

*Environment Protection and Biodiversity Conservation Act 1999*

INCLUSION OF A PLACE IN THE NATIONAL HERITAGE LIST

I, Ian Gordon Campbell, Minister for the Environment and Heritage, having considered, in relation to the place listed in the Schedule of this instrument -

- (a) the Australian Heritage Council's assessment whether the place meets any of the National Heritage criteria; and
- (b) the comments given to the Council under section 324G of the *Environment Protection and Biodiversity Conservation Act 1999*; and

being satisfied that the place specified in the Schedule has the National Heritage value or values specified in the Schedule include, pursuant to section 324J of the *Environment Protection and Biodiversity Conservation Act 1999*, the place listed in the Schedule in the National Heritage List.

Dated this 26<sup>th</sup> day of November 2004

Ian Gordon Campbell  
Minister for the Environment  
and Heritage

## SCHEDULE

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STATE

Local Government Area

Name:

Location

Criteria / Values

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## VICTORIA

### Ballarat City

#### **Eureka Stockade Gardens:**

About 6ha, Eureka Street, East Ballarat, being an area bounded by Eureka, Stawell, Charlesworth and Rodier Streets, and comprising Allotments 18B, 18C, 18D, 19 and 19C, Eureka.

#### **Criterion**

A. the place has outstanding heritage value to the nation because of the place's importance in the course, or pattern, of Australia's natural or cultural history

#### **Values**

The Eureka Stockade Gardens are significant for their association with the Eureka Stockade rebellion of 3 December 1854. The goldminers' revolt against the goldfields administration, and particularly the loss of life (33 miners, 5 soldiers) resulting from the insurrection, is a major event in Australia's political and social history. The rebellion was fuelled by discontent with the mining licence, which the diggers claimed was taxation without representation and a tax upon labour. More generally, the uprising was underpinned by a desire for fair treatment for all, and an egalitarian spirit which pervaded the goldfields. The rebellion led to a fairer goldfields system with the licence replaced by the cheaper Miners Right, which also gave miners the vote. Various other political changes were achieved, helping the process of democratizing colonial government in Victoria and more generally the Australian colonies. The Eureka Stockade uprising is part of the national experience.

Regarding the attributes of the place, there is little or no surviving above ground evidence dating from the time of the rebellion, and thus the value is in the place mainly for its associational significance. However, the place also has potential to yield archaeological evidence. Of the above-ground elements that are present, the most important is the 1884 Monument and the surrounding square of trees, owing to it being the earliest attempt to mark the location of the Stockade.

B. the place has outstanding heritage value to the nation because of the place's possession of uncommon, rare or endangered aspects of Australia's natural or cultural history.

Excepting Indigenous resistance to colonial dominance, rebellion against government authority has been a rare occurrence in Australia's European history. Eureka in Victoria, Vinegar Hill (ie Castle Hill) in NSW, First Government House Site (Rum Rebellion) NSW, and Norfolk Island are the major sites of uprisings (as opposed to places of protest/resistance/riot, such as Barcaldine Shearers Strike Camp, Wave Hill Station, 'Battle of Brisbane' site etc). While there is little above ground evidence of the event that took place at Ballarat, and while the exact location is not agreed upon, the Eureka Stockade Gardens are very important for their association with this uncommon and highly significant event in the nation's past.

The attributes are as stated at the end of Criterion A.

C. the place has outstanding heritage value to the nation because of the place's potential to yield information that will contribute to an understanding of Australia's natural or cultural history.

The place is significant because of its potential to yield archaeological evidence of the rebellion of 1854. There is a likelihood of underground deposits or artefacts associated with Eureka and participants in the battle. The Eureka Lead, the auriferous deposit being worked by the miners at the time of the revolt, is also located under the place.

The attributes are as yet undiscovered.

G. the place has outstanding heritage value to the nation because of the place's strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.

The Eureka Rebellion as an historical event is well known among Australians. The principles that the miners at Eureka stood for – equality, fair treatment by government, and the right of those governed to take part in the democratic process – have become sacred to Australians, and to large numbers of Australians Eureka is a byword for these concepts. The Eureka spirit is often invoked as a synonym for democracy, and the Eureka or Southern Cross flag has come to symbolize what Eureka was about and has been used by many to further various causes – from striking Barcaldine shearers in the 1890s to the Builders Labourers Federation in the 1970s. Eureka is ingrained in Australian culture through its representation in prose, poetry, art and film.

The attributes are as per Criterion A above.

H. the place has outstanding heritage value to the nation because of the place's special association with the life or works of a person, or group of persons, of importance in Australia's natural or cultural history

Of all the individuals associated with the Eureka Rebellion, Peter Lalor is the best known. As leader of the rebelling miners, this Irish-born miner was wounded during the battle and lost an arm. He subsequently entered the Victorian Parliament where he made a major contribution and subsequently served as Speaker almost until his death. His life reflected the Eureka story – of brave opposition to an oppressive government, and success in accessing the power of government for the good of his fellows.

The attributes are as per Criterion A above.