contemporary maps show that the site was one of few locations left relatively untouched by direct mining works such as the nearby shafts of the Britannia United Shaft, Eastern Star Extension and Suleiman Pasha No. 2 mining sites. Although the Town Hall was demolished in 1949, other buildings in the civic precinct remain. These include 1867 the Ballarat East Free Library (1867) and the Ballarat Fire Station and brick tower (1864-67) which has historical significance as one of the few remaining examples of nineteenth century fire stations. Other buildings include the Wesleyan Methodist Church and the Jewish Synagogue, hall and Rabbi's residences which are among the oldest buildings in the Precinct, constructed in 1860 and 1861 respectively.

The Precinct is architecturally important for it demonstrates many original and intact architectural design qualities associated with the residential, civic, and cultural/community development of the area between the 1850s and the late 1930s.

While civic and cultural life was the primary function of buildings within this precinct, scattered pockets of residential buildings developed from the late 1850s onwards. The eastern end of Barkly Street was constructed within the vicinity of the Gravel Pits Lead and the Fire Brigade Reef while there was also shallow alluvial mining activity in the surrounding area. The cottages provided accommodation for miners. The precinct still contains scattered examples of very early cottages, possibly built under the provisions of the Miner's Right. By 1866, Crown sales of small residential allotments with frontages of between 26 feet and approximately 75 feet had taken place along East and Barkly Streets. The Precinct also contains examples of later Victorian style housing constructed towards the latter part of the nineteenth century when mining was becoming a less dominant force within East Ballarat. Similarly, there are a number of examples of buildings erected from the turn of the century to the end of the inter-war period, as the area developed more structured residential pockets alongside the early civic and cultural buildings

The Ballarat East Civic Precinct is aesthetically significant at a LOCAL level (AHC criteria D.2, E.1).

(d) the place's importance in demonstrating the principal characteristics of: (i) a class of Australia's natural or cultural places; or (ii) a class of Australia's natural or cultural environments;
(e) the place's importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;

The Precinct has aesthetic significance as a 19th century gold mining townscape which demonstrates important visual qualities that reflect the historical, cultural and architectural development of the Precinct, and contribute to the setting of Ballarat. These qualities are substantially demonstrated by the significant urban foci, notably the Synagogue and associated

Canary Island Pine, which form an important focus to arrival at the eastern edge of the Precinct; the Ballarat Fire station, which due to its position on high ground at the divergence of two streets and its imposing tower, forms a dramatic landmark on the skyline and can be seen from many vantage points both within and outside of the precinct; the strong streetscape elements of the former Wesleyan Methodist complex of buildings, which includes the Church, the hall, and the former parsonage; the strong streetscape element of the former East Ballarat Free Library with its associated original fence; the original fencing, entrance gates and the mature exotic trees to the former Ballarat East Town Hall Gardens, which provide a scenic garden focus along Barkly Street at the western edge of the Precinct; the original large cast-iron gas lamp in the centre of the Barkly Street and East Street South intersection; and the significant visual connections between all of the above-mentioned buildings and significant streetscape elements, and their juxtaposition with the pockets of intact and generally well-maintained residential buildings

