

# **GARDENS PAVILION - PIPERS**

East Terrace Replacement

## **Heritage Impact Statement**



Gillies Street and Wendouree Parade  
Lake Wendouree, Ballarat

VHR H2252 - B8 Lake House Pavilion  
Ballarat HO13

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## I.0 Introduction

This statement forms part of a Heritage Permit Application for the amendment of the proposed enlarged east external timber deck previously permitted in P34496 to an on ground terrace to comply with Building Code fire load requirements.

## I.1 Heritage Overlays

The Gardens Pavilion, currently known as Pipers By The Lake and previously Gardens Pavilion and then Lake Lodge, is included as Building B8 within the Ballarat Botanic Gardens, H2252.

The Victorian Heritage Register **Statement of Significance** is as follows:-

Last updated on - May 17, 2010

*What is significant?*

The Ballarat Botanical Gardens, gazetted in 1857 and developed from 1858 on the old Police paddock site, is an outstanding example of a botanical garden. The large 40 hectare site is bounded by Lake Wendouree (originally Yuille's Swamp) to the east, the northern extension of St Aiden's Drive, The Boulevarde, Gregory Street, Gillies Street and Carlton Street along the south. Although the area between Wendouree Parade and the lake is considered to be part of the lake surrounds, this section is integral to the gardens and was included in the original 1885 reservation. This site is part of the traditional land of the Wathaurung people now known as the Wadawurrung.

In 1858 a design competition was won by Messrs Wright and Armstrong and the inaugural curator, George Longley, was appointed to implement the plans with early plant materials supplied by Baron von Mueller from the Melbourne Botanic Gardens and by Daniel Bunce from the Geelong Botanic Gardens. The main entrance on Wendouree Parade features the ornate cast ironwork Morey gates (1894) with timber pergola (1934) and two marble lions (c1894) either side of the path leading to the statue of Scottish hero Sir William Wallace (1888). The south-eastern McDonald gates (1921) feature a semi-circular form and ionic colonnade.

The site is divided into three distinct sections: the central botanic gardens and two areas of open parkland known as the north and south gardens with a pair of remnant bluestone gateposts marking the original entrances at either end of Wendouree Parade. The strong linear design of the central garden features four main north-south axes: Wendouree Parade, the Giant Redwood Avenue (*Sequoiadendron giganteum*) planted 1863-1874, the avenue of Horse Chestnuts (*Aesculus hippocastanum*) accommodating the Prime Ministers' Avenue (1940 - present) and a path along the western boundary.

By 1862 the first maze was built, but later removed, close to the site of the first fernery (1887), which after several alterations and additions, is still an outstanding feature of the gardens and enhanced by an adjacent water lily pond (1916). With the donation in 1884 by local stockbroker Thomas Stoddart of twelve Italian marble statues located throughout the gardens, and the construction in 1887 of the Statuary Pavilion to house the 'Flight from Pompeii' and four accompanying statues donated by James Thompson, the Botanical Gardens became a centrepiece of civic pride for Ballarat. From 1889 tuberose begonias were introduced into displays, beginning a tradition highlighted by the annual begonia festival from 1953 until the present.

Developments catering for increasing tourism adjacent to the lake shore included the Lake Lodge (1891) for refreshments, adjacent cannons, Almeida Pavilion (1907) housing amusement machines and shelters such as the Picnic shelter (c1910) and replacement bandstand (1921). 'Fairyland' a wooded grove with bridges, ponds and walks on the western shore of Lake Wendouree, became a popular feature and a zoological section (1915- 1959), replacing an earlier menagerie, was established in the northern gardens with the Adam Lindsay Gordon Cottage relocated nearby in 1934. Large and small bequests continued to enhance the gardens in the twentieth century such as the sundial (1912), avenue of Prime Ministers' busts (1940- ), and the Robert Clark Conservatory and Horticultural Centre (1995). The Ballarat Botanical Gardens retain an exceptional collection of conifer and exotic deciduous trees and a tradition of bedding and floral displays, a fernery and potted plants.

