

Royal Exhibition Building & Carlton Gardens World Heritage Management Plan



Attachment D World Heritage Environs Area Strategy Plan: REB & CG



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Transport, Planning and
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OCTOBER 2013

World Heritage Environs Area Strategy Plan: Royal Exhibition Building & Carlton Gardens

(Department of Planning and Community Development, 2009)



Approved by The Honourable Justin Madden MLC, Minister for Planning

21 October 2009

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1.0 Introduction

This report relates to the 'World Heritage Environs Area' (WHEA) for the Royal Exhibition Building and Carlton Gardens, Carlton. The latter site was inscribed in the UNESCO World Heritage List on 1 July 2004.

The report constitutes a Strategy Plan for the WHEA around the Royal Exhibition Building and Carlton Gardens; the WHEA excludes the World Heritage listed site.

The declaration of the WHEA arises out of an amendment made in 2004 to the *Heritage Act 1995 (Vic)*, to protect the World Heritage values of the place. The amendment provided for the declaration of a 'World Heritage Environs Area' in the vicinity of the Royal Exhibition Building; the amendment also provided for the development of a Strategy Plan for the WHEA.

The WHEA additionally derives from the requirement of the 'Operational Guidelines for the Implementation of the World Heritage Convention' (2005), to which Australia is a State Party, and which provides for the identification of a 'buffer zone' for World Heritage properties.

Lovell Chen Architects & Heritage Consultants prepared a draft Strategy Plan on behalf of the Executive Director, Heritage Victoria in June 2007. Preparation of the draft Strategy Plan was overseen by a Steering Committee comprising representatives from Heritage Victoria, Museum Victoria, and the cities of Melbourne and Yarra. Coomes Consulting Group was engaged by the Executive Director, Heritage Victoria in May 2008 to provide specific input on views and vistas to the Royal Exhibition Building.

The draft Strategy Plan was amended by the Heritage Council in April 2009 in accordance with section 62G(1)(b) of the *Heritage Act 1995 (Vic)*. In approving the Strategy Plan on 21 October 2009, the Minister for Planning made further amendments in accordance with section 62H(1)(b) of the *Heritage Act 1995 (Vic)*.

The approved Strategy Plan, being this report, contains all amendments approved by the Minister for Planning on 21 October 2009.

1.1 World Heritage Listing

The Royal Exhibition Building and Carlton Gardens was inscribed in the World Heritage List under Criterion (ii). The 'Justification for Inscription' reads:

Criterion (ii): The Royal Exhibition Building and the surrounding Carlton Gardens, as the main extant survivors of a Palace of Industry and its setting, together reflect the global influence of the international exhibition movement of the nineteenth and early twentieth centuries. The movement showcased technological innovation and change, which helped promote a rapid increase in industrialisation and international trade through the exchange of knowledge and ideas.

The Royal Exhibition Building and Carlton Gardens is also included in the Australian National Heritage List (Place id. 105708) and the Victorian Heritage Register (VHR 1501).

1.2 WHEA

Part 3A, Division 1, Section 62A of the *Heritage Act 1995 (Vic)* provides for the declaration of the WHEA by the Governor in Council on the recommendation of the Minister. On 11 October

2007 the WHEA surrounding the Royal Exhibition Building and Carlton Gardens was declared and gazetted.

The WHEA acts as a 'buffer zone' to the Royal Exhibition Building (sometimes referred to below as the REB) and Carlton Gardens, and assists in conserving and protecting the World Heritage values of the REB and Carlton Gardens, through managing and controlling development outside the site but within the WHEA.

The WHEA is illustrated at Figure 1 and incorporates predominantly residential areas (with some mixed use) in Carlton and Fitzroy; together with properties at the north end of Melbourne's Central Business District in the area generally immediately south of Victoria Street.

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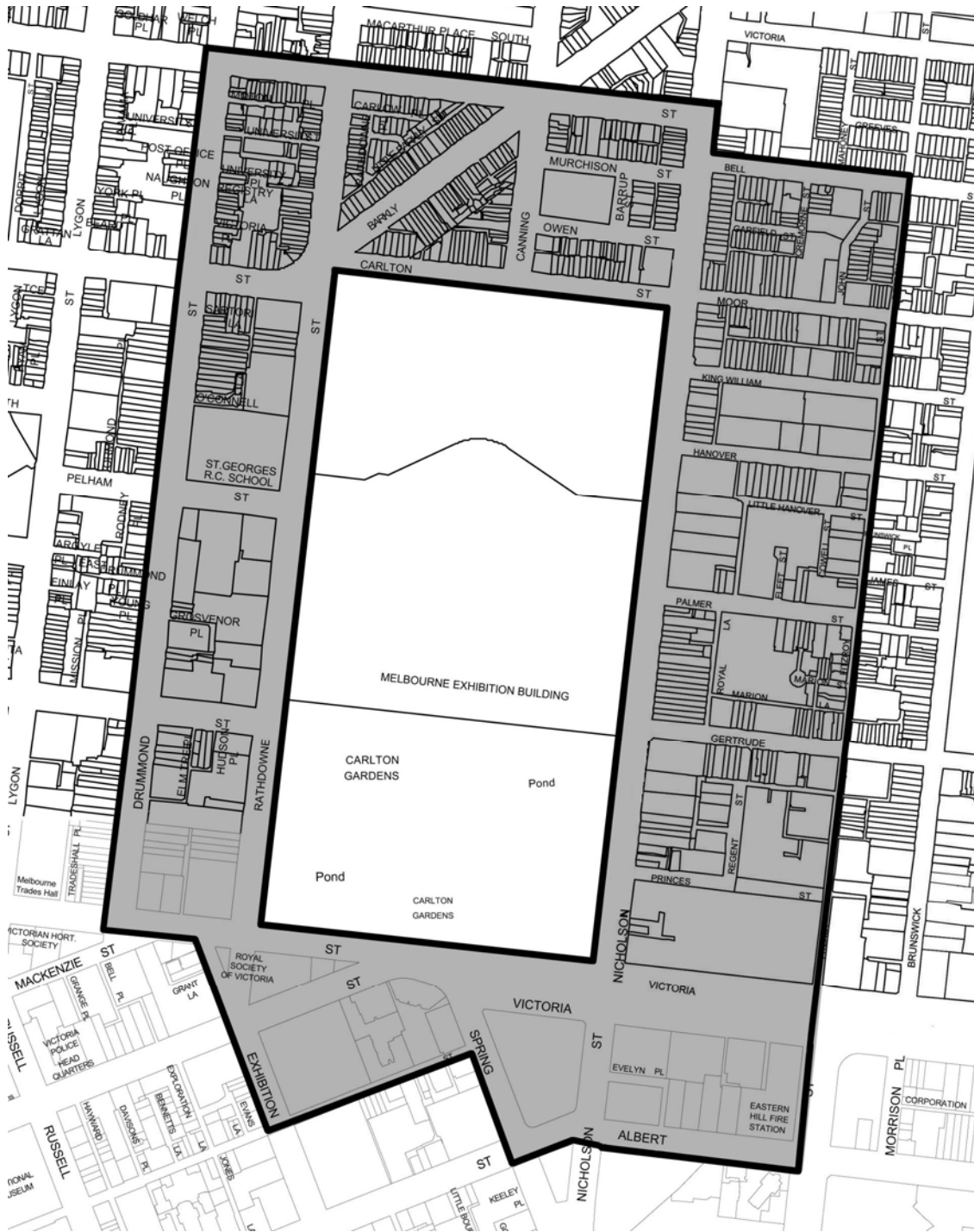


Figure 1 World Heritage Environs Area. Note that the area does not include the Royal Exhibition Building and Carlton Gardens.

Some properties within the WHEA have existing heritage controls (cities of Melbourne and Yarra Heritage Overlay controls, and Victorian Heritage Register controls); other planning scheme controls also apply in some cases including height controls specified under various Design and Development Overlays.

1.2.1 *Buffer Zone*

The 'Operational Guidelines for the Implementation of the World Heritage Convention' (2005) aim to facilitate the implementation of the Convention concerning the 'Protection of the World Cultural and Natural Heritage' (1972). Australia, as a State Party to the Convention, is a key user of the 'Operational Guidelines'. As noted above, the 'Operational Guidelines' also provide for the identification of a buffer zone for World Heritage properties, as follows:

103. Wherever necessary for the proper conservation of the property, an adequate buffer zone should be provided.

104. For the purposes of effective protection of the nominated property, a buffer zone is an area surrounding the nominated property which has complementary legal and/or customary restrictions placed on its use and development to give an added layer of protection to the property. This should include the immediate setting of the nominated property, important views and other areas or attributes that are functionally important as a support to the property and its protection. The area constituting the buffer zone should be determined in each case through appropriate mechanisms. Details on the size, characteristics and authorized uses of a buffer zone, as well as a map indicating the precise boundaries of the property and its buffer zone, should be provided in the nomination.

1.3 **Strategy Plan**

Part 3A, Division 2, Section 62B of the *Heritage Act 1995 (Vic)* provides for the preparation of a Strategy Plan for the WHEA.

According to Section 62B of the Act, the Strategy Plan must:

- Set out the World Heritage values of the Royal Exhibition Building and Carlton Gardens; and
- Set out strategies for appropriate use and development of the WHEA to ensure that the World Heritage values are protected and managed.

The Strategy Plan is also intended to provide clear and justifiable direction for owners and permit issuing authorities in the management of the WHEA. This includes a rationale for the strategies contained in the Plan, while having regard to other existing relevant statutory requirements relating to future development and use of the WHEA. Accordingly, the Strategy Plan:

- Outlines the statutory context for development of the Plan (Section 2.0).
- Summarises the World Heritage values (Section 3.0). The Australian Heritage Database statement of World Heritage values, and the UNESCO World Heritage brief description and justification, are also reproduced at Appendix 1 'Citations'.
- Provides an overview of the methodology and approach undertaken in order to arrive at appropriate strategies for the use, development, management and protection of the WHEA (Section 4.0).
- Describes the WHEA (Section 5.0).
- Outlines strategies for the future management and statutory protection of the WHEA (Section 6.0).

1.4 Related Documents

The Strategy Plan forms one of a suite of documents relating to the conservation and management of the Royal Exhibition Building and Carlton Gardens. These documents largely derive from the inscription of the REB and Carlton Gardens in the World Heritage List, and are as follows:

- World Heritage Management Plan (the over-arching management document, to be completed)
- Memorandum of Understanding between Museum Victoria and City of Melbourne (June 2004)
- Carlton Gardens Master Plan (City of Melbourne, May 2005)
- Royal Exhibition Building and Exhibition Reserve Master Plan (Museum Victoria, endorsed by Museums Board of Victoria, February 2007)
- Royal Exhibition Building and Carlton Gardens Conservation Management Plan (draft 2004, Allom Lovell & Associates and Context Pty Ltd; revised 2007, Lovell Chen).

2.0 Victorian Heritage Act Provisions

The following is a summary of the relevant provisions (and stages) under the *Heritage Act 1995 (Vic)*, in reference to World Heritage at Part 3A, Sections 62A-62L of the Act. The provisions are in two parts: Division 1 – World Heritage Environs Areas, and Division 2 – World Heritage Strategy Plans.

As noted above, the Act provides for the declaration of World Heritage Environs Areas and the preparation of World Heritage Strategy Plans relating to the use, development, management and protection of those areas. Under the provisions of the Act, this Strategy Plan has progressed from draft to approved status and has included staged opportunities for the general public, the Executive Director, the Heritage Council and the Minister to make submissions or amendments to the Plan.

2.1 Submissions on the Strategy Plan and Heritage Council Hearing

A draft Strategy Plan was forwarded to the Heritage Council for consideration on 12 October 2007. On the same day public notice of the Plan was given in accordance with Section 62C of the Act. A letter was sent to all property owners within the WHEA calling for submissions on the draft Strategy Plan and a public notice was published in the Herald Sun. An information session was held on 31 October 2007 to provide further detail on the submission process. Submissions to the Heritage Council closed on 18 January 2008.

On 9 and 10 April 2008 a Committee with delegated authority of the Heritage Council heard submissions on the draft Strategy Plan. The Committee consisted of Heritage Council members Ms Susan Brennan (Chair), Assoc. Prof. Renate Howe, Mr Peter Williams and Ms Gaye McKenzie. On 10 April 2008 the hearing was adjourned to allow the Executive Director of Heritage Victoria time to prepare further information on the discrete issue of views and vistas to the Royal Exhibition Building. This information was prepared and circulated and further public submissions were sought.

The hearing re-convened on 11 and 12 September 2008. A total of twenty-two submissions were considered by the Committee.

In April 2009 the Heritage Council adopted the draft Strategy Plan with amendments. The report prepared by the Committee on behalf of the Heritage Council is at Appendix 3. The draft Plan, incorporating the Heritage Council's amendments, was then forwarded to the Minister for approval.

2.2 Approval of the Plan

The Minister for Planning, the Hon. Justin Madden MLC, approved the Strategy Plan, with amendments, on 21 October 2009 in accordance with Section 62H of the Act. Notice of the approved World Heritage Strategy Plan appeared in the Government Gazette on 5 November 2009.

A copy of the approved Plan is kept and made available to the public through the Heritage Council and the Department of Planning and Community Development.

2.3 Planning Scheme Amendments

In accordance with Section 62L of the Act, the Minister for Planning will prepare and approve Amendment C118 to the Yarra Planning Scheme and C154 to the Melbourne Planning Scheme to give effect to the approved Strategy Plan and to remove or modify any provisions of the planning schemes that are inconsistent with the approved Plan. The Minister must

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ensure that no subsequent amendments to the planning schemes which affect the World Heritage Environs Area, and which are inconsistent with the approved Plan, are approved.

3.0 World Heritage Values

The following overview/summary of the World Heritage (outstanding universal) values of the Royal Exhibition Building and Carlton Gardens is based on UNESCO's 'Justification for Inscription', with additional analysis and overview of the values derived from the comprehensive citation/statement of significance in relation to the World Heritage values as included in the Australian Heritage Database.¹ Both the Australian Heritage Database statement, and the UNESCO World Heritage brief description and justification are reproduced at Appendix 1 'Citations'.

As per the 'Justification for Inscription' in the World Heritage List:

Criterion (ii): The Royal Exhibition Building and the surrounding Carlton Gardens, as the main extant survivors of a Palace of Industry and its setting, together reflect the global influence of the international exhibition movement of the nineteenth and early twentieth centuries. The movement showcased technological innovation and change, which helped promote a rapid increase in industrialisation and international trade through the exchange of knowledge and ideas.

The following headings (in italics) paraphrase the values stated above.

The Royal Exhibition Building and Carlton Gardens is the main extant international survivor of a Palace of Industry and its setting.

Most exhibition buildings were temporary and not intended to be retained after the exhibition ended; the garden ornamentation, which formed the settings of many exhibition buildings, was also often ephemeral and few examples of the parkland settings survive.

The Melbourne Royal Exhibition Building and Carlton Gardens:

- Is a rare and outstanding surviving example of a purpose-built building for holding international exhibitions, in its substantially original landscape/garden setting.
- Reflects the original 1880 and 1888 international exhibition use through the original location, form and (substantially) original setting, and through retaining the original function and continuing use for exhibition and display purposes.
- Is the only surviving example of a 'Palace of Industry' Great Hall associated with a major international exhibition (i.e. purpose-designed space which was the focal point of the exhibitions and where the manufactured goods, working machines and technologies were displayed).
- Unlike many international exhibitions, part of the Melbourne 1880 exhibition halls (the permanent exhibition building) were conceived as a permanent structure that, although purpose-built for a one-off event, would have a future role in the cultural activities of the burgeoning metropolis.
- Retains key recognisable features of exhibition buildings in that the buildings were set in planned spaces, often gardens, and featured domes, viewing platforms, and national pavilions. The building also demonstrates specific architectural characteristics of structures and sites used for international exhibitions:
 - axial planning

¹ Place Id 105143; Place File no. 2/11/033/0235.

- dome
- great hall
- giant entry portals
- versatile display spaces
- complementary gardens and viewing areas

The Royal Exhibition Building and Carlton Gardens reflects the global influence of the international exhibition movement of the nineteenth and early twentieth centuries (1851-1915).

- Reflects the international reach of the movement through being located in Australia (at the time comprising individual colonies).
- Reflects the economic and social achievements of the colony of Victoria in the second half of the nineteenth century, and the 1880s in particular, when Melbourne was the commercial centre of Australasia and the South Pacific.

The Royal Exhibition Building and Carlton Gardens were part of the international exhibition movement which showcased technological innovation and change, which in turn helped promote a rapid increase in industrialisation and international trade through the exchange of knowledge and ideas.

- Reflects a dynamic and transitional phase in modern history which was important for supporting, celebrating and showcasing growth, developments and achievements in technology, and ongoing industrialisation.
- Helped establish and foster the foundations of modernism and the modern economic structures of the twentieth century, including supporting the development of the modern international economy.
- Were means and nodes for the international interchange of human values associated with the emerging economic and social changes, including notions of social progress, universal hope and peace (less evident in the later exhibitions during the armaments build up which preceded WWI), and the transmission of ideas, culture and values.
- Supported the growth in international trade and development of new international trading networks.
- Promoted education, learning and the acquisition of knowledge as a means of ensuring scientific, social and cultural progress, and the betterment of humankind.
- Reflects the nineteenth century preoccupation with display, classification and comparison, which was also demonstrated through the growth of other institutions such as museums, art galleries, dioramas and cycloramas. The contemplation of objects was intended to inspire feelings of human progress and achievement.
- Displayed and celebrated 'industry' in its particular nineteenth century sense, i.e. as a human achievement arrived at through work, ingenuity, innovation and science (including science as 'art'), rather than as a purely economic achievement.
- Displayed unique and invaluable objects and treasures which were often acquired from the exhibitions to form the basis of a country's permanent State collection.