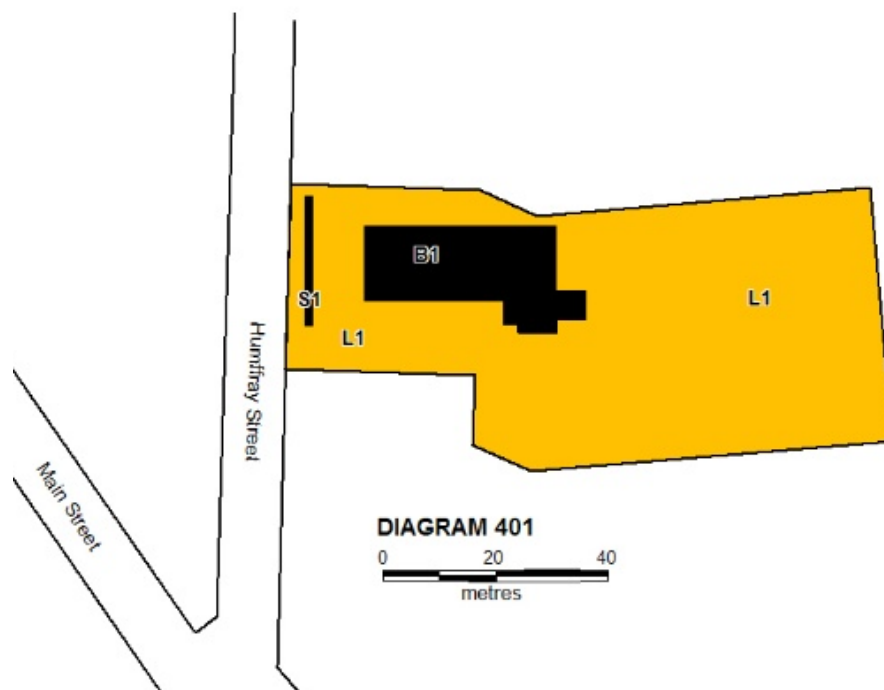
The Ballarat East Civic Precinct is scientifically significant at a LOCAL level (AHC criterion C.2).

(c) the place's potential to yield information that will contribute to an understanding of Australia's natural or cultural history.

The Precinct is of importance for contributing to a history of the infrastructure development of Ballarat East, as identified by the significantly intact bluestone channels, gutters and kerbs, and the asphalt footpaths.

St Paul's Anglican Church

List Victorian Heritage Register
Number H0401



Statement of Significance

What is significant?

St Paul's Anglican Church is located on Bakery Hill. The church is a red brick Victorian Transitional Decorated and Perpendicular Gothic Revival church constructed in 1864 to a design by Victorian architect Leonard Terry (1825-1884). It incorporates a number of elements from an earlier church on the site, constructed in 1861. These include the large square castellated tower, the Ferguson and Urie triple chancel window and internal timber members. The church comprises a gabled nave and rear gabled chancel and porch, a timber mezzanine gallery, the tower at the rear and a vestry, added in 1892. The extant wrought iron fence with ornate gates and pillars at

each end were constructed in 1869. More recent alterations to the church include replacement of the large west window at the front of the church in the 1950s and construction of a new Rectory on south side of the church in 1963. At the rear of the church is a small timber Verger's Cottage, known to have existed on its present site since 1902.

The congregation of St Paul's was formed at Bakery Hill in 1854, three years after the discovery of gold in Ballarat. Following an earlier temporary tent structure, the first brick church was constructed on the site in 1858 when the Parish of St Paul's was established. In 1864 the first church collapsed when the ground of Bakery Hill, weakened by mining tunnels, subsided after rain.

The extant brick church was erected on more stable ground west of the earlier church, with the surviving tower incorporated at the rear. Terry incorporated an ingenious subfloor system at the grid lines of the salvaged columns to enable variation and rectification to support the building, were there to be any further mining subsidence. Tall, round, slender timber columns of the nave support central king post trusses with full width brackets between posts and shallow brackets over the side aisles. The timber columns appear to be reused from the earlier 1861 church along with the Ferguson and Urie windows, the pews in the mezzanine gallery, and bricks salvaged from the collapsed structure. Some original painted stencilling from 1864 survives, albeit in reduced extent, on the chancel arch, timber lining board ceiling of the nave and some timber columns.

The church organ built in 1864 by J. W. Walker of London for the original church was then incorporated into the new church. It was enlarged by Fincham and Hobday in 1892 and rebuilt by Fincham and Sons in 1957. It retains its original case, pipe work and tonal scheme.

The site of St Paul's is on Bakery Hill. Mass meetings at Bakery Hill were held in 1854 where disgruntled miners assembled to voice complaints about mining licenses in the weeks leading up to the Eureka Stockade. Bakery Hill is a large area and the site of St Paul's is not specifically documented as a rallying point for these meetings. However the congregation was active at this site at this time. The ground to the east of the church tower where the 1858 church was located is one of the few parts of Bakery Hill remaining as open space and may have archaeological potential.