Other additions to the northern gardens included a Pavilion (1904), Sound Shell (1962), and a Wetland (2001). The boundary between the southern gardens and the main botanical gardens is marked by the old display glass house (1972), the Ballarat Fish Acclimatisation Society's trout hatchery (1873) and the Ballarat Vintage Tramway Museum. The extensive Australian Ex-Prisoner of War Memorial to honour 35,000 soldiers was constructed in 2004 adjacent to Carlton Street.

*How is it significant?*

Ballarat Botanical Gardens are of historical, scientific, aesthetic, and social significance to the state of Victoria.

*Why is it significant?*

The Ballarat Botanical Gardens are of historical significance as one of the best examples of a botanic garden in Victoria. Developed from 1858, they retain typical characteristics of the nineteenth century gardenesque style such as a remnant path layout, open lawn areas planted with mature specimen trees, formal avenues, bedding displays, horticultural buildings such as the fernery and conservatory, embellishments such as garden buildings, Lake Lodge, picnic shelters, fountains and statues, and a location in proximity to a township developed during the mid-nineteenth century.

The Ballarat Botanical Gardens are of historical significance for the association with Baron von Mueller who supplied initial plant materials from the Melbourne Botanic Gardens.

The Ballarat Botanical Gardens are of historical significance for the 1887 octagonal Statuary Pavilion, designed by local architect T.E. Molloy, one of the oldest surviving structures in the gardens. Featuring a segmented domed roof with top-lit central lantern, it continues to house the 'Flight from Pompeii' statue and four other statues.

The Ballarat Botanical Gardens are of scientific significance for the collection of cool climate plants and outstanding mature significant trees, especially conifers and deciduous trees which include some of the largest and rarest trees in Victoria. The Gardens also hold an important collection of elm species and cultivars. This includes the largest Exeter Elm (*Ulmus glabra* 'Exoniensis'), and rarely cultivated in Victoria, two rare *Ulmus x hollandica* 'Wredei', a large Horizontal Elm (*Ulmus glabra* 'Pendula'), and English Elm (*Ulmus procera*), Dutch Elm (*Ulmus x hollandica*), Weeping Elm (*Ulmus glabra* 'Camperdownii'), Golden Elm (*Ulmus glabra* 'Lutescens'), Chinese Elm (*Ulmus parvifolia*) and a young American Elm (*Ulmus Americana*). Other significant trees are the Sierra or Giant Redwoods, (*Sequoiadendron giganteum*) planted soon after the species was introduced into Victoria, Horse Chestnuts (*Aesculus hippocastanum*), English or Field Maple (*Acer campestre*) Bunya Bunya Pine (*Araucaria bidwillii*), Tasmanian Blue Gum, (*Eucalyptus globulus* subsp. *globulus*), Weeping Ash (*Fraxinus excelsior* 'Pendula'), Sitka Spruce (*Picea sitchensis*), Norway Spruce (*Picea abies*), Western Yellow Pine, (*Pinus ponderosa*), Turkey Oak, (*Quercus cerris*), English Oak (*Quercus robur*), Coast Redwood (*Sequoia sempervirens*) and Swamp or Bald Cypress (*Taxodium distichum*).

The Ballarat Botanical Gardens are of scientific significance for the close link with the acclimatisation and zoological gardens movement demonstrated by the earlier menagerie and zoo sections, of which remnant cages remain, and the continuous activities since 1873 of the Ballarat Fish Acclimatisation Society, the oldest in Victoria.

The Ballarat Botanical Gardens are of aesthetic significance for the mature avenues which enhance the linear layout of the gardens, particularly the Giant Redwood (*Sequoiadendron giganteum*), the Horse Chestnut (*Aesculus hippocastanum*) and English Oak (*Quercus robur*) avenues.