- Helped mark the birth of the modern consumer society, including during the exhibition itself where visitors were encouraged to purchase souvenirs, and exotic food and drink, as well as partake in associated entertainment.
- Occurred at a time when the Australian colonies were placing increased emphasis on empire and imperial trade, and emphasised an increasingly independent outlook and orientation, particularly after 1888, with the Victorian colony forging its own trade routes with European countries besides Britain, and across the Pacific with Canada.
- The 1880 exhibition attracted representation from every major European country, the United States, and Japan, providing these nations with an opportunity to access a prosperous new market, as well as display their achievements in art and industry.

4.0 Methodology

4.1 Background

The Minister prepared an indicative WHEA in 2004 (see Figure 2). This area included land within the City of Yarra Heritage Overlay precinct known as the 'South Fitzroy Precinct' (HO 334), and land within the City of Melbourne Heritage Overlay precinct known as the 'Carlton Precinct' (HO 1). The Heritage Overlay areas are indicated in Figure 5. The indicative WHEA also includes land and properties on the south side of Victoria Street, and at the north end of the Central Business District (CBD), including two properties on the Victorian Heritage Register and individually included in the Schedule to the Heritage Overlay of the Melbourne Planning Scheme.

In preparing this Strategy Plan, the indicative WHEA was examined and reviewed to ensure the area was consistent with the provision of an adequate buffer for the World Heritage site, and with the intent of the Strategy Plan. The following key questions informed the approach:

- In what ways does the WHEA contribute to the conservation, protection and understanding of the World Heritage values, recognising that the values relate to the Royal Exhibition Building and Carlton Gardens and are not represented in the surrounding area/context?
- What actions and activities in the WHEA could impact on and/or erode the World Heritage values?

Preparation of the Strategy Plan also had regard for the 'buffer zone' requirement for the World Heritage site (as outlined above), which includes:

...the immediate setting of the nominated property, important views and other areas or attributes that are functionally important as a support to the property and its protection.

In addition, General Principle 1.01 of the 'Australian World Heritage Management Principles', as set out in Schedule 5 to the *Regulations to the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act)*, makes reference to the importance of presenting the World Heritage values of the site:

The primary purpose of management of natural heritage and cultural heritage of a declared World Heritage property must be, in accordance with Australia's obligations under the World Heritage Convention, to identify, protect, conserve, present, transmit to future generations and, if appropriate, rehabilitate the World Heritage values of the property.

The concept of 'presenting' the values of the site relates directly to how the Royal Exhibition Building and Carlton Gardens is seen and appreciated within its context and setting.

Reference is also made to the 'EPBC Act Policy Statement 1.1 Significant Impact Guidelines' (Commonwealth Department of the Environment and Heritage, May 2006), which lists actions which may have a significant impact on the World Heritage values of World Heritage listed properties. These actions include the following:²

² EPBC Act Policy Statement 1.1 Significant Impact Guidelines (Commonwealth Department of the Environment and Heritage, May 2006, p. 19.

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Involve construction of buildings or other structures within, adjacent to, or within important sight lines of, a World Heritage property which are inconsistent with relevant values.

And

Alter the setting of a World Heritage property in a manner which is inconsistent with relevant values.

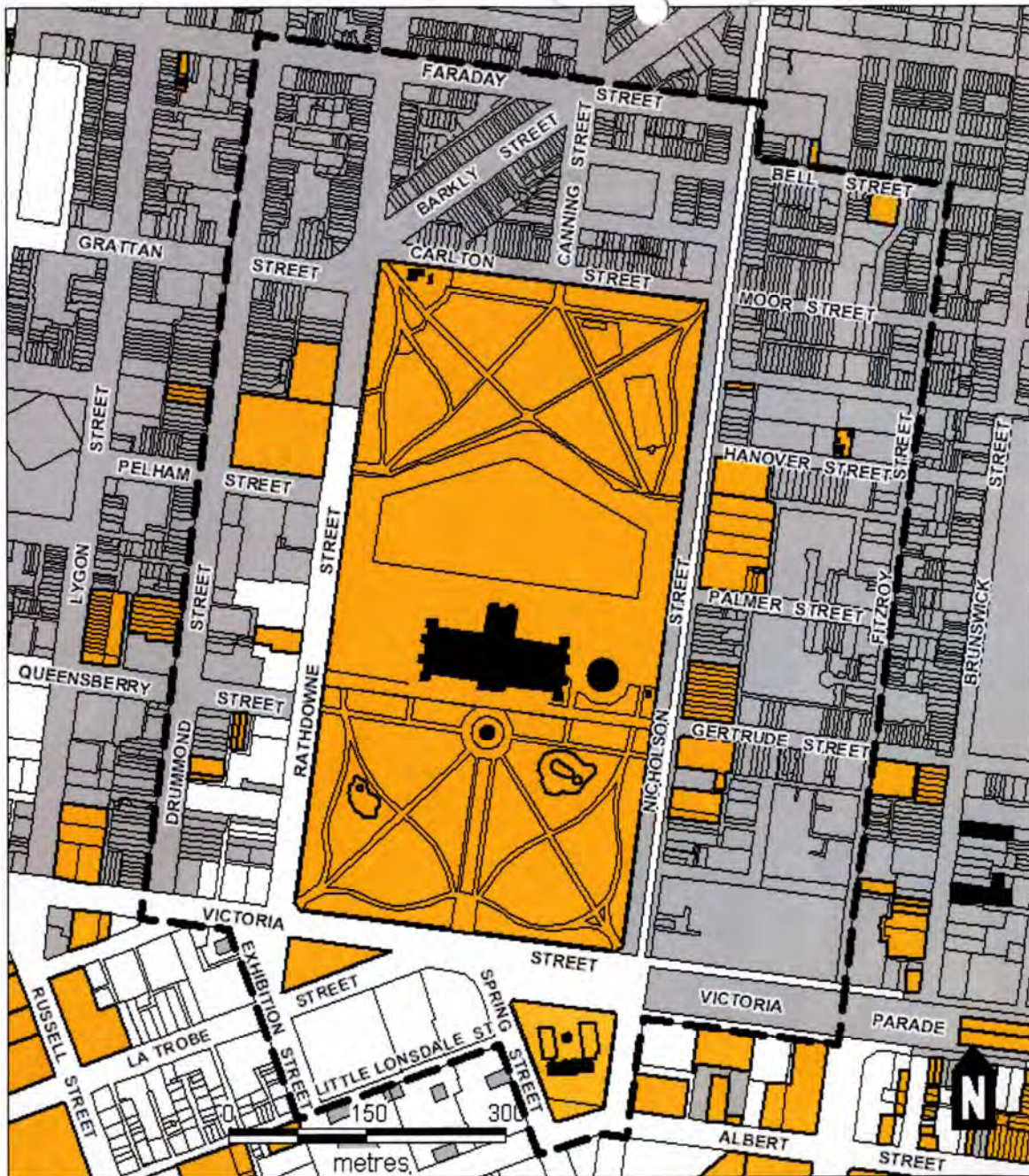


Figure 2 Indicative WHEA (the boundary is indicated by the broken black line). The orange areas represent places and properties included in the Victorian Heritage Register.

4.2 Approach

Having regard to all of the above, the indicative WHEA and areas outside the boundary were surveyed with particular emphasis placed on identifying where views and vistas of the REB and Carlton Gardens site (building, dome, gardens) were available from the public domain (streets, lanes, public places). Views from private properties were not taken into consideration. Views out to the surrounding area from within the Royal Exhibition Building and Carlton Gardens were additionally documented and described, including views from the Promenade deck of the dome (which currently does not have public access but did so historically). The views and vistas are described below at Section 4.4.

The area was also examined in regard to the heritage character and general intactness of the built form and streetscapes, although this was not undertaken at a detailed level in relation to individual properties. The relevant municipal heritage studies for the cities of Melbourne and Yarra, including current planning scheme reference documents³, were referred to for information, descriptions and heritage assessments of areas, properties and streetscapes, as were the relevant Heritage Overlay precinct citations and statements of significances. Citations and statements of significance for properties included in the Victorian Heritage Register were also accessed and referred to. Individual property gradings, as attributed by the cities of Melbourne and Yarra, were not reviewed.

The area was additionally examined in terms of the proximity of places to the REB and Carlton Gardens, including places in sensitive locations in relation to the site, with visual connections to the site, and which address the site. It is recognised that many properties in this category are not of heritage significance, or are not consistent with the valued heritage character and generally lower scale of the predominantly nineteenth century urban areas of Carlton and Fitzroy (as represented in the WHEA). This is particularly the case with properties to the south end of Nicholson Street, including buildings within the St Vincent's Hospital complex; select properties on Rathdowne Street, typically south of Pelham Street; and select properties on the south side of Victoria Street/Victoria Parade being at the north end of the CBD and north-west area of East Melbourne.

4.3 Change to Indicative WHEA

The outcome of the above analysis and review was to recommend a change to the boundary of the indicative WHEA in the south-east area, specifically to include land and properties in the block bounded by the east side of Nicholson Street, south side of Victoria Parade, north side of Albert Street and west side of Gisborne Street (within the area known as 'Eastern Hill'). The analysis also indicated that there are areas of greater and lesser sensitivity within the WHEA; this is outlined at Section 5.0.

4.4 Views & Vistas

The visibility (views and vistas) of the Royal Exhibition Building is an important aspect of its prominence within the local context, and of its overall presentation. Views to the REB and dome in particular, highlight and draw attention to the building's scale and presence. The scale, in turn, helps demonstrate the building's original historical role in hosting major international exhibitions. Views out of the REB and Carlton Gardens site into the surrounding area (particularly to the east, north and west) also reinforce an understanding of the original

³ See *Carlton, North Carlton and Princes Hill Conservation Study*, Nigel Lewis and Associates, 1984; *Urban Conservation in the City of Melbourne*, City of Melbourne, 1985; *City of Yarra Heritage Review*, several volumes, Allom Lovell and Associates, 1998; *South Fitzroy Conservation Study*, Jacob Lewis Vines Architects, 1979; *Fitzroy Urban Conservation Study Review*, Allom Lovell and Associates, 1992.

nineteenth century context of the place, and contribute to an appreciation of the largely intact nineteenth century setting.

It is also important to distinguish between the more significant views and vistas of the REB and dome, as occur along the planned axial views within Carlton Gardens proper (such as the view to the grand south entrance to the building from the south on Victoria Street, which is framed by the treed avenue of the 'Grand Allée') and the direct views into the site as are available from the immediate bordering and abutting streets; proximate views of the REB dome from Gertrude, Queensberry and Spring streets and Marion Lane; and other incidental or opportunistic views which are not considered significant, such as 'glimpses' of the dome available from adjoining streets and more distant views to the dome available from the east, west and south.

The photographs referred to below are included in Appendix 2.

4.4.1 *Important Visual Aspects of the Site*

The important visual and presentational aspects, and landmark qualities, of the World Heritage site include:

- The visual prominence of the REB, including the dramatic contrast in scale with much of the surrounding lower scale nineteenth century development (see Figure 3).
- The visibility of the dome within the local context.
- The grand south entrance and original principal approach to the building as viewed from the south.
- The landscape elements (including the formal tree-lined 'allées' of the South Garden which converge on the Hochgurtel fountain; the bold layout of paths; the geometrical pattern of bedding and parterres in front of the main building; the broad lawns and water bodies; and in the North Garden, the simple pattern of tree-lined diagonal paths separating garden spaces) which reflect traditional European principles and elements of nineteenth century international garden style.

4.4.2 *Views to the Site*

Views to the site, from the surrounding area and in some cases from more distant points, have been analysed and assessed. The following is a summary of the views (in order of significance), also indicating where these are available from within the WHEA:

1. Direct views to the REB building, dome and gardens from bordering/abutting streets (Nicholson, Carlton, Rathdowne and Victoria streets, within WHEA), including key axial views into and through the Carlton Gardens to the REB (such as the view along the 'Grand Allée' from the south on Victoria Street, see Figure 19). The Melbourne Museum impacts on views to the REB building from the north, including from Carlton Street.
2. Proximate views/vistas to the REB dome from Gertrude Street and Marion Lane in Fitzroy and Queensberry Street in Carlton, running east and west of the REB (within WHEA, see Figure 13, Figure 14 & Figure 15). Similar views are also available from Spring Street (see Figure 16) and the north end of Exhibition Street; Nicholson Street near the junction with Victoria Parade (see Figure 17); the east end of Latrobe Street; and from Victoria Parade immediately east of the junction with Nicholson Street (see Figure 18).

3. Partial/restricted views (glimpses) of the building, dome, landscape, gardens and trees from points in south Fitzroy, south Carlton, northern areas of the CBD, and north-west area of East Melbourne (within WHEA).
4. More distant views to the REB dome from the east along Gertrude Street, south along Spring Street and west along Queensberry Street (outside WHEA, see Figure 20, Figure 21 & Figure 22).

As noted above, the Melbourne Museum building generally restricts views to the REB building and dome from the north, emphasised by the fall in the topography to the north. However, glimpses of the dome are available from greater distances to the north, including from Nicholson Street in Brunswick. These are of interest, but are not considered to be significant views.

4.4.3 *Views from the Site*

Views out of the site have been analysed in terms of views from:

- within the centre of the site including adjacent to the REB building;
- from the perimeter of the site; and
- from the Promenade deck at the base of the REB dome (which does not have public access, but historically was open to exhibition visitors).

Views from within the site are often restricted by vegetation and trees within the north and south Carlton Gardens. This is particularly the case when looking south (see Figure 23, Figure 24 & Figure 25), although clearer views from within the site are available to the east (see Figure 43) and to the west (see Figure 26). Views to the south are also dominated by development in the CBD, with most buildings on Victoria Street having city towers visible in the background.

Views from around the perimeter (boundary) of the site take in the immediate nineteenth century context and heritage character of Fitzroy and Carlton, which is particularly strong on Nicholson Street (save for the south end in the vicinity of the St Vincent's Hospital development, Figure 49), Carlton Street, and part of Rathdowne Street although the latter is generally less intact south of Pelham Street. Views from the south perimeter of the site are again dominated by CBD tower development.

As noted above, the Promenade deck constructed at the base of the dome originally allowed exhibition visitors to have elevated views of the surrounds including some key landmark buildings. These historically included Parliament House, the State Library, Supreme Court, the town halls of Fitzroy and Collingwood, various church spires, and the distant tower of Government House. Views to many of these buildings are no longer available from the deck (due to intervening development), but current views nevertheless take in both the immediate nineteenth century context as well as revealing the extent of change to the south, south-west and south-east in particular. Several of the views from the deck which were photographed in the 1880s and later nineteenth century are illustrated at Appendix 2 together with corresponding contemporary views included for comparison (see Figures 28-37).

In terms of significance, the views out of the site help to demonstrate and reinforce an understanding of the original nineteenth century context and contribute to an appreciation of the largely intact nineteenth century setting.



Figure 3 Oblique aerial (Airspy) photograph, c.1930, (south is at top of picture). This image emphasises the contrasting scale of the REB within the surrounding context and the prominence of the dome.
Source: Pictures Collection, State Library of Victoria.



Figure 4 Recent oblique aerial image of the REB and Carlton Gardens (south is at top of picture).
Source: Architecture Australia, 2001.

5.0 WHEA

5.1 History⁴

A substantial component of the WHEA surrounding the Royal Exhibition Building and Carlton Gardens is located in Carlton. The suburb was established during the 1850s, when subdivision and sales of land for private development commenced. Carlton Gardens were first envisaged by Charles Joseph La Trobe as early as 1839 although the site, later a Crown land reserve, remained undeveloped until about 1855, when improvements were made based on a plan by Edward La Trobe Bateman. The Exhibition Building was constructed in the gardens in 1879-1880, to house the international exhibition of 1880. Bateman's landscaping was modified at this time in response to the style and siting of the Exhibition Building. The gardens were selected for the site of the Exhibition Building because they provided the desired park-like setting and central location, and at 64 acres (26 hectares), were adequate in size. In return for the use of the gardens for exhibition purposes, the Government undertook to substantially upgrade the perimeter and appearance of the gardens, post-exhibition, thereby enhancing their attractiveness within the local Carlton and Fitzroy contexts.

The land surrounding the parks and gardens of Carlton, including Carlton Gardens, attracted higher-quality residential development. Evidence of this better quality residential development remains in the WHEA, including in some of the grander terraced housing in Rathdowne and Drummond streets. The rapid population growth within Melbourne during the 1870s and 1880s also saw substantial additions to earlier structures and development of the remaining vacant sites. Facades of dwellings were also sometimes altered and upgraded in these more affluent years. This was also during the period of the construction and original use of the Exhibition Building.

The majority of Carlton had been developed by the 1890s in a largely tight and orderly subdivision pattern which included a network of small laneways to service the collection of night soil. Construction materials included bluestone, with face brick and rendered masonry also being popular. Little change then occurred to the built form of Carlton until the mid-twentieth century, when the Housing Commission began clearing and replacing extensive tracts of what was considered to be substandard housing. Infill development at the south end of Rathdowne Street also began to occur in the 1970s.