The site of St Paul's is the site of the earliest Anglican church services in Ballarat and is associated with the ongoing role of the church in the Ballarat community. The church is of interest for its association with Anglicanism in Ballarat,

How is it significant?

St Paul's Anglican Church is of historical, architectural and aesthetic significance to the State of Victoria.

Why is it significant?

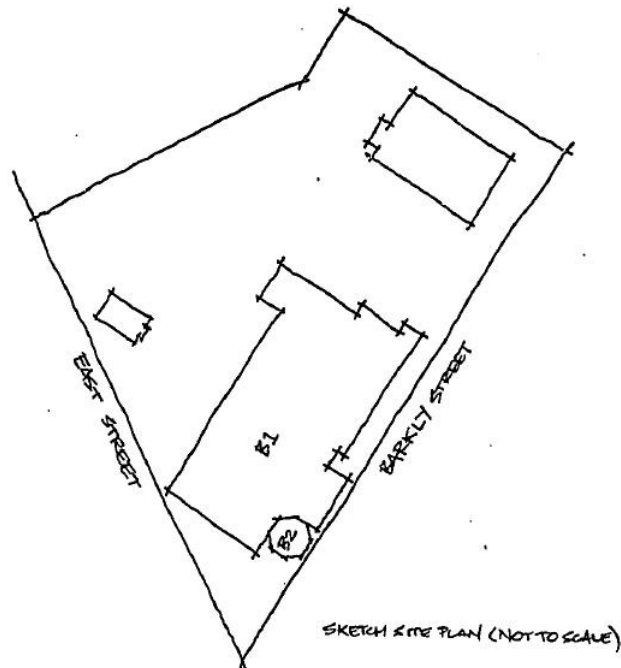
St Paul's Church is historically significant for its association with the early Ballarat goldfields and deep lead mining at Bakery Hill, the form of the existing church, replacing the earlier 1861 church, having been influenced by the presence of the deep lead below the site. The juxtaposition of nave and tower enables interpretation of the history of the site in that the tower of the collapsed 1861 church was incorporated into a new building to the west. The rare sub-floor structure may have been a response to the unstable nature of the site.

St Paul's Church is architecturally significant as an unusual example of a masonry building with an internal timber post and truss system, for its rare heavy timber subfloor structure intended to transfer load away from unstable areas, and for the surviving stencil decoration.

St Paul's Ballarat is of aesthetic significance for the east chancel window by Ferguson and Urie (1862) installed in the first church and reused in the extant church. The window is an early example of their work, in grisaille pattern, likely to have been assembled in Australia from imported glass. The window is signed 'Ferguson and Urie' but possibly created by John Lyon who commenced work with the company in 1861.