The extensive collection of statues is also of aesthetic significance as they are a major feature and focal point in the design of the gardens set among colourful bedding displays. These include the five within the Statuary Pavilion, the twelve statues in the Stoddart collection scattered around the gardens, the twenty-six busts along

Prime Ministers' Walk and several other single statues such as Sir William Wallace close to the main entrance gates.

The Ballarat Botanical Gardens are of aesthetic significance for the setting adjacent to Lake Wendouree and the relatively open areas to the north and south which act as a buffer to the central area of the gardens. This setting also provides contributory views from, and vistas within the gardens, as well as making a significant contribution to the broader Lake Wendouree landscape.

The Ballarat Botanical Gardens are of social significance as one of Victoria's best known and most visited regional botanic gardens, enhanced by events such as the Begonia Festival (since 1953). The location adjacent to Lake Wendouree provides a strong recreational link with the surrounding foreshore areas and, since the 1870s, has been a popular place for leisure activities for locals and visitors.

The Ballarat Botanical Gardens are of social significance as a reflection of the civic pride and prosperity of Ballarat, originally derived from the gold rush, particularly expressed through bequests such the Stoddart bequest (twelve sculptures), the Thompson bequest (statuary Pavilion and five statues), McDonald bequest, (bandstand, entrance gates and pergola) and the Robert Clark Conservatory and Horticultural Centre.

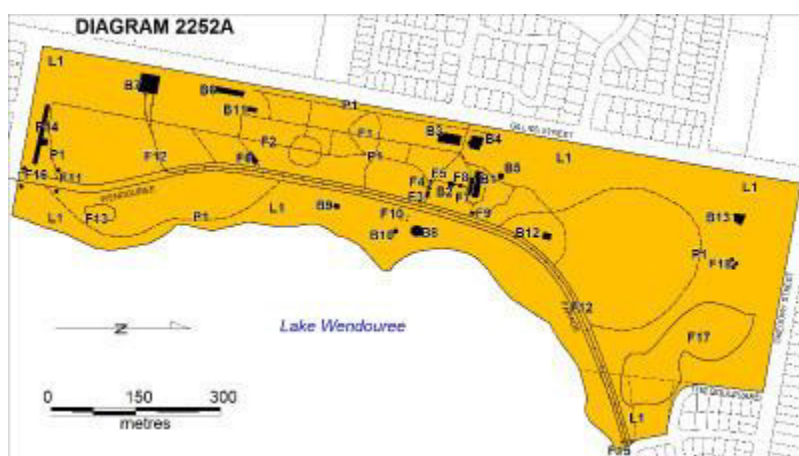


Figure 1 Diagram H2252A from the Victorian Heritage Register showing the location Building B8 within the Ballarat Botanic Gardens.

### Current Use

The pavilion continues to be used as a café and reception venue within the Ballarat Botanic Gardens, as originally intended.

## 2.0 Brief History

Pipers by the Lake was built as the Gardens Pavilion, for the City of Ballarat during 1891, to provide refreshments within the Ballarat Botanic Gardens. The building has been leased to a succession of operators since completion, as was the Councils intention. It has remained popular over the decades and was often used by the Council as a venue for entertaining foreign dignitaries, politicians and vice-regal visitors to Ballarat.

The development of the building was regularly reported on in the local newspapers, including the following excerpts:-

Date	Newspaper report
18/3/1890	5. Notice of motion, No. 517, by Cr Shoppee. — Grave objections have been taken to the proposal to grant a building lease for a pavilion at the gardens. We considered the subject from another point of view, and affirming the desirability of having such accommodation, we now recommend that the building be erected by the council, the outlay to extend over two or more years; that competitive designs be invited not to exceed in cost £1000; that the premium for the prize design be £25; that the conditions of competition be:- The structure to be as far as practicable of brick and iron; that it be designed in the compartments to permit of gradual erection in portions; and that a specification in detail of objects and requirements be prepared for information of intending competitors. The council not necessarily to adopt the prize design or to employ its author in construction. The prize design to become the property of the council. [Ballarat Star, Tuesday 18 March 1890, p4]
10/6/1890	Eleven designs have been submitted to the council for the proposed pavilion at the gardens. Several of them represent very handsome structures, but evidently buildings that could not be carried out for twice the amount the council have set aside for the building - £1000. Still amongst the designs left after discarding the most elaborate and expensive ones, there are two or three very neat ones that will probably not exceed to any great extent the amount agreed upon. Any one of the designs would be a very great improvement upon the inelegant barn that now disfigures the lawn. [Ballarat Star, Tuesday 10 June 1890, p2]