Fitzroy, originally named 'Newtown', was one of the first 'suburban' areas of Melbourne to be developed, along with Collingwood and Richmond, outside Melbourne's town reserve. Land was subdivided and sold during the late 1830s. The original allotments varied in size, being between 12 and 28 acres, to allow for a mixed use of development, including large estates, small-scale rural or semi-industrial development. There were no restrictions regarding subdivision imposed on the purchasers of the land, which resulted in ad hoc subdivision of the area during the 1840s and an inconsistency in the width and alignment of roads and access points, including private roads (Gertrude Street was a private road). Victoria Parade

⁴ The following overview is based on a number of sources including relevant citations from the Victorian Heritage Register; the citation for the South Fitzroy precinct as contained in Vol. 3 of *City of Yarra Heritage Review* (Allom Lovell and Associates, 1998); the revised citation for the South Fitzroy Heritage Overlay Area (HO 334) prepared by Graeme Butler & Associates 2007, included in the City of Yarra Amendment C085 documentation; *Royal Exhibition Building and Carlton Gardens Conservation Management Plan* (draft 2004, Allom Lovell & Associates and Context Pty Ltd; revised 2007, Lovell Chen); various articles in *Carlton A History*, P Yule (ed), 2004.

and Nicholson Street were Government roads of this era, which helped to provide a framework for a more regular pattern of subdivision. Each time land was sold, shanty and substandard dwellings tended to be built on the smaller lots, especially in the lower lying areas of Fitzroy. The *Act for Improvements in Fitz Roy Ward in the City of Melbourne*, a special Act of the Victorian Parliament passed in 1854, aimed to solve the street alignment problems in the suburb. More intensive development occurred during the 1850s, with the size of blocks again reducing. The *Melbourne Building Act* of 1849, when applied to Fitzroy, ensured that development from this time was of better quality, enforcing fireproof construction and minimum street widths, and resulting in the use of bluestone and brick construction materials. During the 1860s and 1870s development was consolidated, especially in the commercial strips in the area, with more substantial premises replacing earlier structures. Cable trams were introduced to Gertrude and Nicholson streets in the 1880s, including the construction of the Cable Tram Engine House at the junction of the two streets. Institutional uses, such as St Vincent's Hospital (beginning in a terrace row in Victoria Parade in the 1890s) and the Convent of Mercy (founded in the 1850s) were also attracted to Nicholson Street. St Vincent's was founded by the Sisters of Charity and evolved into a large and prominent complex of hospital and health-related buildings, becoming one of inner Melbourne's largest hospital complexes.

The southern area of the WHEA includes the Royal Society of Victoria building, which is associated with the oldest scientific and philosophical society in Victoria, established in 1855. The present two storey brick structure was erected in several stages beginning with the original Meeting Hall which was completed in 1859, to a design by the noted Melbourne architect Joseph Reed. The Royal Australasian College of Surgeons building, to the east, is located on a triangular area of land originally occupied by the Model School, built between 1854 and 1856. The school was demolished in 1933 to make way for the new college, designed by Leighton Irwin and Roy Stephenson, and opened in 1935 as the Australasian headquarters of the college. The former Salvation Army Training Garrison, further east on Victoria Parade, was built in 1900 and represented a continuation of the use of this area of Eastern Hill for religious and institutional purposes. The 1855 Baptist Church House and 1870s East Melbourne Synagogue in Albert Street also demonstrate this historical use of Eastern Hill. By contrast, the former ICI House, designed by Bates Smart McCutcheon, was a prominent commercial development and the tallest building in Australia when completed in 1958.

5.2 Description

[The following description includes references to properties on the Victorian Heritage Register, indicated by the 'VHR' number.]

The WHEA is illustrated at Figure 1 and incorporates predominantly residential areas (with some mixed use) in Carlton and Fitzroy; together with properties at the north end of Melbourne's CBD in the area generally immediately south of Victoria Street/Victoria Parade, and properties in the north-west of East Melbourne (including in the area known as 'Eastern Hill'). The outer boundary of the area follows (on the east side) Fitzroy Street in Fitzroy, and Gisborne Street in East Melbourne; (north side) Bell Street in Fitzroy and Faraday Street in Carlton; (west side) Drummond Street in Carlton; and (south side) a combination of Albert, Spring, Little Lonsdale and Exhibition streets.

Nicholson Street, Fitzroy, is the principal street in the eastern area of the WHEA, bordering the Carlton Gardens. Gertrude Street runs off Nicholson Street to the east, as do several other streets including Princes (south end), Palmer, Hanover, King William, Moor and Bell (north end) streets, Fitzroy. These streets, with the exception of Gertrude Street, are predominantly residential, again characterised by lower scale nineteenth century

development, mostly terrace rows. Rathdowne Street is the principal street in the western area of the WHEA, particularly in terms of its relationship to the REB and Carlton Gardens site. Queensberry (south end), Pelham, Grattan and Faraday streets run off Rathdowne Street to the west; these streets incorporate a variety of residential, commercial and institutional development, with significant and intact terrace rows on the east side of Drummond Street. Carlton Street, and further north of the REB and Carlton Gardens site, including Barkly, Owen, Canning and Murchison streets, incorporates largely small scale and predominantly intact nineteenth century residential development, including development focused on Murchison Square. Victoria Parade/Victoria Street is an important thoroughfare within the southern area of the WHEA, and is described in more detail below. In terms of street plantings, Plane trees are common plantings within the area.

Nicholson Street is characterised by a mix of lower scale (typically two-storey with some three-storey) residential development (including terraces and large dwellings) and a number of large institutional sites, including St Vincent's Hospital and the Convent of Mercy complex. The southern end of the street (toward Victoria Parade) is dominated by St Vincent's Hospital on the corner (which has 11 above ground levels on Nicholson Street), and associated medical and research buildings surrounding the site. The former Cable Tram Engine House (48 Nicholson Street, c. 1886, VHR H0584) is prominently located at the intersection with Gertrude Street. Royal Terrace (50-68 Nicholson Street, 1853-58, VHR H0172), Grantown House (82 Nicholson Street, c. mid-1850s) and Osborne House (40 Nicholson Street, c. 1850, VHR H1607), are significant examples of mid-nineteenth century residential development. Between Royal Terrace and Palmer Street are a number of terrace rows dating from the later nineteenth century. To the north of Palmer Street is the Convent of Mercy and Academy of Mary Immaculate chapel and school complex (88 Nicholson Street, c. 1850 and later, VHR H0507), which was built in stages, and incorporates a number of former residences. The Cairo Flats (VHR H1005), located on the corner of Hanover Street, depart from the nineteenth century character, being constructed in 1936. Between Hanover and Moor streets are a number of two-storey, brick terraces and terrace rows, with a notable example being the Victorian Italianate terrace located on the corner of King William Street (c. 1862, VHR H0539).

Gertrude Street, extending east from the World Heritage site between Nicholson and Fitzroy streets, is an important approach to the REB and Carlton Gardens and provides oblique views of the REB, particularly the drum, dome, lantern and flagpole, from the south side of the street. The Cable Tram which ran along Gertrude Street from the 1880s encouraged commercial development, and much of this survives. Gertrude Street is now a largely intact streetscape of two-storey shops and other commercial buildings, as well as terraces, from the late nineteenth and early twentieth centuries, with some modestly-scaled infill, mostly on the north side.

Rathdowne Street has mixed institutional, residential and commercial development. The former Lemon Tree Hotel (2-10 Grattan Street), with its notable curved façade to the intersection of Rathdowne and Grattan streets, and a number of two-storey brick terraces are located on and near the north-west corner of Rathdowne and Grattan streets. A four-storey infill building has been constructed on the south-west corner of Rathdowne and Grattan Streets (249 Rathdowne Street), which abuts a row of two-storey terraces (239 Rathdowne Street and 233-237 Rathdowne Street). Carlton Gardens State School (201-231 Rathdowne Street) and the prominent Sacred Heart Church complex (199 Rathdowne Street, c. 1897, VHR H0016) are located to the north of Pelham Street. A significant early twentieth century three-storey brick building, the former St Nicholas Hospital nurses' home, is sandwiched between infill buildings including a four-storey office building on the south-west corner of Rathdowne and Pelham streets, and a four-storey residential development. The southern portion of Rathdowne Street has considerable infill development, although it retains

some two-storey nineteenth century brick terraces (at 25-27 Rathdowne Street and 107-109 Rathdowne Street). The substantial former Presbyterian Manse remains at 101 Rathdowne Street (c. 1868, VHR H0017). The large and prominent infill residential tower (former Australia Post building) on the corner of Rathdowne and Queensberry streets dominates the street and context, rising 15/16 above ground levels. The Cancer Council building is located on the corner of Rathdowne and Victoria.

Queensberry Street, extending west from the World Heritage site between Rathdowne and Drummond Streets, is an important approach to the REB and Carlton Gardens and provides oblique views of the REB, especially of the drum, dome, lantern and flagpole, from the south side of the street. Views past the parterre gardens towards the Hochgurtel Fountain are also available from the eastern end of the street. Queensberry Street contains two significant Victorian period terraces - Dalmeny House (21 Queensberry Street, c. 1888, VHR H0525) and Cramond House (23 Queensberry Street, c. 1888, VHR H0482). The two-storey Elsmere Terrace (1882) at 70 Drummond Street extends back along Queensberry Street. Development along the north side of the eastern part of Queensberry Street is low-scale mid twentieth century infill.

Carlton Street, bordering the north of the REB and Carlton Gardens site, is a highly intact streetscape, incorporating an intersection with Canning Street. The eastern portion of the street is more varied than the west, with a mix of single and double-storey Victorian terrace rows and detached dwellings. Notable buildings include the Victorian dwelling at 12-14 Carlton Street; Elim Houses at 18-20 Carlton Street; Annie Villa at 22-24 Carlton Street and Canning Terrace (46-50 Carlton Street). To the west of Canning Street are two significant double-storey terrace rows (78-82 Carlton Street and Gordon Terrace, 90-100 Carlton Street), as well as the prominent two-storey villa on a triangular plan which addresses the intersection of Carlton and Barkly streets.

Victoria Parade (east of Spring Street) and Victoria Street (west of Spring Street) bordering the south end of the REB and Carlton Gardens site, is an important thoroughfare within the WHEA, and provides the interface between the Carlton Gardens to the north and city development to the south. It also provides the opportunity for axial views along the treed avenues in the South Gardens to the REB. From the east, Victoria Parade has to its north the large St Vincent's Hospital site, and to its south a number of significant heritage buildings including the Eastern Hill Fire Station (108-122 Victoria Parade, c. 1892-3, VHR H1042), former Salvation Army property (68-88 Victoria Parade, c. 1900-01, VHR H0554), and the Royal Australasian College of Surgeons (250-290 Spring Street, c. 1934, VHR H0870). The treed median strip in Victoria Parade, up to the intersection with Nicholson Street, is individually included in the Yarra Heritage Overlay, as HO188 'Victoria Parade, Fitzroy, Street Trees'. Large and prominent contemporary towers, including residential development, are located at and near the corner of Spring and Latrobe streets on Victoria Street (with addresses to 283 and 299 Spring Street, and 33 Latrobe Street) and at the corner of Nicholson Street. The Royal Society of Victoria building, caretakers cottage and weather station (1-9 Victoria Street, c. 1858, VHR H0373) are sited on a wedge of land bounded by Victoria, Latrobe and Exhibition streets.

There are also a number of significant heritage buildings within the block bounded by the east side of Nicholson Street, south side of Victoria Parade, north side of Albert Street and west side of Gisborne Street. These include the Baptist Church House (486 Albert Street, c. 1855, VHR H0003), East Melbourne Synagogue (488 Albert Street, c. 1877, VHR H0495), and the prominent former ICI House (1958, VHR H0786) on the corner of Albert and Nicholson streets.

5.3 Existing Heritage Controls

In terms of existing heritage controls, the WHEA includes a number of properties on the Victorian Heritage Register; land and properties within the City of Yarra Heritage Overlay precinct known as the 'South Fitzroy Precinct' (HO 334); and land and properties within the City of Melbourne Heritage Overlay precinct known as the 'Carlton Precinct' (HO 1). The Heritage Overlay areas, which are valued for their generally intact nineteenth century built form, streetscapes and character, are indicated in Figure 5. Properties with individual Heritage Overlay controls, some of which are included in the Victorian Heritage Register, are also included in the WHEA. Other planning scheme controls also apply in some cases including height controls specified under various Design and Development Overlays (City of Melbourne only). The WHEA also includes a property on the National Heritage List.

5.3.1 National Heritage List

The former ICI Building on the corner of Albert and Nicholson Streets is included in the National Heritage List (Place id. 105747). Places on the National Heritage List are subject to the provisions of the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* (*EPBC Act*), including the *EPBC Act Regulations* and management principles relating to places of National heritage significance.

5.3.2 Victorian Heritage Register

Properties included in the Victorian Heritage Register are subject to the provisions of the *Heritage Act 1995 (Vic)* (as amended). Properties can include buildings, structures, landscapes, gardens and objects; the interiors of buildings are also typically subject to the provisions of the Act. The intention of the Act is to prevent places and objects which are included in the Register from being demolished or changed in a way that has the potential to affect or diminish their heritage value. Permits are typically required from Heritage Victoria for works such as extensions, interior works, new constructions, demolition or relocation, excavation, subdivision, changes of colour schemes and signage, new fences, new pathways or driveways, and landscape works beyond regular maintenance.

5.3.3 Heritage Overlay

Properties included in the Heritage Overlay are subject to the Heritage Overlay provisions of the planning schemes, including relevant considerations arising from the decision guidelines at CL 43.01 'Heritage Overlay'. The stated purpose of the Heritage Overlay (CL 43.01) is as follows:

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To conserve and enhance heritage places of natural or cultural significance.

To conserve and enhance those elements which contribute to the significance of heritage places.

To ensure that development does not adversely affect the significance of heritage places.

To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Before deciding on an application for a proposal, the responsible authority is required to consider a range of 'decision guidelines' which address issues to do with heritage significance, character and appearance of heritage places, and heritage impacts.

South Fitzroy Precinct (HO 334)

The South Fitzroy Precinct (HO 334) in the City of Yarra is subject to CL 22.02 'Development Guidelines for Heritage Places'. This is a local planning policy which applies to all land covered by the Heritage Overlay in Yarra. CL 22.02 includes general objectives and specific policies relating to conservation, alterations and additions to heritage places, infill development, demolition, original location, historic plantings and gardens, painting and archaeological sites. CL 22.02 generally requires new works (including additions) to be respectful of context in terms of height, scale, setbacks, etc and discourages the visibility of additions and the visual dominance of new works.

Precinct citations for the South Fitzroy Precinct are included in the Planning Scheme reference documents *City of Yarra Heritage Review* (Allom Lovell and Associates, 1998) and *City of Yarra Review of Heritage Overlay Areas* (Graeme Butler & Associates, 2007 – proposed for inclusion as a reference document). The citations include a history and description of the precinct area and a statement of significance. They emphasise the importance of the nineteenth century building stock, street patterns and urban infrastructure, and the high density of generally low scale development. No reference is made in the citations to the Royal Exhibition Building and Carlton Gardens.

Carlton Precinct (HO 1)

The Carlton Precinct (HO 1) in the City of Melbourne is subject to CL 22.05 'Heritage Places Outside the Capital City Zone'. This is a local planning policy which applies to all land covered by the Heritage Overlay in Melbourne, excluding land in the Capital City Zone. CL 22.05 includes general objectives and performance standards relating to demolition; renovating graded buildings; and new buildings, works and additions to existing buildings. As with Yarra's policy at CL 22.02, Melbourne's 'Heritage Places Outside the Capital City Zone' generally requires new works (including additions) to be respectful of context in terms of height, scale, setbacks, etc; discourages the visibility of additions, and discourages the visual dominance of new works. The policy offers some flexibility in relation to the performance standards depending on the grading of individual buildings and streetscapes, being more restrictive for higher graded properties and streets. There is no precinct citation. In terms of streetscape gradings, the streets immediately bordering the REB and Carlton Gardens site within the precinct are Level 1 streetscapes save for Rathdowne Street south of Queensberry Street, which is Level 3. Drummond Street and streets running west of Rathdowne Street are typically Level 1; streets to the north of Carlton Street include levels 1-3.

CL 22.04 Heritage Places within the Capital City Zone

Land in the southern portion of the WHEA is included in the City of Melbourne's Capital City Zone. Places included in the Schedule to the Heritage Overlay are covered by CL 22.04 'Heritage Places within the Capital City Zone'.

5.3.4 *Design & Development Overlays*

CL. 42.03 'Design and Development Overlay' (DDO) applies to properties included in the Schedule to the DDO. Individual DDOs contain a statement of the design objectives to be achieved for the area affected by the DDO control (these are summarised and paraphrased below). Several DDOs (listed below) apply to specific areas within the WHEA, including height controls for specific areas in the City of Melbourne.

- DDO6 Carlton Area (Figure 6): Design objectives seek to protect and conserve significant buildings and streetscapes; reinforce the built form (low-rise) character of the area; ensure compatibility of scale, character, etc. Maximum heights range from 8m-16m.
- DDO13 Parliament Area (Figure 7): Design objectives seek to encourage development to be compatible with the Victorian character and scale of the area; minimise the visual impact of new buildings and works within the vicinity of the Fitzroy Gardens and the surrounding public spaces. Maximum heights range from 15m-74m.
- DDO48 Central Carlton North (Figure 8): Design objectives seek to maintain the predominant low scale nature of the area; support pedestrian amenity, access to sunlight, sky views, etc. Maximum height of 10.5m.

