

Lake Wendouree (PROV H2419)

Q and As – 27 May 2022

The Place

Lake Wendouree is located approximately three kilometres from Ballarat's central business district and was originally shallow wetlands which were shaped into the present day lake in the 1860s. The lake encompasses approximately 238 hectares and is surrounded by parkland and mature trees as well as many built structures such as boat sheds, club houses, pontoons, playgrounds and hospitality venues. There are also pathways and tracks including the Steve Monaghetti Track which encircles the lake. The State heritage listed Ballarat Botanical Gardens borders the western boundary of the lake.

On 22 March 2022, the Heritage Council served an Interim Protection Order (**IPO**) for Lake Wendouree. The IPO had the effect of immediately including Lake Wendouree in the Victorian Heritage Register (**VHR**) until the Heritage Council makes a determination to include or not include the place on the VHR or withdraws the IPO.

Heritage Victoria was required to make a recommendation on whether to include the place in the VHR within 60 days of the IPO being served.

On 18 May 2022, the Executive Director, Heritage Victoria (**the Executive Director**) recommended to include Lake Wendouree in the VHR. This recommendation is currently being advertised for 60 days and open to public submissions.

What has happened?

Ballarat Botanical Gardens

On 13 May 2021, Heritage Victoria received a heritage permit application for a proposal to install lights in the Ballarat Botanical Gardens included in the VHR.

The lights were part of the Lake Wendouree Public Lighting Project (LWPLP) to install 225 lights around Lake Wendouree along the Steve Monaghetti Track. The LWPLP circumvents the entire lake and only a comparatively small section of the project (approximately 44 light poles) was located within the registration of the Ballarat Botanical Gardens.

The permit application was publicly advertised between 28 July and 10 August 2021 and 13 submissions were received.

On 2 September 2021, a heritage permit with conditions was issued by the Executive Director.

Lake Wendouree

At the time of receiving the heritage permit application for the Ballarat Botanic Gardens, Lake Wendouree was not included in the VHR and a heritage permit was not required for the section of lighting around the lake.

On 7 April 2022, after the IPO was issued for Lake Wendouree, Heritage Victoria received a heritage permit application to install the remainder of the LWPLP around Lake Wendouree (approximately 181 light poles).

The permit application was publicly advertised and Heritage Victoria received 109 submissions, one in support of the proposal and the remainder objecting to the proposal in some form.

It was found that although the proposed works will result in visual impacts it would allow for safe recreational use of the lake in the early morning and evenings at times of the year where natural daylight is limited. Further, the profile and colour of the proposed lighting poles is recessive and the design is not considered to have a detrimental heritage impact.

While the proposal presents the potential for harm trees around the lake — through the need for the lighting poles to have concrete footings and installation of electrical connections — the arborist report submitted with the application provided appropriate mitigation measures.

On 27 May 2022, a heritage permit with conditions was issued by the Executive Director for the following reasons:

- The works will not detrimentally affect the cultural heritage significance of the place.
- Physical impacts to trees will be mitigated through the conditioning of a Construction Management Plan and the appropriate protection methods provided in the arborist report submitted as part of the application, as well as the requirement for hand boring to occur in Tree Protection Zones.
- The lighting poles will improve the amenity and safety of recreational users of the lake.

What happens now?

A review of the Executive Director’s decision to issue the permit by the Heritage Council can be requested but only by the permit applicant, owner or government asset manager, or a person with a real and substantial interest in the place.