11/7/1890	The Mayor of the city (Cr Little), with Crs Shoppee and M'Donald, proceeded to the gardens yesterday to decide upon the site for the new pavilion at the gardens. They were accompanied by the architect whose design was chosen (Mr W.H. Piper) and the town clerk. The site fixed upon is a little to the north of the guns, and about midway between the road and the lake. The façade of the building will be parallel with the road along which the tramway runs. [Ballarat Star, Friday 11 July 1890, p2]
5/8/1890	Tenders.- The following were accepted:- excavations, concrete and stonework in formation for pavilion at gardens, Llewellyn and Edwards, £86 4s. [Ballarat Star, Tuesday 5 August 1890, p4]
16/9/1890	The City Council yesterday decided to call for tenders to-morrow for the construction of the pavilion at the gardens. They will be made returnable as soon as possible, and on the day they are received a special meeting of the council will be held to accept one, in order that the work may be commenced without delay. [Ballarat Star, Tuesday 16 September 1890, p2]
30/9/1890	Mayor's Report. — "1. At the Council meeting of 15th inst. the subject of tenders for the pavilion at the gardens was referred to a meeting of the council to be convened by me. I accordingly invited you together on 22nd inst., when the tenders were submitted. They were found to be so very much in excess of the estimated cost that they were held over for enquiry. On 25th inst. the architect met the finance committee in consultation; an estimate was submitted for an interim one story, but no recommendation could be arrived at, and it was finally deemed best to refer the whole subject back to the council. The tenders will accordingly be referred to the full council to-day. [Ballarat Star, Tuesday 30 September 1890, p3]
12/5/1891	Tenders for pavilion at gardens- We recommend that the architect be instructed to prepare plans and specifications of a suitable one-storey building, to be erected on the present foundations, at a cost not exceeding £1200, the walls to be sufficiently strong to admit of another storey being added at some future date. [Ballarat Star, Tuesday 12 May 1891, p4]
23/6/1891	Tender.- The following were referred to the works committee for acceptance provided they were in proper form:- Erection and completion of pavilion at Botanical Gardens, Roger and Co., £999 without verandahs, £1275 with; [Ballarat Star, Tuesday 23 June 1891, p4]
1/9/1891	The contractor for erection of pavilion at the Botanic Gardens addressed your committee, complaining of the scarcity of bricks, and asking that an extension of time may be granted him to complete his contract. Having made full enquiries, we recommend that the request be not granted; and unless completed within the specified time the fines and penalties be enforced as provided in the specifications. [Ballarat Star, Tuesday 1 September 1891, p4]
21/9/1891	Good progress is being made with the erection of the new pavilion at the Botanical Gardens. The brickwork has been finished, and carpenters are now engaged in putting the roof on the structure. Progress is also being made with the verandah on the eastern side of the building. It is expected that the pavilion will be ready for occupation early in November. [Ballarat Star, Monday 21 September 1891, p2]
30/9/1891	The contractor for the erection of the pavilion at the gardens is making very good progress with his work. The bricklayers have finished, and the carpenters and painters are now busy. By about the end of next month or a little after the pavilion should be ready for occupation. [Ballarat Star, Wednesday 30 September 1891, p2]

12/12/1891	The pavilion just erected on the lawn at the gardens was formally opened yesterday, when Mayor and Mrs Shoppee entertained about 200 ladies and gentlemen at lunch. [Ballarat Star, Saturday 12 December 1891, p 2]
22/8/1892	The improvements at the gardens, so wisely undertaken by the council, have been the theme of general satisfaction. The gardens pavilion particularly has been much admired and frequented. The council will be studying the interests of the City by continuing to make this public resort even more attractive. [extract from Mayor Shoppee's speech quoted in Ballarat Star, Monday 22 August 1892, p3]



Figures 2 & 3 1890s views of the Gardens Pavilion soon after construction.