In the City of Yarra, DDO2 Main Roads and Boulevards (Figure 9), covers the north side of Victoria Parade, a section of which is included in the WHEA. The design objectives seek to retain streetscapes and places of heritage significance; reinforce and enhance heritage qualities of main roads; limit visual clutter; recognise and reinforce the pattern of development and the character of the street, including traditional lot width; encourage quality contemporary architecture, etc.

5.3.5 *Zoning*

Zoning within the WHEA is indicated at Figure 10. Land to the east (north of Gertrude Street) and north of the REB and Carlton Gardens site is generally located within a residential zone. The remainder of Carlton (west of the site) is located within a mixed use zone. The northern portion of the City of Melbourne's Capital City Zone is located in the south area of the WHEA.

There are three main business zones which are located along the north side of Gertrude Street; the area north of St Vincent's Hospital, bounded by Regent Street to the east, Princes Street to the south and Nicholson Street to the west; and the area south of Victoria Street, between Spring and Gisborne streets.

St Vincent's Hospital, Carlton Gardens State School and the former Cable Tram Engine House (now tramways workshop) are all located within a Public Use Zone (numbers refer to individual uses, i.e. health, education or transport).

Victoria and Nicholson streets are identified as road zones.

ROYAL EXHIBITION BUILDING & CARLTON GARDENS WORLD HERITAGE ENVIRONS AREA
STRATEGY PLAN



Figure 5 Map showing Heritage Overlay areas (precincts and individual properties). The 'HO' numbers correspond to the numbers in the Schedules to the Heritage Overlays of the cities of Melbourne and Yarra.

ROYAL EXHIBITION BUILDING & CARLTON GARDENS WORLD HERITAGE ENVIRONS AREA STRATEGY PLAN

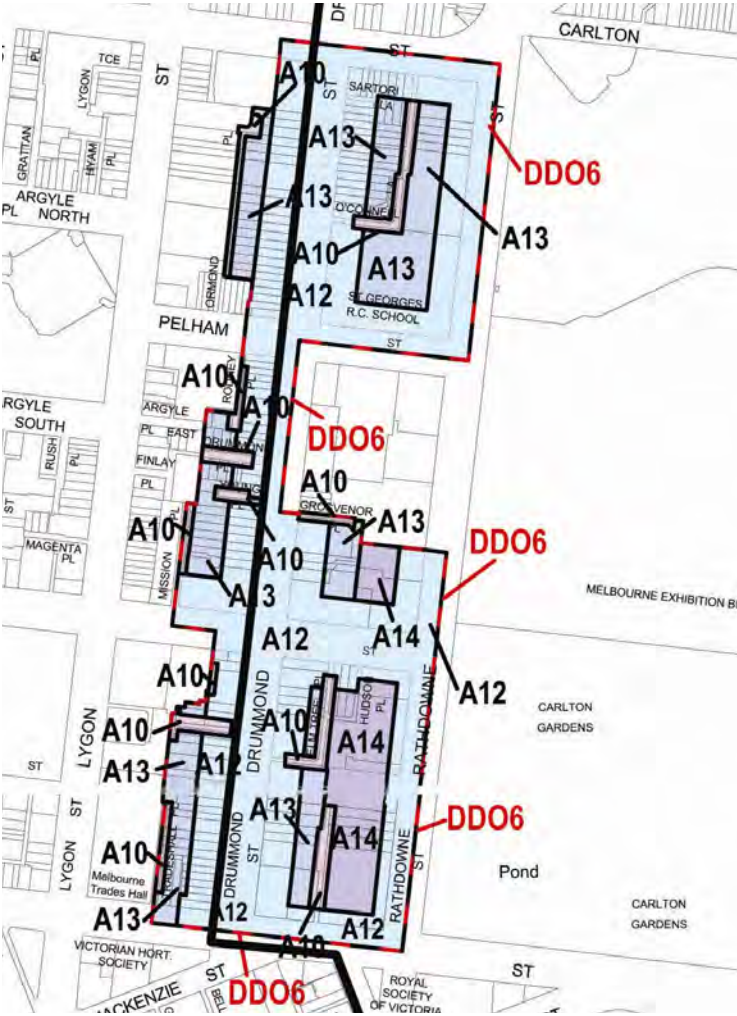


Figure 6 Map showing DDO6 Carlton. The black line indicates the WHEA boundary.

ROYAL EXHIBITION BUILDING & CARLTON GARDENS WORLD HERITAGE ENVIRONS AREA STRATEGY PLAN



Figure 7 Map showing DDO13 Parliament Area. The black line indicates the WHEA boundary.

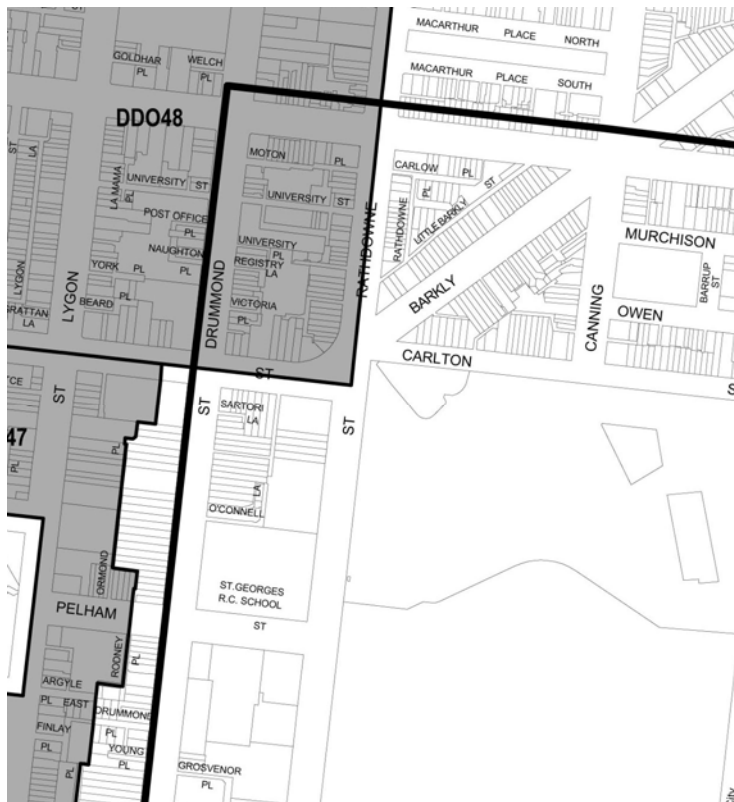


Figure 8 Map showing DDO48 Central Carlton North. The black line indicates the WHEA boundary.

ROYAL EXHIBITION BUILDING & CARLTON GARDENS WORLD HERITAGE ENVIRONS AREA STRATEGY PLAN

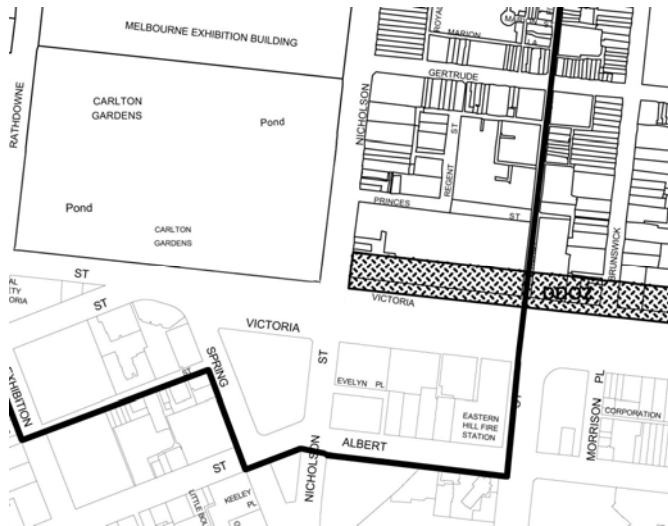


Figure 9 Map showing DDO2 Main Roads and Boulevards. The black line indicates the WHEA boundary.

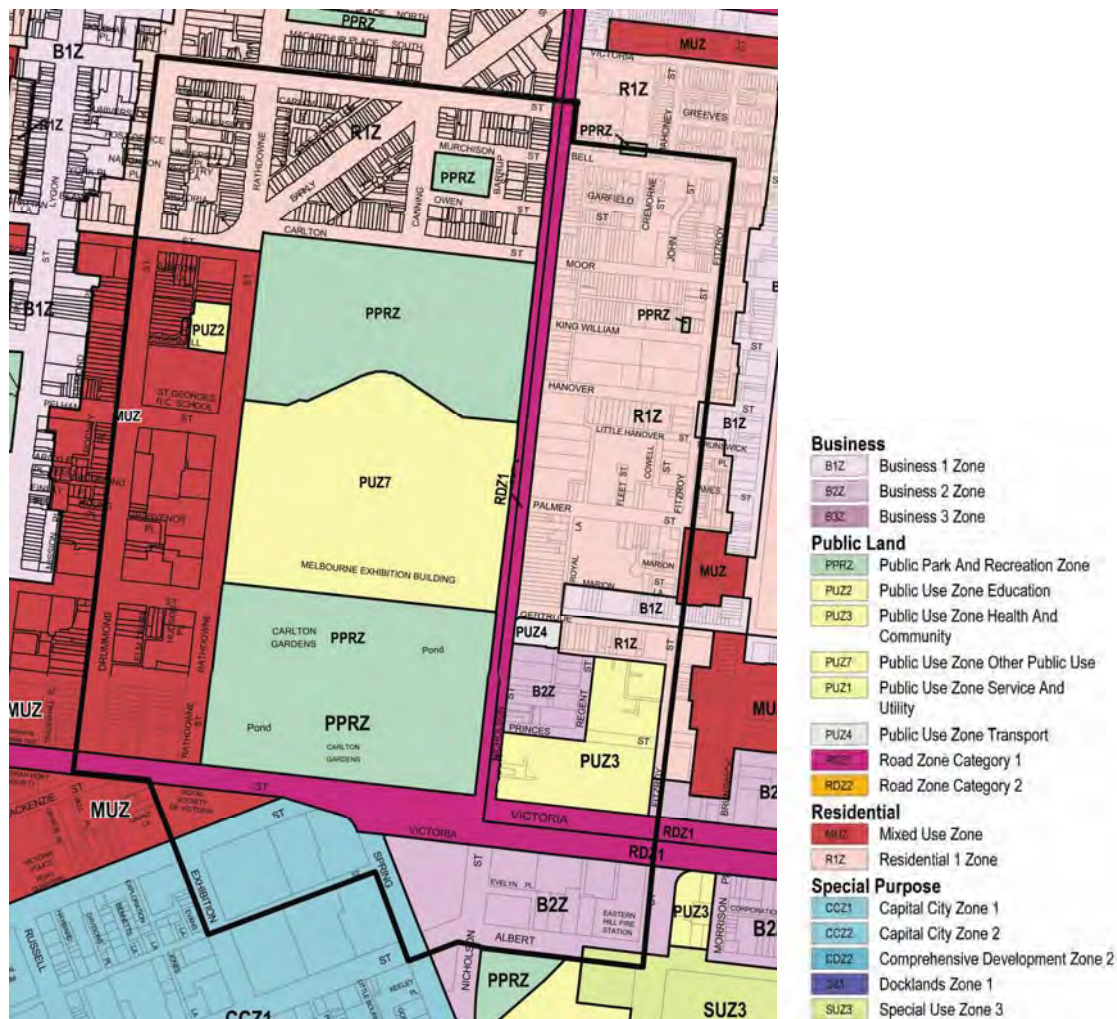


Figure 10 Amalgamated plan showing zoning within the WHEA (with key). The black line indicates the WHEA boundary.

5.4 Areas of Greater & Lesser Sensitivity

The WHEA has areas of greater and lesser sensitivity in relation to the World Heritage site. The sensitivity chiefly derives from proximity to the site, the availability of significant views and vistas to the site, and the potential visual impacts on the site of new development including the visibility of such development from the site.

5.4.1 Area of Greater Sensitivity

The area of greater sensitivity within the WHEA is illustrated at Figure 12, and is the area bordering and adjacent to the REB and Carlton Gardens site. It largely follows the title boundaries of properties located on Nicholson, Carlton, Rathdowne, Victoria, Queensberry and Gertrude streets, together with the streetscapes associated with these properties. The attributes of this more sensitive area are as follows:

- It provides an immediate, significant and largely intact nineteenth century (see Figure 11) setting and context for the World Heritage site which incorporates:
 - Residential, commercial and institutional development of heritage significance which largely addresses or provides a visual corridor to the REB and Carlton Gardens site, and preceded, was broadly contemporary with or followed the construction of the REB, the 1880/1888 exhibitions, and development of the Carlton Gardens.
 - Substantially intact nineteenth century streetscapes which retain and display a comparatively high proportion of original nineteenth century form and fabric including face brick, bluestone and rendered masonry construction materials; pitched and hipped iron and slate-clad roofs; chimneys; prominent parapets and pediments; post-supported verandahs, many with elaborate iron lacework or timber detailing; high proportion of iron palisade fences; and zero or shallow front setbacks with gardens. Public infrastructure includes some bluestone pitched road and lane surfaces, and kerbs. Plane trees are common street plantings.
 - Substantial areas of two-storey with some three-storey, nineteenth century development which provides a contrast in scale to the prominent Royal Exhibition Building.
 - A typically fine grain pattern of urban development, generally emphasised by the regularity of the terrace row subdivisions, narrow allotments and street grid, with many streets running at right angles to the REB site.
- It includes a number of key heritage buildings (from the nineteenth and early twentieth centuries) some of which are landmarks in their own right but which also have a strong visual relationship or connection with the REB. These buildings (most of which are included in the Victorian Heritage Register) include Royal Terrace, the Cable Tram Engine House, Convent of Mercy/Academy of Mary Immaculate complex, Grantown House and Osborne House on Nicholson Street; the Sacred Heart Church complex including Presbytery, former Presbyterian Manse, Carlton Gardens Primary School, and former St Nicholas Hospital nurses' home on Rathdowne Street; and the Royal Society building on Victoria Street.
- It provides significant views into the REB and Carlton Gardens site including direct and generally unencumbered views to the REB, dome and garden setting from bordering/abutting streets, depending on where the viewer is standing.

- It provides significant proximate views/vistas to the REB dome from Queensberry and Gertrude streets and Marion Lane to the east and west; from the north ends of Spring and Exhibition streets; from the east end of Latrobe Street; and from Victoria Parade immediately east of the junction with Nicholson Street.
- It is visible from the REB and Carlton Gardens site whereby the views out reinforce the understanding and appreciation of the original nineteenth century context of the REB, and its largely intact nineteenth century setting.

5.4.2 *Area of Lesser Sensitivity*

The area of lesser sensitivity within the WHEA (see Map 3, Appendix A of the Heritage Council Report) shares some of the attributes of the more sensitive area including the nineteenth century built form. The area of lesser sensitivity also includes a number of key heritage buildings (from the nineteenth and twentieth centuries), which while not necessarily having a strong visual relationship with the REB, help demonstrate aspects of historical development within the area of geographical proximity to the REB and contribute to the character of the setting. The area includes properties in the vicinity of the REB and Carlton Gardens site, in the southern portion of the WHEA and northern edge of the CBD and East Melbourne, which are not of heritage significance and may be subject to future development.