Ballarat East Fire Station

List Victorian Heritage Register
Number H1001



Statement of Significance

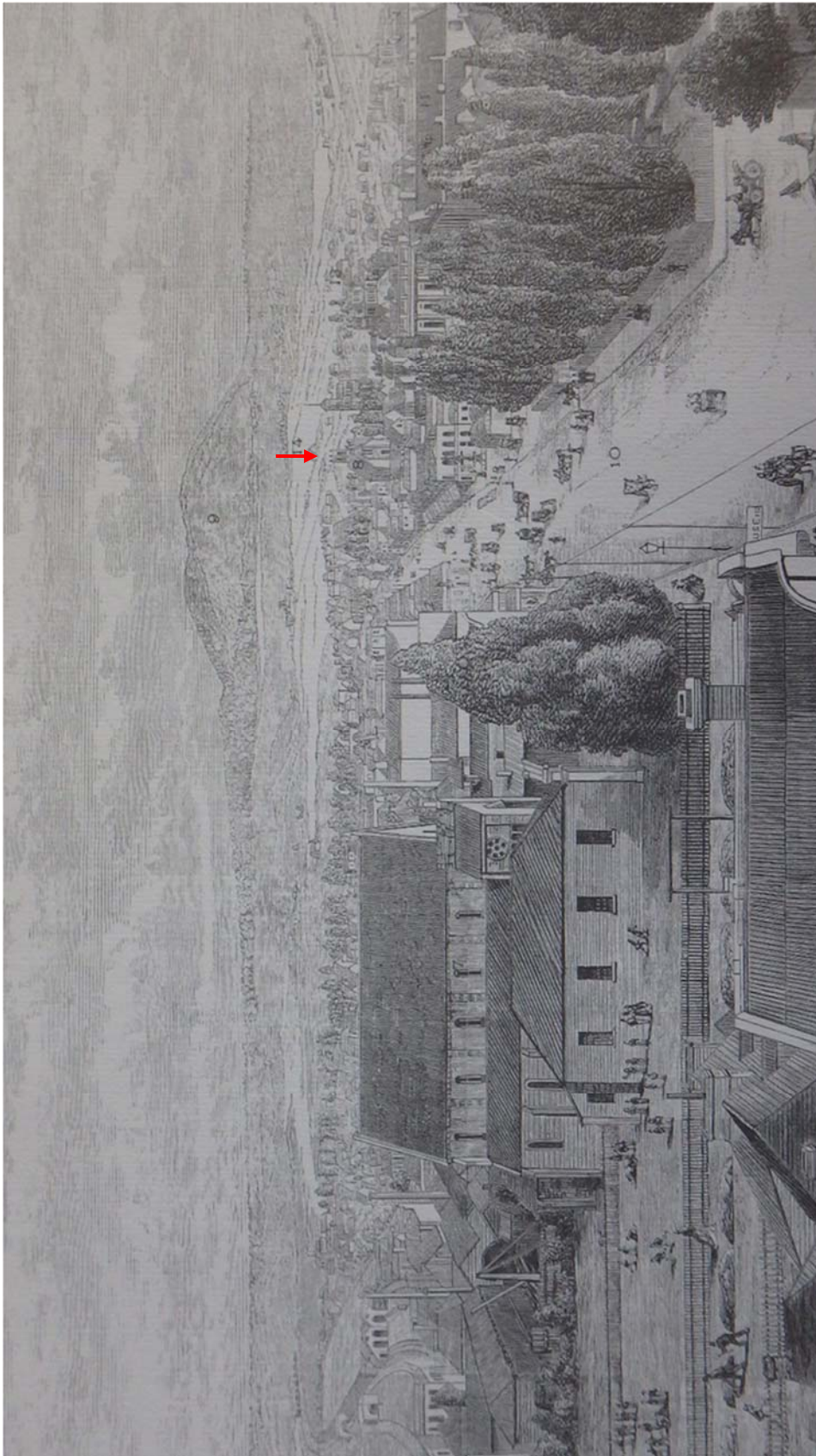
The Ballarat East Fire Brigade Tower, designed by prominent local architect Henry Caselli, was constructed in 1864 by William Cowland, builder, and brigade volunteer. Lack of funds prevented the Engine House from being constructed to Caselli's design, the existing Engine House officially opened in 1916, recalls the earlier structure (1858) which it replaced.

The Ballarat East Fire Station is historically significant as one of the few remaining examples of nineteenth century fire stations and is possibly the oldest in Victoria. Formed in 1856, the brigade was the first to be established in Ballarat, and was progressive in its use of new fire fighting technology being the first in Victoria to use a steam fire engine and install electric street fire alarms.

The Ballarat East Fire Station is of architectural significance demonstrating outstanding application of brick masonry as both a decorative and structural material in the octagonal tower in particular, with its combination of arcaded corbel tables and angled bricks. The tower in combination with the boldly articulated and complementary Engine House forms an unusual and sophisticated ensemble of buildings.

The Ballarat East Fire Station is of further historical significance in its ability to demonstrate the size and pre-eminence of the Ballarat region in the state of Victoria, East Ballarat forming one of its many suburbs until the early decades of the twentieth century.

APPENDIX C – Historic Image



View from the tower of the Sturt Street Fire Station, Eugene von Guerard, c.1870
(Source: Geoffrey Blainey Research Centre, Federation University)