The pavilion was relatively little changed until the 1990s, since when there have been a number of internal changes and additions under the perimeter verandahs, required to suit the ongoing use of the building providing refreshments to visitors to the gardens.

The architect of the pavilion, William Piper, ran a successful practice in Ballarat but unfortunately died at only 34 years old. The practice was continued by one of the staff, William Miller, who went on to form Clegg and Miller with George Clegg. They had a long association with the Ballarat Botanic Gardens, designing most of the shelters and gateways. William Piper's passing was reported as follows:-

"Mr William Henry Piper, of James and Piper, architects, of this city, died at his residence, Mair street, from congestion of the lungs, at nine o'clock yesterday morning. Mr Piper took to his bed only a week ago, suffering from a severe attack of influenza, and congestion supervened, notwithstanding the skilful attention of Drs Woinarski and Lowe. The deceased gentleman was a native of Ballarat and was 34 years of age. When quite a lad he was articled to Messrs James and Creber, and on the death of the latter was admitted into partnership. The firm were the designers of many of the principal buildings in Ballarat, including the additions to Craig's hotel, M'Intyre's buildings, Bridge street, the Palace hotel; Mr T. J. Smith's establishment, and the residences of Drs Woinarski and Mullally, and Messrs Jos. Phillips, John Heinz, and Harry Davies. Mr Piper was a fellow of the Royal Institute of Architects, a member of the Masonic Lodge, a member of the Builders' and Contractors' Association, and honorary architect to the Benevolent and Orphan Asylums, the City Fire Brigade, and the Ballarat Rowing Club. Four years ago he married Miss Stanford, of this city, who survives him, but there are no children. Mr Piper was the last of the family, his father and elder brother, — well known musicians — having died some years ago, and his mother 12 months ago. His death will be deeply regretted by a large circle of friends."<sup>1</sup>

<sup>1</sup> Ballarat Star, Monday 11 November 1895, p 2





Figure 4 1960s view of the pavilion from the north. [SLV]

### 3.0 Existing Conditions

The building is maintained in good condition. The existing timber deck on the east side facing the lake has rotted and has been temporarily repaired. The recent Heritage Victoria permit was to replace the existing deck with a new larger timber deck but this cannot proceed as a Building Permit cannot be issued for a new timber deck as it increases the fire risk.



Figure 5 View of Pipers by the Lake showing the south and west elevations with the existing concrete paved apron in the foreground.





Figure 6 *East elevation of Pipers by the Lake with the existing deck in the foreground.*



Figure 7 *East elevation from the south east.*





Figure 8 *East elevation from the east.*



Figure 9 *East elevation from the north east.*





Figure 10 *View of the existing timber deck from the north.*



Figure 11 *View of the existing timber deck from the north.*





Figure 12 *View to Lake Wendouree.*



Figure 13 *East verandah floor. The bluestone edging is original. The concrete surface has been altered with the step in front of the door added.*





Figure 14 *View along the east verandah.*



Figure 15 *East door from south east.*

#### 4.0 Proposed Works

A larger timber deck to the east of the pavilion was approved in Heritage Victoria Permit P34496 to replace the existing timber deck. When a Building Permit was applied for the Building Surveyor determined that the proposed timber deck increased the potential fire load and that additional fire hydrants would be required to be installed near the pavilion if the new deck is to be installed. The City of Ballarat looked into upgrading the fire services around the pavilion and found that a new large diameter main would be required to be installed from Gillies Street to provide sufficient water flow to comply. Installing a new main would be very expensive and disruptive to the Ballarat Botanic Gardens. A trench would need to be dug across the centre of the Botanic Gardens, causing major disruption to the busiest part of the gardens and potentially causing damage to significant tree roots.