ROYAL EXHIBITION BUILDING & CARLTON GARDENS WORLD HERITAGE ENVIRONS AREA
STRATEGY PLAN

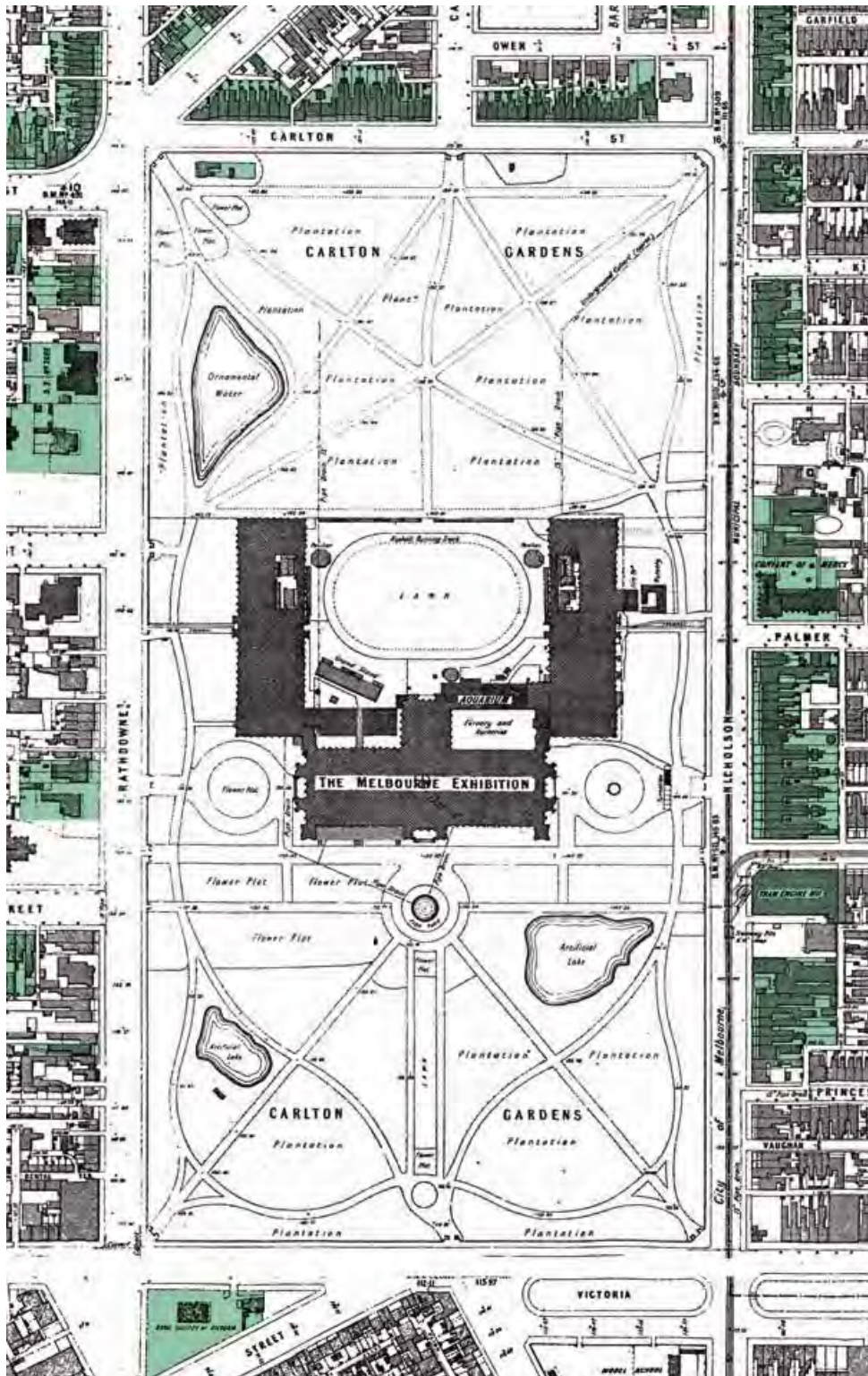


Figure 11 Plan, based on an amalgamation of historic MMBW plans, indicating (in green) extant nineteenth century properties in proximity to the REB site (in the area of greater sensitivity). Note: not all extant nineteenth century development in the WHEA is indicated in this plan.

6.0 Strategies for Future Management and Statutory Protection of the WHEA

In accordance with Section 62L of the *Heritage Act 1995 (Vic)*, the Minister for Planning must amend the planning schemes of the cities of Melbourne and Yarra in order to:

- identify the WHEA;
- give effect to the strategies outlined below; and
- remove or modify provisions of the planning schemes that are inconsistent with the approved Plan.

6.1 Heritage Overlay and Policy

6.1.1 WHEA Heritage Overlay Precinct

It is proposed that the planning schemes of the cities of Yarra and Melbourne be amended to include a 'World Heritage Environs Area' Heritage Overlay precinct in the respective Schedules to the Heritage Overlays. The precinct should be confined to the area of greater sensitivity in the WHEA as described above and illustrated at Figure 12. It largely follows the title boundaries of properties located on Nicholson (east), Gertrude, Carlton (north), Rathdowne (west), Queensberry and Victoria (south) streets, together with the streetscapes associated with these properties.

The precinct includes land and properties currently within Melbourne's Carlton Heritage Overlay precinct (HO 1) and Yarra's South Fitzroy Heritage Overlay precinct (HO 334). The 'World Heritage Environs Area' precinct will continue to demonstrate and share the heritage values and aspects of significance which are attributed to the South Fitzroy and Carlton precincts. The Statement of Significance for the 'World Heritage Environs Area' precinct is articulated below.

The relevant provisions, considerations and decision guidelines at CL. 43.01 'Heritage Overlay' will apply to the precinct, as will the City of Melbourne's CL 22.05 'Heritage Places Outside the Capital City Zone', and the City of Yarra's CL. 22.02 'Development Guidelines for Heritage Places'. Melbourne's CL. 22.04 'Heritage Places within the Capital City Zone' will also cover a portion of land in the southern area of the precinct. In addition, a new local policy 'Development Guidelines for Heritage Places in the World Heritage Environs Area' and 'Heritage Places within the World Heritage Environs Area' shall be inserted into the Yarra and Melbourne planning schemes respectively to apply to land within the World Heritage Environs Area. These respective policies shall reference the Strategy Plan and include the 'Precinct Objectives and Policy' as set out below.

The areas of the WHEA which are outside the proposed 'World Heritage Environs Area' precinct (the area of lesser sensitivity) include land and properties in the existing Carlton Heritage Overlay precinct (HO 1), South Fitzroy Heritage Overlay precinct (HO 334), together with properties included in the Victorian Heritage Register and properties without heritage controls.

ROYAL EXHIBITION BUILDING & CARLTON GARDENS WORLD HERITAGE ENVIRONS AREA
STRATEGY PLAN

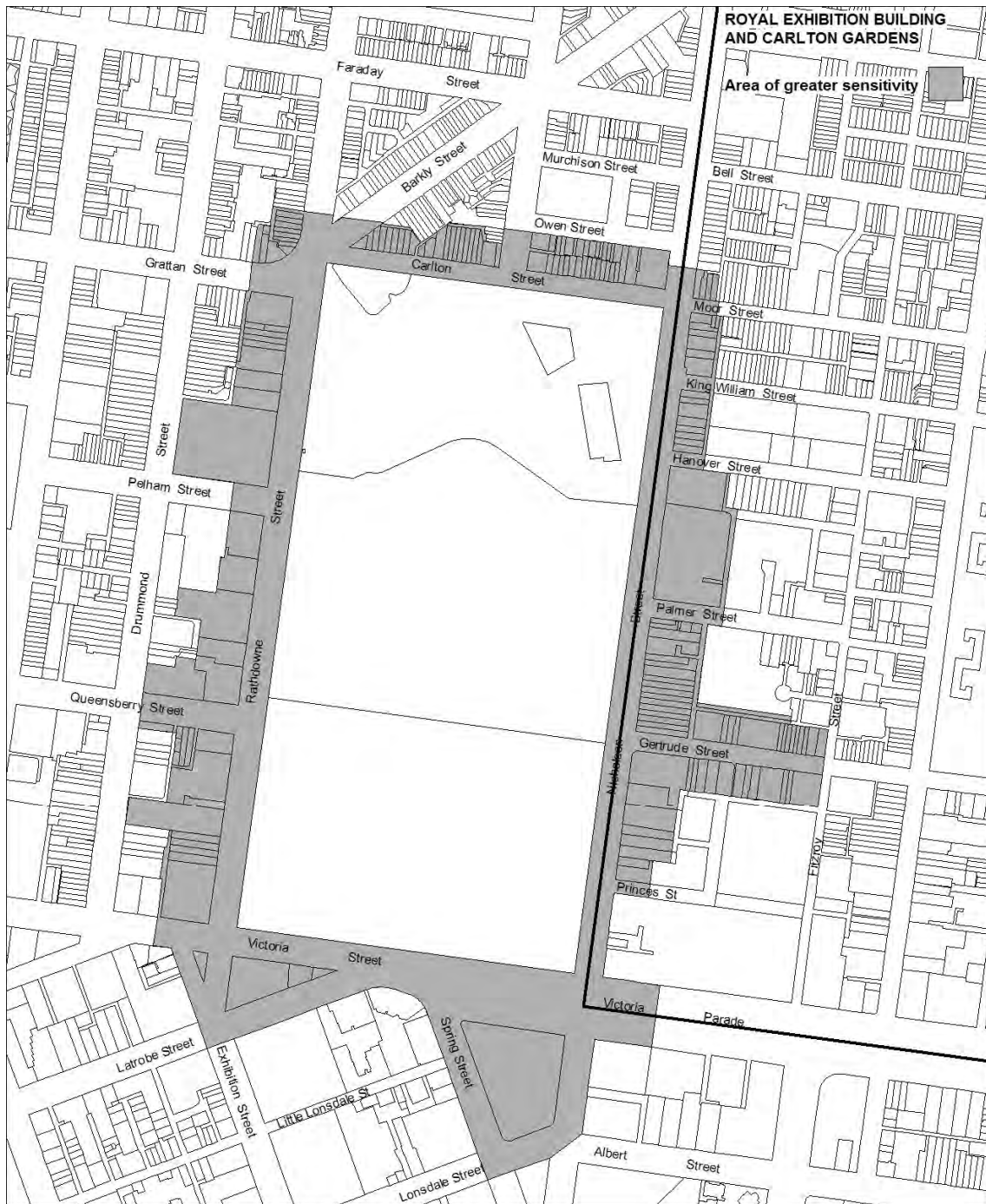


Figure 12 Map illustrating area proposed for inclusion in the Heritage Overlay as the 'World Heritage Environs Area' precinct (being the area of greater sensitivity).

World Heritage Environs Area Precinct Citation

Statement of Significance

What is Significant?

History

The World Heritage Environs Area Precinct generally borders and is adjacent to the Royal Exhibition Building (REB) and Carlton Gardens, Carlton. It includes land and properties in the suburbs of Carlton and Fitzroy, the northern area of Melbourne's Central Business District, and East Melbourne.

The western and northern areas of the precinct are located in Carlton where the subdivision and sale of land for private development commenced in the 1850s. Carlton Gardens, which were first envisaged by Charles Joseph La Trobe as early as 1839, remained largely undeveloped until about 1855, when improvements were made to a design by Edward La Trobe Bateman. The REB was constructed in the gardens in 1879-1880, to house the international exhibition of 1880. The gardens were selected because they provided the desired park-like setting for the building, central location, and at 64 acres (26 hectares), were adequate in size. In return for the use of the gardens for exhibition purposes, the Government undertook to substantially upgrade the perimeter and appearance of the gardens, post-exhibition, thereby enhancing their attractiveness within the local Carlton and Fitzroy contexts.

Land surrounding parks and gardens in Carlton, including Carlton Gardens, attracted higher quality residential development in the nineteenth century. Rathdowne Street also attracted some institutional uses in the later nineteenth and early twentieth centuries, including churches, schools and hospital uses. By the 1890s, the majority of Carlton exhibited a largely tight and orderly subdivision pattern including a network of small laneways. In the precinct, this subdivision pattern is still particularly evident along Carlton Street. In Rathdowne Street, infill development began encroaching at the south end in the 1970s.

The eastern area of the precinct is located in Fitzroy, which was originally known as 'Newtown' and was one of the first areas of Melbourne to be developed outside the original town reserve. Subdivision of Fitzroy was somewhat haphazard due to the first allotments of the late 1830s being large (between 12 and 28 acres) and subsequently subdivided without restriction. Victoria Parade and Nicholson Street were Government roads of this era, which helped to provide a framework for a more regular pattern of subdivision in adjacent areas. Private roads, including Gertrude Street were also created, some of which had inconsistent widths and alignments. Gertrude Street was one of the first non-Government streets to be laid out by landowners in Fitzroy and became one of the most important non-Government streets in South Fitzroy, mainly because its original line and length were extended by a number of successive land owners and subdividers in contrast with the disparate pattern of

subdivision and street layout which developed in other allotments in South Fitzroy. The ad hoc subdivision and increasingly smaller allotments also resulted in the construction of sub-standard housing in Fitzroy, eventually remedied by the *Melbourne Building Act* of 1849 which required the use of better quality building materials and practices. Royal Terrace in Nicholson Street is an outstanding example of terrace housing from the 1850s, and is the largest early terrace building surviving in Melbourne. During the 1860s and 1870s development was consolidated, with more substantial premises replacing earlier structures, including on Nicholson Street. Cable trams were introduced to Gertrude and Nicholson streets in the 1880s, facilitating the construction of the Cable Tram Engine House at the junction of the two streets. Institutional uses, such as St Vincent's Hospital (beginning in a terrace row in Victoria Parade in the 1890s) and the Convent of Mercy (founded in the 1850s) were also attracted to Nicholson Street, the former expanding over many decades to become one of inner Melbourne's largest hospital complexes, although the majority of the hospital's landholdings and facilities are not within this precinct.

The southern area of the precinct includes the Royal Society of Victoria building, which is associated with the oldest scientific and philosophical society in Victoria, established in 1855. The present two storey brick structure was erected in several stages beginning with the original Meeting Hall which was completed in 1859, to a design by the noted Melbourne architect Joseph Reed. The Royal Australasian College of Surgeons building, to the east, is located on a triangular area of land originally occupied by the Model School, built between 1854 and 1856. The school was demolished in 1933 to make way for the new college, designed by Leighton Irwin and Roy Stephenson.

Description

Rathdowne Street today is a mix of institutional, residential and commercial development, and is comparatively less intact than Nicholson Street in terms of nineteenth century form and character, particularly south of Pelham Street. At the north end of the street (in relation to the REB site) the former Lemon Tree Hotel has a notable curved façade to the intersection of Rathdowne and Grattan streets, and adjoins two-storey brick terrace rows to either side (on Rathdowne and Grattan streets). A four-storey infill building on the opposite corner of Rathdowne and Grattan streets (249 Rathdowne Street) abuts another row of two-storey terraces (239 Rathdowne Street and 233-237 Rathdowne Street). Carlton Gardens Primary School (201-231 Rathdowne Street, 1884) and the Sacred Heart Church complex (199 Rathdowne Street, c. 1897) are north of Pelham Street, and are prominent heritage buildings in the Rathdowne Street context, the prominence and visibility enhanced by the twin domed towers of the church building. The three-storey brick former St Nicholas Hospital nurses' home is also prominent, albeit sandwiched between infill four-storey office and residential developments. The southern portion of Rathdowne Street retains some two-storey nineteenth century brick terraces (25-27 Rathdowne Street and 107-109 Rathdowne Street). The former Presbyterian Manse also remains at 101 Rathdowne Street (c.

1868, VHR H0017). A large and prominent infill residential tower on the corner of Rathdowne and Queensberry streets dominates the street in this area, rising to 15/16 above ground levels; it is also very visible from within the REB site. The Cancer Council building is located on the corner of Rathdowne and Victoria streets.

Queensberry Street, extending west from the REB site between Rathdowne and Drummond Streets, is an important approach to the REB and Carlton Gardens and provides oblique views of the REB, especially of the drum, dome, lantern and flagpole, from the south side of the street. Views past the parterre gardens towards the Hochgurtel Fountain are also available from the eastern end of the street. Queensberry Street contains two significant Victorian period terraces - Dalmeny House (21 Queensberry Street, c. 1888, VHR H0525) and Cramond House (23 Queensberry Street, c. 1888, VHR H0482). The two-storey Elsmere Terrace (1882) at 70 Drummond Street extends back along Queensberry Street and is also located within the precinct. Development along the north side of this part of Queensberry Street is low-scale mid twentieth century infill.

Carlton Street, bordering the north of the REB site, is a highly intact nineteenth century residential streetscape, including development from the mid-nineteenth century. The eastern portion of the street has a mix of single and double-storey Victorian terrace rows and detached dwellings. Notable buildings include the Victorian dwelling at 12-14 Carlton Street; Elim House at 18-20 Carlton Street; Annie Villa at 22-24 Carlton Street and Canning Terrace (46-50 Carlton Street). To the west of Canning Street are two significant double-storey terrace rows (78-82 Carlton Street and Gordon Terrace, 90-100 Carlton Street), as well as the prominent two-storey villa on a triangular plan which addresses the intersection of Carlton and Barkly streets.

Nicholson Street retains a comparatively high level of intactness and rich detailing in terms of nineteenth century form and character, including lower scale development typically located north of the St Vincent's Hospital complex. It is also characterised by a mix of two-storey with some three-storey residential development, including terraces and larger dwellings of individual significance, as well as the aforementioned institutional sites. The southern end of the street is dominated by the St Vincent's Hospital complex of buildings. The former Cable Tram Engine House (48 Nicholson Street, c. 1886, VHR H0584) is prominently located at the intersection with Gertrude Street. Royal Terrace (50-68 Nicholson Street, 1853-58, VHR H0172), Grantown House (82 Nicholson Street, c. mid-1850s) and Osborne House (40 Nicholson Street, c. 1850, VHR H1607), are significant examples of mid-nineteenth century residential development, and are also prominent buildings within the streetscape. Between Royal Terrace and Palmer Street are a number of terrace rows dating from the later nineteenth century. To the north of Palmer Street is the Convent of Mercy and Academy of Mary Immaculate chapel and school (88 Nicholson Street, c. 1850 and later, VHR H0507), which was built in stages and is another prominent property. Cairo Flats (VHR H1005), located on the corner of Hanover Street, departs from the nineteenth century character, being constructed in 1936. Between Hanover and Moor

streets are a number of two-storey, brick terrace rows; a notable Victorian Italianate dwelling is located on the corner of King William Street (c. 1862, VHR H0539).

Gertrude Street, extending east from the REB site between Nicholson and Fitzroy Streets, is an important approach to the REB and Carlton Gardens and provides oblique views of the REB, particularly the drum, dome, lantern and flagpole, from the south side of the street. The Cable Tram which ran along Gertrude Street from the 1880s encouraged commercial development, and much of this survives. Gertrude Street is now a largely intact streetscape of two-storey shops and other commercial buildings, as well as terraces, from the late nineteenth and early twentieth centuries, with some modestly-scaled infill, mostly on the north side.

Victoria Parade (east of Spring Street) and Victoria Street (west of Spring Street) has an important relationship to the REB site in that it acts as the interface between the Carlton Gardens to the north and city development to the south. It is also a wide thoroughfare which, combined with its proximity to the REB site, provides considerable opportunity for views into the REB site, including axial views to the building along the tree-lined avenues in the South Gardens. The Royal Society of Victoria building and domestic-scale caretaker's cottage (with weather station, 1-9 Victoria Street, c. 1858, VHR H0373), sited on a wedge of land bounded by Victoria, Latrobe and Exhibition streets, provide some nineteenth century character to this area of the precinct. The Royal Australasian College of Surgeons property (250-290 Spring Street, c. 1934, VHR H0870) is additionally located in this area of the precinct. Large and prominent contemporary towers, including office and residential development, also address Victoria Street, at the corners of Nicholson, Spring and Latrobe streets.

How is it significant

The World Heritage Environs Area Precinct is of historical, social architectural and aesthetic significance and reflects the area of greater sensitivity within the buffer zone surrounding the World Heritage listed Royal Exhibition Building and Carlton Gardens.

Why is it significant

The World Heritage Environs Area Precinct is of historical and social significance for its association with the World Heritage listed Royal Exhibition Building and Carlton Gardens. The latter is the most complete nineteenth century international exhibition site in the world, and the main extant international survivor of a Palace of Industry and its setting. The Carlton Gardens, within Carlton, was selected as the site for the construction of the Exhibition Building in 1879-1880 and subsequent hosting of the 1880 and 1888 international exhibitions, due to its park-like setting, central location and size (64 acres/26 hectares). The subsequent upgrading of the gardens further augmented their attractiveness which, together with the prominence and visibility of the Exhibition Building,

helped enhance the status of this area within the local Carlton and Fitzroy contexts.

The precinct is also of historical and social significance for incorporating important and intact areas of residential, commercial and institutional development within the early Melbourne suburbs of Carlton and Fitzroy, and institutional development in the northern area of Melbourne's Central Business District. These areas are significant to the respective municipalities of Melbourne and Yarra for demonstrating aspects of local historical development, and for contributing to the historical character of the municipalities. The areas also provide an immediate setting and context of significant heritage character for the REB and Carlton Gardens site, including properties which directly address the site and can be seen from the site; and significant development which preceded, was broadly contemporary with or followed the 1879-1880 construction and development of the REB.

The precinct is of architectural and aesthetic significance. It retains substantially intact nineteenth century streetscapes, particularly on Nicholson Street (north of Gertrude Street), the south side of Gertrude Street, Carlton Street, and Rathdowne Street north of Pelham Street. The streetscapes display a comparatively high proportion of original nineteenth form and fabric, including substantial areas of two-storey, with some three-storey residential and commercial development. The streetscapes also interspersed with prominent institutional properties of the nineteenth and early twentieth centuries. Materials and architectural elements include face brick, bluestone and rendered masonry construction materials; pitched and hipped iron and slate-clad roofs; chimneys; prominent parapets and pediments; post-supported verandahs, many with elaborate iron lacework or timber detailing; a high proportion of iron palisade fences; and typically zero or shallow front setbacks with gardens. Public infrastructure includes some bluestone pitched road and lane surfaces, and kerbs. Plane trees are common street plantings. The precinct additionally exhibits a typically fine grain pattern of urban development, generally emphasised by the regularity of the terrace row subdivisions, narrow allotments and street grid, with many streets running at right angles to the REB site.

A number of key heritage buildings from the nineteenth and early twentieth centuries are located in the precinct, some of which are landmarks in their own right but which also have a strong visual relationship or connection with the REB. These buildings, most of which are included in the Victorian Heritage Register, include Royal Terrace, the Cable Tram Engine House, Convent of Mercy/Academy of Mary Immaculate complex, Grantown House and Osborne House on Nicholson Street; the Sacred Heart Church complex including Presbytery, former Presbyterian Manse, Carlton Gardens Primary School, and former St Nicholas Hospital nurses' home on Rathdowne Street; and the Royal Society building on Victoria Street.

The precinct provides for significant views to the REB and Carlton Gardens site including direct views to the building, dome and garden setting from

bordering/abutting streets, depending on where the viewer is standing. It also provides some proximate views and vistas to the REB dome from streets and minor lanes to the east and west of the site (including Gertrude Street and Marion Lane in Fitzroy and Queensberry Street in Carlton); the north ends of Spring and Exhibition streets; Nicholson Street near the junction with Victoria Parade; the east end of Latrobe Street; and from Victoria Parade immediately east of the junction with Nicholson Street. Views out of the REB site into the precinct also reinforce the understanding and appreciation of the original nineteenth century context and significant setting of the REB.

6.1.2 *Local Policy*

A new local policy 'Development Guidelines for Heritage Places in the World Heritage Environs Area' and 'Heritage Places within the World Heritage Environs Area' shall be inserted into the Yarra and Melbourne planning schemes respectively to apply to land within the World Heritage Environs Area. These respective policies shall reference the Strategy Plan and include the 'Precinct Objectives and Policy' as set out below.

The objectives and policy for the 'World Heritage Environs Area' precinct have regard to the significance and attributes of the precinct, and to actions and activities within the precinct which have the potential to impact on or erode the World Heritage values of the Royal Exhibition Building and Carlton Gardens.

The objectives are to:

- Protect significant views and vistas to the REB and Carlton Gardens.
- Maintain and conserve the significant historic character (built form and streetscapes) of the area.
- Ensure new development in the precinct has regard to the prominence and visibility of the Royal Exhibition Building and Carlton Gardens.

It is policy to:

- Retain and conserve significant and contributory heritage buildings (as defined by the respective planning schemes) within the area, including contributory fabric, form, architectural features and settings, to assist with maintaining the heritage character of the setting and context of the Royal Exhibition Building and Carlton Gardens.
- Retain and conserve the valued heritage character of streetscapes within the precinct, to assist with maintaining the heritage character of the setting and context of the Royal Exhibition Building and Carlton Gardens.
- Retain the predominantly lower scale form of development in the precinct which provides a contrast to the dominant scale and form of the Royal Exhibition Building.
- Avoid consolidation of allotments in residential areas of the precinct, which will result in the loss of evidence of typical nineteenth century subdivision and allotment patterns.
- Protect direct views and vistas to the Royal Exhibition Building, dome and gardens from bordering/abutting streets; and other views and vistas to the dome available from streets within the precinct including Gertrude and Queensberry streets, Marion Lane, the north ends of Spring and Exhibition streets, Nicholson Street near the junction with Victoria Parade, the east end of Latrobe Street, and in Victoria Parade immediately east of the junction with Nicholson Street.

- Discourage the introduction and proliferation of permanent structures and items, such as shelters, signage (other than for historic interpretation purposes), kiosks and the like, around the perimeter of the Royal Exhibition Building and Carlton Gardens site in order to:
 - avoid impacts on the presentation of the REB site, including impacts on axial views along treed allees and avenues within the gardens; and
 - minimise inappropriate visual clutter around the perimeter of the REB site.

These objectives and policies should be considered in conjunction with the relevant and applicable statutory heritage provisions of the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*, and the *Heritage Act 1995 (Vic)*.

In addition to the above, it is also proposed that the City of Yarra's local policy CL. 22.02 'Landmarks and Tall Structures' be amended to make reference to the landmark qualities of the REB. The objective of the policy is:

To maintain the prominence of culturally valued landmarks and landmark signs.

The policy also states that views to the silhouette and profile of culturally valued landmarks should be protected to ensure they remain as the principal built form reference.

The 'Design Response' notes that:

New buildings within the vicinity of the following [specified] landmarks must be designed to ensure the landmarks remain as the principal built reference.

It is proposed that CL. 22.02 be amended to include specific reference to protecting views to the Royal Exhibition Building dome from the footpath on the south side of Gertrude Street and along Marion Lane. The dome is visible along Gertrude Street, from near the junction with Gore Street, typically in view above the properties on the north side of Gertrude Street including through (where not concealed by vegetation) the open space/south setback on Gertrude Street to the public housing towers between Napier and Brunswick streets.

6.1.3 *Amend South Fitzroy Heritage Overlay Precinct Citation*

Yarra Planning Scheme

It is recommended that to assist with conserving the valued heritage character and attributes of the WHEA in the area outside the 'World Heritage Environs Area' precinct, the existing citation for the South Fitzroy precinct (HO 334) be amended by the City of Yarra to include a reference to the proximity to the REB, and adjacency to the WHEA, and to state the contributory importance of the nineteenth century development and character of the precinct to the broader setting and context of the REB. The importance of the views and vistas of the REB from within the precinct should also be stated. The latter includes views to the dome from Gertrude Street, outside the area of greater sensitivity.

6.1.4 *Prepare Citation for Carlton Heritage Overlay Precinct*

Melbourne Planning Scheme

It is recommended that to assist with conserving the valued heritage character and attributes of the WHEA in the area outside the 'World Heritage Environs Area' precinct, a

citation be prepared by the City of Melbourne for the Carlton precinct (HO 1) which includes references to the significance of the REB within the Carlton context, and the proximity of the REB to the precinct, and states the contributory importance of the nineteenth century development and character of the precinct to the broader setting and context of the REB site including the WHEA. The importance of the views and vistas of the REB from within the precinct, but outside the area of greater sensitivity, should also be stated.

6.1.5 *Reference Documents*

It is proposed that this Strategy Plan be included as a Reference Document to the new 'Development Guidelines for Heritage Places in the World Heritage Environs Area' in the Yarra Planning Scheme and the 'Heritage Places within the World Heritage Environs Area' policy in the Melbourne Planning Scheme. It is further proposed that this Strategy Plan be included as a Reference Document at CL 21.11 'Reference Documents' in the Yarra Planning Scheme and to the relevant Design and Development Overlays in the respective planning schemes.

6.2 **Municipal Strategic Statements**

It is proposed that the following amendments be made to the respective Municipal Strategic Statements (MSS) of the cities of Melbourne and Yarra.

6.2.1 *City of Melbourne*

CL 21.05 'City Structure and Built Form' details objectives and strategies for built elements within the City of Melbourne. Under CL 21.05-2 it is proposed that reference be made to the REB and Carlton Gardens, including views to the REB.

CL 21.08 'Local Areas', at CL 21.08-7 'Carlton', makes reference to the importance of the Royal Exhibition Building and Carlton Gardens, including a strategy relating to protecting views of the World Heritage listed Royal Exhibition Building.

It is proposed that under the heading 'Carlton', and following the paragraph which reads 'Carlton has many intact heritage places. Its historic buildings and streetscapes are highly valued. Historic places such as the Royal Exhibition Building and the surrounding Carlton Gardens, which have world heritage listing, Newman College and Melbourne General Cemetery are of national significance', the following text be inserted:

The 'World Heritage Environs Area' (WHEA) surrounds the World Heritage listed Royal Exhibition Building and Carlton Gardens, Carlton. The WHEA, which includes land within Carlton, Melbourne and East Melbourne, acts as a 'buffer zone' for the World Heritage property and provides a setting and context of significant historic character for the World Heritage property.

It is further proposed that CL 21.08-1 'Central City' and CL 21.08-5 'East Melbourne and Jolimont' be updated to make reference to the WHEA.

6.2.2 *City of Yarra*

CL 21.02 'Municipal Profile' in the Yarra MSS identifies heritage as an important component of Yarra's built form. It is proposed that the following text be inserted into this clause:

The 'World Heritage Environs Area' (WHEA) surrounds the World Heritage listed Royal Exhibition Building and Carlton Gardens, Carlton. The WHEA, which includes land within South Fitzroy, acts as a 'buffer zone' for the

World Heritage property and provides a setting and context of significant historic character for the World Heritage property.

CL. 21.05 'Built Form' contains broad objectives and strategies for managing built elements within the City of Yarra. It is proposed that the following text be inserted under 'Heritage':

Objective 15 - To protect the setting and context of the World Heritage Listed Royal Exhibition Building and Carlton Gardens.

Strategy 15.1 - Manage future development within the World Heritage Environs Area surrounding the World Heritage Listed Royal Exhibition Building and Carlton Gardens.

Strategy 15.2 - Protect views to the Royal Exhibition Building from Gertrude Street and Marion Lane through the application of the Design and Development Overlay.

6.3 Design & Development Overlay

For reasons identified in 4.4 above, views to the REB and the REB dome in particular (incorporating the drum, dome, lantern and flagpole) are an important part of the appreciation of the site. CL 43.02 of planning schemes contain Design and Development Overlays (DDOs) that guide development in specified areas to achieve a particular design or built form outcome. It is proposed that the existing DDOs applying to properties along the north side of Queensberry Street, Carlton and at 250-290 Spring Street, East Melbourne be amended as set out below. It is also proposed that a new DDO for Gertrude Street and Marion Lane, Fitzroy be introduced as set out below in order to protect important proximate views to the REB dome.

6.3.1 City of Melbourne

It is proposed that Schedule 6 to the DDO 'Carlton Area' and Schedule 13 to the DDO 'Parliament Area' be amended to insert the following 'Design objective':

To protect and manage the values of and views to the Royal Exhibition Building

The 'Table to Schedule 6' should be updated to add the following 'Outcome' to Areas 12, 13 and 14:

Views to the drum, dome, lantern and flagpole of the Royal Exhibition Building from the footpath on the south side of Queensberry Street between Lygon Street (west side) and Rathdowne Street are protected.

The 'Table to Schedule 13' should be updated to add a new area - Area 26 - that applies to land at 250-290 Spring Street and the adjacent portion of Nicholson Street. Area 26 should have a maximum building height of 15 metres (being approximately the height of the existing building at 250-290 Spring Street). The 'Outcome' for Area 26 should read:

Views of the drum, dome, lantern and flagpole of the Royal Exhibition Building from the western footpath of Spring Street, between the north west corner of Bourke Street and the south west corner of Lonsdale Street and from Spring and Nicholson Street road reserves are protected.

It is proposed that the Executive Director, Heritage Victoria be given notice of any application for buildings and works at 83 – 95 Rathdowne Street, 80 Drummond Street, the Queensberry Street road reserve or 250-290 Spring Street triggered by the DDO and that the 'Decision Guidelines' identify that the responsible authority must consider the impact on the view of the drum, dome, lantern and flagpole of the Royal Exhibition Building before deciding any such application.

6.3.2 *City of Yarra*

It is proposed that a new Schedule to the DDO be inserted into the Yarra Planning Scheme for 'Fitzroy South', being properties on the north side of Gertrude Street and Marion Lane between Nicholson and Fitzroy streets and at 50-60 Nicholson Street, Fitzroy.

The 'Design Objectives' for the DDO should be:

To protect the World Heritage values of the Royal Exhibition Building and Carlton Gardens.

To reinforce the built form character of the area as being essentially of low-rise buildings.

To protect views of the drum, dome, lantern and flagpole of the Royal Exhibition Building from the footpath on the south side of Gertrude Street and along Marion Lane, west of Fitzroy Street.

A permit should be required for buildings and works over 8.5 metres in height (being the approximate height of the majority of existing built form in the area). It is proposed that the Executive Director, Heritage Victoria be given notice of any application for buildings and works triggered by the DDO and that the 'Decision Guidelines' identify that the responsible authority must consider the impact on the view of the drum, dome, lantern and flagpole of the Royal Exhibition Building before deciding any such application.

6.4 Places in the Victorian Heritage Register (VHR)

A number of places within the World Heritage Environs Area 'Area of Greater Sensitivity' are included in the VHR under the provisions of the *Heritage Act* 1995. It is recommended that the Heritage Council prepare and approve amendments to the Statements of Significance and Permit Policies for these places to ensure the contributory role they play within the WHEA is adequately considered in the assessment of permit applications.

APPENDIX 1 CITATIONS

UNESCO's World Heritage website includes the following 'Brief Description' and 'Justification for Inscription' for the Royal Exhibition Building and Carlton Gardens.

Brief Description

The Royal Exhibition Building and its surrounding Carlton Gardens were designed for the great international exhibitions of 1880 and 1888 in Melbourne. The building and grounds were designed by Joseph Reed. The building is constructed of brick and timber, steel and slate. It combines elements from the Byzantine, Romanesque, Lombardic and Italian Renaissance styles. The property is typical of the International Exhibition movement which saw over 50 exhibitions staged between 1851 and 1915 in venues including Paris, New York, Vienna, Calcutta, Kingston (Jamaica) and Santiago (Chile). All shared a common theme and aims: to chart material and moral progress through displays of industry from all nations.

Justification for Inscription

Criterion (ii): The Royal Exhibition Building and the surrounding Carlton Gardens, as the main extant survivors of a Palace of Industry and its setting, together reflect the global influence of the International Exhibition movement of the 19th and early 20th centuries. The movement showcased technological innovation and change, which helped promote a rapid increase in industrialisation and international trade through the exchange of knowledge and ideas.

The Australian Heritage Database includes the following (more comprehensive) citation/statement of significance in relation to the World Heritage values:⁵

Statement of significance

The Royal Exhibition Building and Carlton Gardens have outstanding universal value as a rare surviving manifestation of the International Exhibition phenomenon of the late nineteenth and early twentieth centuries - a phenomenon that embodied ideas and processes that have profoundly affected modern societies. The Building and Gardens, used for the international exhibitions of 1880 and 1888, are unique in having maintained authenticity of form and function through to the present day.