The replacement terrace needs to address the operational requirements for the continued operation of the Pavilion as a café and restaurant, including compliant disabled access to the lake door of the Pavilion and the terrace, a moderate increase in area and the fence around the terrace to demarcate the customer area from the public gardens surrounding the Pavilion.

The requirement imposed on the building by the current Building Code to have no flammable or combustible material used in the construction of the replacement deck or terrace limits the possible materials to be used to concrete, stone, brick and glass. No plastics, timber or composite materials can be used.

Concrete was one of the materials used in the original construction of the Pavilion. The original verandah floor finish was exposed concrete with bluestone borders, probably chosen as a practical finish within the original tight budget for the building. The use of exposed concrete for the proposed lake side terrace is in keeping with the original material palette for the building and is a practical serviceable finish. Ideally the terrace would be laid on the ground with minimal excavation but this is not possible due to the unstable soil conditions adjacent to Lake Wendouree, formed from a natural swamp. The engineer investigated the options for the footing designs in detail and has selected the most suitable and least intrusive option for the new structure. The new terrace will have quality finishes, a trowelled surface for the majority of the area and an exposed aggregate for circulation spaces. The proposed oxide colours and the surface finishes differentiate the new concrete from the remnant original concrete surviving around parts of the Pavilion. The previously proposed tiled areas have been removed to simplify the design.

The concrete slab has been designed as a waffle pod slab to minimise the impacts on the historic pavilion and the nearby trees. There will be nearly no excavation required, apart from the bored piers. The number of bored piers is substantially reduced, only 27 piers being required instead of the 55 approved for the timber deck design.

The existing timber deck has plinth boards around the perimeter to block the view under the deck. The deck therefore appears as a solid structure. The proposed new terrace will have a very similar appearance to the existing deck. The proposed glazed perimeter fence has been simplified from the previous design with the removal of the previously proposed corner seats so the fence will look similar to the existing fence.

The proposed alterations to the east verandah floor, to provide compliant disabled access to the east doors of the pavilion, remain the same as approved in permit P34496.

#### 5.0 Impacts on heritage significance

The proposed change in material and structural design of the enlarged east deck approved in permit P34496 will have no impact on the significance of the significant historic building or the Ballarat Botanic Gardens.

The change to concrete waffle slab construction will provide a long lasting, lower maintenance, functional space for the continued operation of the pavilion providing refreshments to visitors to the Ballarat Botanic Gardens, which is more in keeping with the original materials used for the verandah floors. The concrete slab will require heavier equipment to demolish if required in the future than the timber deck would have but there will be fewer piles to remove. Future demolition of the east deck would cause no more damage to the pavilion than demolition of the approved timber deck would have done.

The alternative to the proposed concrete waffle slab deck, installing a large diameter fire service main through the centre of the Ballarat Botanic Gardens would be disruptive and would be likely to have significant impacts on the highly significant trees and buildings within the Gardens.

#### 6.0 Reasonable or Economic Use

Construction of the previously approved enlarged timber deck would have been less costly than the proposed concrete slab deck. However, the cost of installing a large diameter fire services main from Gillies Street to near the pavilion would be substantially more expensive than the proposed change in material for the new east deck and would not be financially viable. The enlarged deck is required to support the ongoing use of the pavilion for its original purpose within the Ballarat Botanic Gardens, and the change in material is the most appropriate way of complying with the current National Construction Code, using one of the limited range of materials used in the original construction of the Pavilion.

#### 7.0 Conclusion

The proposed change in the material for the previously approved enlarged east deck is the result of changes in the 2022 revision of the National Construction Code. The change to a concrete waffle slab will cost the City of Ballarat more to construct but will provide a longer lasting functional space for the pavilion which is more in keeping with the original concrete verandah floors, and appearance of the pavilion. It is recommended that the change from timber to concrete deck should be permitted.