The International Exhibition phenomenon reflected a dynamic and transitional phase in modern history, which saw the growth and spread of the benefits of industrialisation in the form of technological advancements and social progress, the transmission of ideas and cultural values around the world, and the rapid development of an extensive international economy. The exhibitions themselves brought people and ideas together on a grand scale, in diverse locations around the world, and greatly enhanced international social and economic links. They provided a

⁵ Place Id 105143; Place File no. 2/11/033/0235.

mechanism for the world-wide exchange of goods, technology, ideas, culture and values, and heralded a new era of trading networks and the modern international economy. The exhibitions were a spectacular shopfront for the industrial revolution, which shaped some of the greatest global social and economic transformations.

Despite the great impact of the International Exhibition phenomenon, relatively few physical manifestations of it remain. These include the buildings and grounds that housed the exhibitions, and the exhibits themselves. They are tangible parts of the world's heritage that connect us to a significant stage in human history.

Of the many impressive buildings designed and built to hold these exhibitions, such as England's Crystal Palace, few survive, and of those surviving, even fewer retain authenticity in terms of original location and condition. The Royal Exhibition Building, in its original setting of the Carlton Gardens, is one of these rare survivors. It has added rarity, however. The Royal Exhibition Building was purpose-designed to be the Great Hall of the 'Palace of Industry', the focal point of international exhibitions. It is the only surviving example in the world of a Great Hall from a major international exhibition. Furthermore, it has retained authenticity of function, continuing to be used for its original purpose of exhibitions and displays even today. This is a building to be treasured – a representative of the spectrum of international exhibition buildings that are now lost to the world.

The Royal Exhibition Building and Carlton Gardens has further value in being broadly representative of the themes and architectural characteristics shared by structures and sites used for international exhibitions. These include many of the important features that made the exhibitions so dramatic and effective, including axial planning, a dome, a great hall, giant entry portals, versatile display spaces, and complementary gardens and viewing areas. The scale and grandeur of the building reflects the values and aspirations attached to industrialisation and its international face. The Royal Exhibition Building and Carlton Gardens have outstanding universal value as a tangible symbol of the International Exhibition phenomenon for all these reasons.

Official value: C (II) 'Important interchange of human values'

The Royal Exhibition Building, in its original setting of the Carlton Gardens, is an outstanding surviving manifestation of the International Exhibition movement of the nineteenth century and early twentieth century. This movement both reflected and promoted the developments in technology and the associated great international growth in trade and industrialisation that occurred in the later part of the nineteenth century, and laid the foundations of modernism and the economic structures of the twentieth century. International exhibitions were also nodes for the international interchange of the human values associated with these economic and social changes, such as those of progress, learning, and emerging nationalism. They had a moral as well as an industrial purpose.

The Royal Exhibition Building, a rare and outstanding example of a Great Hall that exhibited manufactured goods and technologies from a significant international exhibition, stands as an exceptional testimony to this interchange of human values and developments in technology and industrialisation that were fundamental to the International Exhibition movement.

The International Exhibition phenomenon spread through Europe and much of the world from the middle of the nineteenth century. In addition to the practical role of promoting trade and exchange of developments in technology, the International Exhibitions were designed to showcase the achievements of the nineteenth century industrial age and the benefits of being part of the new international economy. In effect, the International Exhibitions were the 'shopfront' of the Industrial Revolution.

Set typically within complementary landscaped gardens, the Royal Exhibition Building was a venue for that important interchange of human values, a characteristic of the International Exhibition phenomenon at the apex of the Industrial Revolution. The International Exhibitions provided an early opportunity for the mass international exchange of technological developments and ideas that would have a dramatic effect on economic, social and cultural life. Many exhibitions were held in the United States and Europe; others, reflecting the international reach of the movement and the values it represented, were held in colonies and emerging nations in Asia, Australasia, Central America, South America, the Caribbean and Africa. Progress, industrialisation and a sense of 'brotherhood' were all linked.

The International Exhibition movement, typified by the Royal Exhibition Building, also exhibited the interchange of values relating to nationalism and progress. While International Exhibitions were an opportunity for colonies or nations to demonstrate to the world their achievements in the science and arts, and their economic power, they were also venues for the presentation of social and cultural values, such as personal and national industry, which were seen to be part of a universal progress that technology could provide. The Royal Exhibition Building represents these concepts of nationalistic pride and competition on the one hand, and the perceptions of utopian ideals and internationalism on the other.

Education and its connection to scientific, cultural and technological development was another value being promoted. The International Exhibitions were both market-places and centres of learning: many had explicit educational purposes. Each exhibition event celebrated humanity's innate curiosity about the world, ingenuity and belief in the family of nations reaping the benefits of scientific and cultural progress. The exhibition movement reflected the nineteenth century's passionate interest in the acquisition of knowledge and using it for the betterment of mankind. 'Industry is a means and not an end' (Huxley 1881 in Johnson 1964: 357). These beliefs and aspirations were implicit in the selection of material culture on display. Huge numbers of exhibition visitors embraced these messages and shared them upon their return home.

Ideas and values were disseminated through the display and promotion of developments in industrial technology, manufactured goods, the arts and cultural tableaux. A key value was the utopian concept of civilising progress through technological advancement (Pearson & Marshall 2002: 34). The industrial revolution was perceived in the nineteenth century, as stated by Samuel Smiles, to enable 'the betterment of the species' (Briggs 1983: 190).

The significance of the Royal Exhibition Building against this criterion relates to it being a symbolic representation of the central and catalytic role of the International Exhibition movement in fostering the development and adoption of industrialisation and new technologies throughout the world, and the associated social and cultural values and ideas that were transmitted to societies in a process of internationalisation.

APPENDIX 2 PHOTOGRAPHS

Views to Royal Exhibition Building Dome



Figure 13 View to the dome from Gertrude Street, Fitzroy (east).



Figure 14 View to the dome from Marion Lane, Fitzroy, above roof of Royal Terrace on Nicholson Street (east).



Figure 15 View to the dome from Queensberry Street, Carlton (west).



Figure 16 View to the dome from Spring Street, Melbourne (south).



Figure 17 View to the dome from Nicholson Street, south of Victoria Parade (south-east).

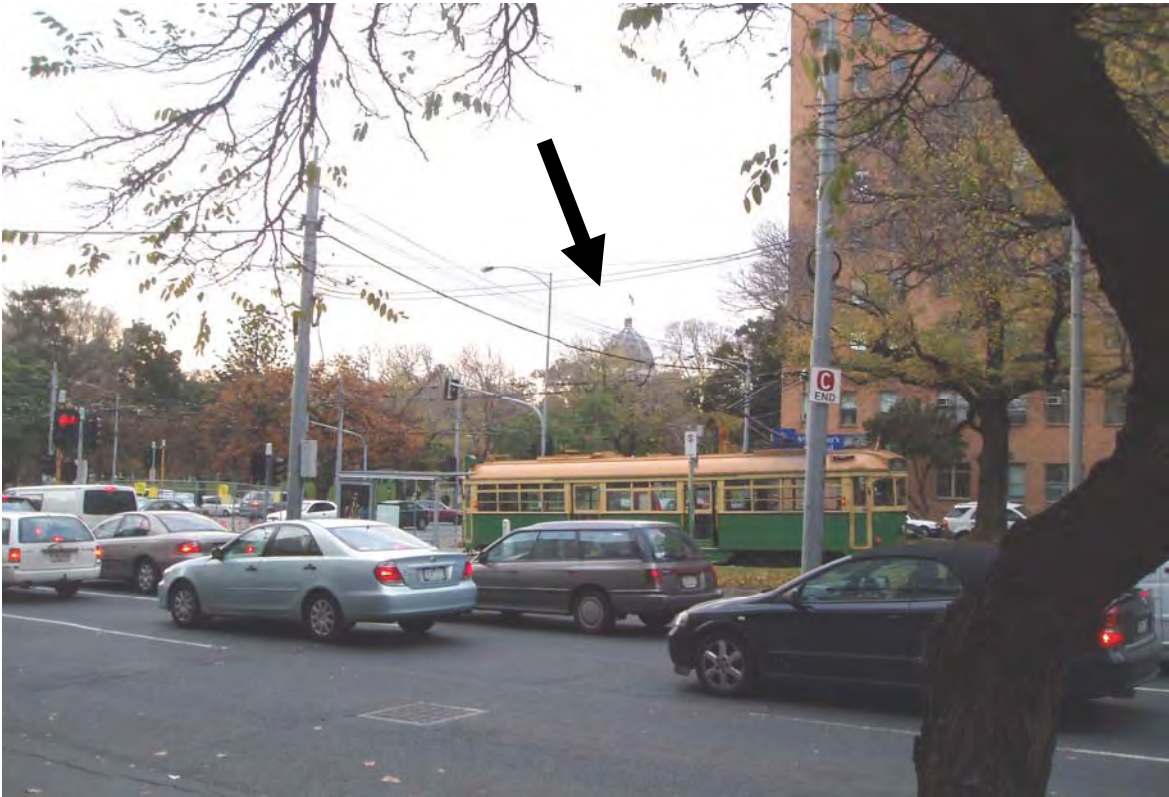


Figure 18 View to the dome from Victoria Parade, east of Nicholson Street (south-east).



Figure 19 View from the south side of Victoria Street, looking north along the Grand Allee.



Figure 20 Distant view to the dome from east along Gertrude Street (at junction with Napier Street).



Figure 21 Distant view to the dome from west along Queensberry Street (at junction with Lygon Street).



Figure 22 Distant view to the dome from south along Spring Street (at junction with Little Collins Street).

Views from within Carlton Gardens



Figure 23 View looking south from within REB site.



Figure 24 View looking south from within REB site.



Figure 25 View from within REB site, looking south (centre) and south-east (left); St Vincent’s Hospital development is at centre-left of picture.



Figure 26 View looking west to Rathdowne Street, from within REB site.

Views from the Dome promenade (historic and contemporary)



Figure 27 View west to Rathdowne Street, and Carlton, 1880 (taken from the REB).
Source: Picture Collection, State Library



Figure 28 Current view taken from similar position as above, looking west to Rathdowne Street.



Figure 29 View looking south, 1880s, with Spring Street on diagonal in background, and Model School at left. The Government House tower is in the background at top of picture.
Source: Pictures Collection, State Library Victoria



Figure 30 Current view taken from similar position as above, looking south with Spring Street on diagonal.



Figure 31 View to south c.1883, to corner of Victoria and Spring streets (taken from the REB). Wesley Church spire is at right, with the spires of the Independent Church (left) and Scots Church (right) in centre picture.
Source: Picture Collection, State Library

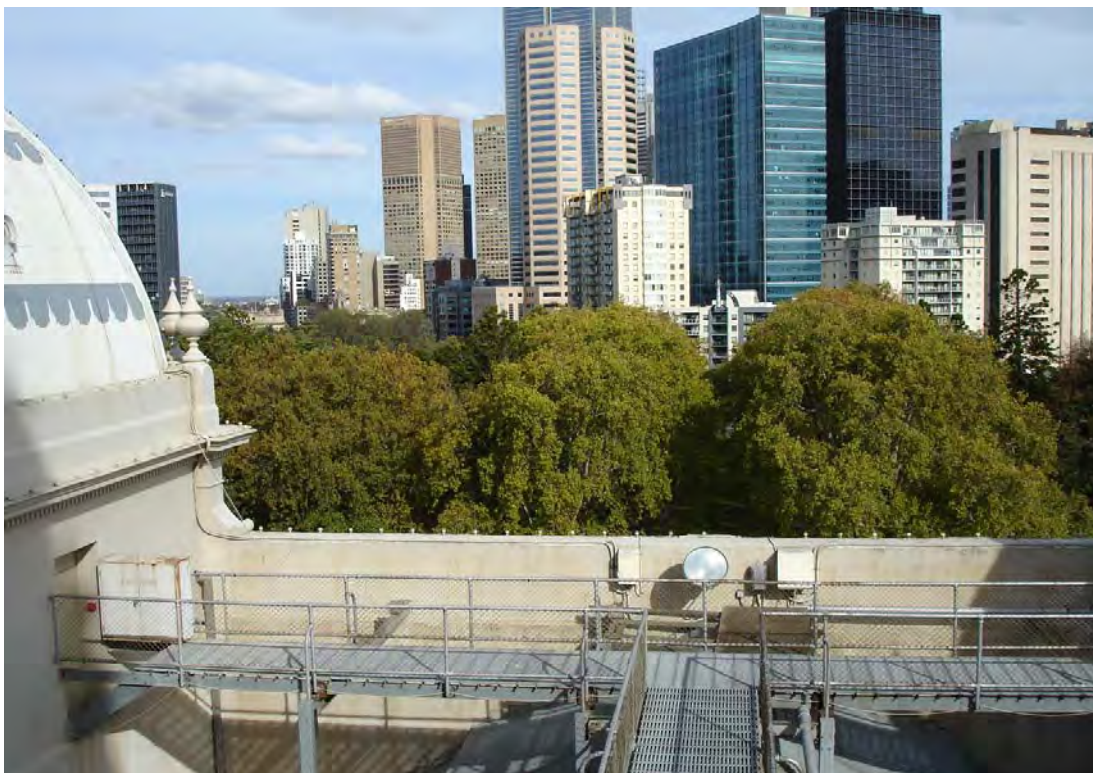


Figure 32 Current view taken from similar position as above, looking south to junction of Spring and Victoria streets.



Figure 33 View to south-east c.1883, with Victoria Street in background (taken from the REB). The Model School is at centre right of picture, and St Patrick's Cathedral (without spire) is at far left.
Source: Picture Collection, State Library



Figure 34 Current view taken from similar position as above, with spire of St Patrick's Cathedral visible at left (behind St Vincent's Hospital development).



Figure 35 View looking south-west c.1883 (taken from the REB); the Supreme Court dome is in the distance at centre right; Wesley Church spire is at left.
Source: Picture Collection, State Library



Figure 36 Current view taken from similar position as above.

Views of surrounding context



Figure 37 Nineteenth century development on Carlton Street, looking west of Canning Street.



Figure 38 Nineteenth century development on Carlton Street, east of Canning Street.



Figure 39 Carlton Street (looking north), viewed from within REB site.



Figure 40 Royal Terrace, on Nicholson Street north of Gertrude Street.



Figure 41 Nineteenth century development on Nicholson Street, opposite REB site.



Figure 42 Nineteenth century development on Nicholson Street, opposite REB site.



Figure 43 Royal Terrace, on Nicholson Street, as seen from within the REB site (with Atherton Gardens public housing flat blocks visible behind).



Figure 44 Nineteenth century development (including former Lemon Tree Hotel), at corner of Rathdowne and Grattan Streets, diagonally opposite the north-west corner of the REB site.



Figure 45 Development on Rathdowne Street, south of Grattan Street.



Figure 46 View from the Promenade deck of the dome, looking south-west to Rathdowne Street.



Figure 47 View of Victoria Street, looking east, with the Royal Society building in centre (foreground) of picture.



Figure 48 Royal Australian College of Surgeons, Spring Street.



Figure 49 St Vincent's Hospital complex, Nicholson Street.

APPENDIX 3 HERITAGE COUNCIL REPORT

**WORLD HERITAGE ENVIRONS AREA
ROYAL EXHIBITION BUILDING AND
CARLTON GARDENS**

COMMITTEE REPORT

APRIL 2009

**WORLD HERITAGE ENVIRONS AREA
ROYAL EXHIBITION BUILDING AND
CARLTON GARDENS**

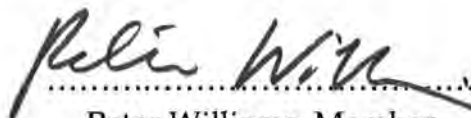
COMMITTEE REPORT



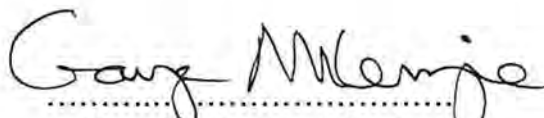
Susan Brennan, Chair



Renate Howe, Member



Peter Williams, Member



Gaye McKenzie, Member

April 2009

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1. Summary

The Royal Exhibition Building (REB) and Carlton Gardens have been inscribed in the World Heritage List. The World Heritage Environs Area (WHEA) has been declared by the Minister for Planning to act as a 'buffer zone' to assist in the conservation and protection of the world heritage values of the REB and Carlton Gardens.

The Heritage Act 1995 (Vic) provides for the preparation of a World Heritage Strategy Plan (Strategy Plan) for the WHEA. Under Section 62B of the Act the Strategy Plan must:

- set out the world heritage values of the REB and Carlton Gardens; and,
- set out strategies for appropriate use and development of the WHEA to ensure the world heritage values are protected and managed.

A draft Strategy Plan has been prepared on behalf of the Executive Director of Heritage Victoria.

A Committee of the Heritage Council was appointed to consider the draft Strategy Plan and submissions made in relation to it.

After considering the draft Strategy Plan and submissions made and conducting a hearing, the Committee has formed the view that, subject to the amendments outlined in this report, the draft Strategy Plan should be adopted. The amended Strategy Plan, in association with amendments to the Melbourne and Yarra Planning Schemes, will provide guidance for use and development in the WHEA to protect and manage the world heritage values of the REB and Carlton Gardens.

Given the level of significance of the REB and Carlton Gardens and the role of the WHEA as a 'buffer zone' in protecting their world heritage values, the Committee has formed the view that it is appropriate that:

- The world heritage values of the REB and Carlton Gardens and the role of the WHEA as a buffer zone be acknowledged in the State Planning Policy Framework and the Local Planning Policy Frameworks of the Melbourne and Yarra Planning Schemes;
- A separate Schedule to the Heritage Overlay be applied to the area of greater sensitivity within the WHEA (as amended, with the exception of the strip of land along the north side of Marion Lane) to protect and manage the values of the REB and Carlton Gardens;

- Schedules to the Design and Development Overlay (DDO) be applied to the land in the area of greater sensitivity (as amended) within the WHEA to protect designated views of the dome of the REB;
- Local heritage polices be introduced to the Melbourne and Yarra Planning Schemes to guide development in the WHEA Heritage Overlay;
- Statements of significance for places listed on the Victoria Heritage Register which are within the WHEA area of greater sensitivity be amended to reflect the role of the WHEA.

The Committee has identified various amendments to be made to the draft Strategy Plan.

In accordance with the instrument of delegation of the Heritage Council dated 11 March 2009, the Committee adopts the draft Strategy Plan with the amendments referred to in Section 10 of this report and forwards it to the Minister for approval. A final version of the Strategy Plan incorporating the amendments will need to be prepared by the Executive Director.

2. Background to draft Strategy Plan

2.1 World Heritage List inscription

The REB and Carlton Gardens was inscribed in the UNESCO World Heritage List under the Convention Concerning the Protection of the World Cultural and Natural Heritage (1972) on 1 July 2004.

The 'justification for inscription' reads:

Criterion (ii): The Royal Exhibition Building and the surrounding Carlton Gardens, as the main extant survivors of a Palace of Industry and its setting, together reflect the global influence of the international exhibition movement of the nineteenth and early twentieth centuries. The movement showcased technological innovation and change, which helped promote a rapid increase in industrialisation and international trade through the exchange of knowledge and ideas.

2.2 World Heritage Environs Area

The basis for providing a buffer zone for world heritage properties is found in the 'Operational Guidelines for the Implementation of the World Heritage Convention' adopted in 2005 by UNESCO. The Operational Guidelines provide as follows:

103. Wherever necessary for the proper conservation of the property, an adequate buffer zone should be provided.

104. For the purposes of effective protection of the nominated property, a buffer zone is an area surrounding the nominated property which has complementary legal and/or customary restrictions placed on its use and development to give an added layer of protection to the property. This should include the immediate setting of the nominated property, important views and other areas or attributes that are functionally important as a support to the property and its protection. The area constituting the buffer zone should be determined in each case through appropriate mechanisms. Details on the size, characteristics and authorized uses of a buffer zone, as well as a map indicating the precise boundaries of the property and its buffer zone should be provided in the nomination.

General Principle 1.01 of the Australian World Heritage Management Principles, as set out in Schedule 5 to the *Regulations to the Environment Protection and Biodiversity Conservation Act 1999 (Cth)* (EPBC Act) provides:

The primary purpose of management of natural heritage and cultural heritage of a declared world heritage property must be, in accordance with Australia's obligations under the World Heritage Convention, to identify, protect, conserve, present, transmit to

future generations and, if appropriate, rehabilitate the world heritage values of the property.

The 'Environment Protection and Biodiversity Conservation Act Policy Statement 1.1 Significant Impact Guidelines' published by Commonwealth Department of the Environment and Heritage in May 2006, lists actions which may have a significant impact on the world heritage values of world heritage listed properties. These actions include the following:

Involve construction of buildings or other structures within, adjacent to, or within important sight lines of, a world heritage property which are inconsistent with relevant values

and

Alter the setting of a world heritage property in a manner which is inconsistent with relevant values.

Section 62A of the Heritage Act 1995 (Vic) provides for Ministerial declaration of a world heritage environs area.

The declaration of the WHEA for the REB and Carlton Gardens was published in the Victorian Government Gazette on 11 October 2007.

The WHEA is an area around the REB and Carlton Gardens excluding the world heritage listed site.

The WHEA acts as a buffer zone to the REB and Carlton Gardens and will assist in conserving and protecting the world heritage values of the REB and Carlton Gardens by managing and controlling development outside the world heritage site but within the WHEA.

The WHEA incorporates predominantly residential areas (with some mixed use) in Carlton and Fitzroy and commercial and residential properties at the north end of Melbourne's Central Business District, immediately south of Victoria Street.

2.3 Draft Strategy Plan

Section 62B of the Act provides for the preparation of a draft Strategy Plan for the WHEA which must:

- Set out the world heritage values of the REB and Carlton Gardens
- Set out strategies for the appropriate use and development of the WHEA to ensure that the world heritage values of the REB and Carlton Gardens are protected and managed.

The draft Strategy Plan is intended to provide clear and justifiable direction for owners and relevant authorities in the management of the WHEA.

A draft Strategy Plan dated June 2007 was prepared by Lovell Chen, Architects and Heritage Consultants, for the Executive Director of Heritage Victoria.

The preparation of the draft Strategy Plan by the Executive Director was informed by input from a Steering Committee comprising representatives from Heritage Victoria, Museums Victoria and the Cities of Melbourne and Yarra.

The draft Strategy Plan contains the following content:

- it summarises the world heritage values;
- it outlines the statutory context for the development of the plan;
- it provides an overview of the methodology and approach undertaken in order to arrive at appropriate strategies for the use, development, management and protection of the WHEA;
- it describes the WHEA;
- it makes recommendations relating to future management and statutory protection of the WHEA.

3. Background to consideration of draft Strategy Plan

3.1 The Committee

In July 2007 the Heritage Council agreed that the Chair of the Heritage Council and the Chair of the Registrations Committee of the Heritage Council would nominate a Committee to consider and hear submissions in relation to the draft Strategy Plan.

This Committee was appointed on 7 February 2008 to hear and consider submissions to the draft Strategy Plan.

The Committee consisted of:

- Ms Susan Brennan (Chair)
- Dr Renate Howe
- Mr Peter Williams
- Ms Gaye McKenzie

By instrument of delegation dated 11 March 2009 the Committee was delegated the function of adopting and forwarding to the Minister the draft Strategy Plan and any amendments to the draft Strategy Plan.

3.2 Notification

The draft Strategy Plan dated June 2007 was advertised on 12 October 2007. A letter was sent to all property owners within the WHEA calling for public submissions in relation to the draft Strategy Plan. A public information session was held on 31 October 2007 to provide further information on the submission process. Submissions to the Heritage Council in relation to the draft Strategy Plan closed on 18 January 2008.

Seventeen submissions were received by 18 January 2008, of which 15 requested to be heard.

3.3 Hearings and inspections

The first part of the hearing was held on 9 and 10 April at the CO.AS.IT, 199 Faraday Street, Carlton.

A directions hearing was held on 19 June 2008.

The re-convened hearing was held on 11 and 12 September 2008 in the Bogong Room, Level 4, 8 Nicholson Street East Melbourne.

The Committee made unaccompanied inspections of the WHEA on 28 March, 21 August and 16 September 2008:

- on 28 March 2008, the Committee walked the perimeter of the REB and adjoining streets.
- on 21 August 2008, the Committee walked along Gertrude Street and Marion Lane to review the view cones set out in the Coomes report.
- on 16 September 2008, the Committee visited Spring Street and Queensberry Street to review material provided to it by Coomes and other submitters.

Further inspections were conducted by Committee members individually at other times.

3.4 Submissions

A list of all written submissions received in response to advertising is included in Table 1 below.

Table 1

Submitter
Executive Director Heritage Victoria
City of Melbourne
City of Yarra
St Vincent's Hospital
Roman Catholic Trusts Corporation For the Diocese of Melbourne
Royal Australasian College of Surgeons
Telstra Corporation Ltd
Carlton Residents Association
Protectors of Public Lands Victoria Inc
Westenders Business Owners / Small Business Association
Panorama Body Corporate
Residents 3000 Inc
Dominic Esposito Solicitors
Piccolo Developments Pty Ltd
Mr Geoff Roberts
Mr John Hillard

Submitter
Best Hooper Solicitors
Yarra City Activity Centres Business Forum
Mr John Alexander
Mr Graeme Lee
Mr Chris Goodman, 3068 Group
Yarra Community Housing (late submission)

The Committee heard the parties listed in Table 2 below on 9 and 10 April 2008.

Table 2

Submitter	Represented By
Executive Director Heritage Victoria	Mr. J Gard'ner of Heritage Victoria and Ms A Brady of Lovell Chen Architects and Heritage Consultants
City of Melbourne	Ms L Kirkwood
City of Yarra	Ms V Williamson
St Vincent's Hospital	Mr Paul Chiappi who called evidence from: Mr Andrew Rodda, Town Planner, Contour Consultants Australia and Mr Chris Perry Architect of Daryl Jackson Pty Ltd
Roman Catholic Trusts Corporation for the Diocese of Melbourne	Ms Natalie Gray, Town Planner
Royal Australasian College of Surgeons	Ms Roz Hansen of Hansen Partnership
Telstra Corporation Ltd	Mr Jeff Lynn of Blake Dawson Solicitors
Carlton Residents Association	Ms Anne Ritter and Ms Margaret O'Brien
Protectors of Public Lands Victoria Inc	Ms J Bell Secretary
Westenders Business Owners / Small Business Association	Mr C Cachami
Panorama Body Corporate	Ms E Strong and Mr P Camm
Residents 3000 Inc	Mr P Matthews
Dominic Esposito Solicitors	Mr Dominic Esposito
Mr John Alexander	
Piccolo Developments Pty Ltd	Mr Peter Beaumont Deacons Lawyers who called Mr Stuart McGurn of Fulcrum Town Planners

3.5 Further directions

At the close of the hearing on 10 April 2008 the Committee gave the following directions to the Executive Director of Heritage Victoria:

- The Executive Director of Heritage Victoria is to provide further information in relation to the discrete issue of views and vistas. This is to be provided by way of a view line study of the views and vistas available to the dome of the REB from Gertrude Street, Queensberry Street, Spring Street and Marion Lane.
- Based on the view line study the Executive Director is to consider the need for the introduction of height controls to protect views and vistas which are the subject of the view line study.
- The Executive Director is to prepare a draft DDO including design objectives and height controls arising from his consideration of the view line study and in the event that he recommends the introduction of height controls by way of the DDO he is to comment on whether they should be mandatory or discretionary.
- The information prepared by the Executive Director is to be circulated to the Committee and parties who made a submission to the draft Strategy Plan.
- The hearing is to be re-convened on 19 June 2008 to consider submissions that relate to the issue of views and vistas only.

In accordance with the directions, a view line study was prepared by Coomes Consulting Pty Ltd (Coomes) for the Executive Director and circulated to the Committee and submitters to the draft Strategy Plan.

3.6 Directions hearing

On 16 June 2008 the hearings officer advised the parties that, due to a number of outstanding issues in relation to the notification of affected land owners and presentation of information to the Committee, the hearing would not proceed on 19 June 2008. Instead, a directions hearing was held to discuss ongoing arrangements in relation to the hearing of submissions, including the relisting of the hearing dates.

3.7 Terms

'Dome': where referred to in the report, 'dome' includes the drum, dome, lantern and flag pole of the REB.

3.8 Further submissions

As a result of the additional information prepared on behalf of the Executive Director, the parties listed in Table 3 below lodged further submissions with the Committee.

Table 3

Submitter
Executive Director, Heritage Victoria
City of Melbourne
City of Yarra
St Vincent's Hospital
Skin and Cancer Foundation
Royal Australasian College of Surgeons
Telstra Corporation Ltd
Carlton Residents Association, Carlton Gardens Group, Carlton Tennis Club, Westenders Traders and Small Business Association and Panorama Residential Apartment Owners
Westenders Business Owners
Panorama on Rathdowne Body Corporate
Dominic Esposito
John Alexander
Piccolo Developments Pty Ltd
Yarra Community Housing
Ms Elspeth Strong

The Committee heard from the parties listed in Table 4 below at the re-convened hearing on 11 and 12 September 2008.

Table 4

Submitter	Represented By
Executive Director Heritage Victoria	Mr. J Gard'ner of Heritage Victoria and Mr R Milner of Coomes Consulting
City of Melbourne	Ms J Cairns
Piccolo Developments Pty Ltd	Mr C Canavan QC and Mr P Connor who called Mr Stuart McGurn of Fulcrum Town Planners, Mr Chris Goss of Orbit Solutions P/L and Ms Sheridan Burke of Godden Mackay Logan P/L
Skin and Cancer Foundation	Mr Andrew Walker Special Counsel of Phillips Fox who called Ms B Hamilton Urban Designer of Hansen Partnership
St Vincent's Hospital	Mr Paul Chiappi
Royal Australasian College of Surgeons	Mr Damian Iles of Hansen Partnership
Yarra Community Housing	Mr Paul Connor who called Mr Stuart McGurn of Fulcrum Town Planners and Ms Robyn Riddett of Arthemion Consultancies
Carlton Residents Association	Ms Anne Ritter
Dominic Esposito Solicitors	Mr Dominic Esposito
Mr John Alexander	
Westenders Business Owners / Small Business Association	Ms V Brien

4. Existing Planning Controls

4.1 Zones

The Melbourne Planning Scheme applies to land west of Nicholson Street and south of Victoria Parade while the land east of Nicholson Street and north of Victoria Parade falls under the Yarra Planning Scheme.

A number of Zones apply to land contained in the WHEA.

Yarra Planning Scheme

On the east side of Nicholson Street most of this area is in the Residential 1 Zone of the Yarra Planning Scheme. The exceptions are a strip of Business 1 Zone along the north side of Gertrude Street, a Public Use Zone on the south east corner of Nicholson and Gertrude Streets and Business 2 and Public Use 3 Zones south of Gertrude Street to Victoria Parade and between Nicholson and Fitzroy Streets. These latter two Zones apply to land occupied by St Vincent's Hospital.

Melbourne Planning Scheme

Land along the west side of Rathdowne Street and on both sides of Drummond Street, between Latrobe and Grattan Streets, is in the Mixed Use Zone under the Melbourne Planning Scheme while land north of Carlton Street is in the Residential 1 Zone.

Land on the south side of Victoria Parade between Fitzroy Street and Spring Street is in the Business 2 Zone under the Melbourne Planning Scheme while land between Latrobe Street and Victoria Street is in the Mixed Use Zone. The other land between Spring Street and Latrobe Street is in the Capital City Zone 1.

Victoria Parade and Nicholson Street are in the Road Zone – Category 1 under the respective Planning Schemes.

4.2 Overlays

Yarra Planning Scheme

In the case of land contained in the Yarra Planning Scheme the majority is within the South Fitzroy Heritage Precinct (HO334) in which a number of properties are also individually listed in the Heritage Overlay.

In addition to the Heritage Overlay, the Main Roads and Boulevards Schedule of the Design and Development Overlay (DDO2) applies to the strip of land on the north side of Victoria Street, east of Nicholson Street. Individually listed properties include places on the Victorian Heritage Register.

Melbourne Planning Scheme

Under the Melbourne Planning Scheme, the Heritage Overlay (HO1) applies to all but eight properties on the west side of Rathdowne Street. These properties accommodate newer developments that have no identified heritage value.

A number of properties on the west side of Rathdowne Street and in Drummond Street are individually listed in the Heritage Overlay. Individually listed properties include places on the Victorian Heritage Register.

In addition to the Heritage Overlay that applies to land along, and west of, Rathdowne Street, most properties are governed by the DDO for the Carlton area. This DDO includes height controls.

4.3 Local Planning Policies

The Yarra Planning Scheme includes a local planning policy “Landmarks and Tall Structures” (Clause 22.03) that identifies and seeks to maintain the prominence of various landmarks in the municipality.

The objective of this policy is “*to maintain the prominence of culturally valued landmarks and landmark signs*” and it is policy that “*views to the silhouette and profile of culturally valued landmarks be protected to ensure they remain as the principal built form reference*”.

5. Key Issues

5.1 Summary of issues raised in submissions

The key issues raised in the submissions of the various parties are summarised as follows.

- The need for the protection proposed by the WHEA
- The arbitrary nature and extent of the WHEA
- The choice of planning tool
- Protection of views and vistas to and from the REB and Carlton Gardens
- The regulation of telecommunications infrastructure
- Lack of management of the REB and Carlton Gardens

5.2 Issues dealt with in this Report

The Committee has considered all written submissions, as well as submissions presented to it during the hearings. In addressing the issues raised in those submissions, the Committee has been assisted by the information provided to it as well as its observations during its inspections of the WHEA.

This report deals with the issues raised under the following headings:

- The need for and extent of the WHEA buffer
- Protection of views and vistas to the REB dome
- The choice and content of planning controls
- Other issues

6. Need for and extent of buffer

6.1 What is the issue?

The WHEA is a declared area around the REB and Carlton Gardens and is depicted in Map 1 at Appendix A.

The draft Strategy Plan analyses the WHEA as a whole and distinguishes between an area of greater sensitivity and an area of lesser sensitivity. The two areas as they are described in the draft Strategy Plan are depicted in Map 2 in Appendix A.

The draft Strategy Plan recommends additional planning controls in the area of greater sensitivity only.

6.2 Evidence and submissions

Some submitters believed the WHEA should be larger than that which had been declared. Other submitters either opposed the WHEA or were of the view it was too extensive and that the controls proposed for land in the 'area of greater significance' were unnecessary.

Mr McGurn argued that a buffer zone was unnecessary because the REB had been inscribed notwithstanding the presence of the Melbourne Museum within its setting. He concluded that if a building of the scale and form of the Museum had not adversely affected the REB so as to jeopardise its prospects of inscription, no development beyond the perimeter of the Carlton Gardens could be considered to diminish the world heritage values of the REB.

However Ms Burke, the immediate past international Vice President of ICOMOS, which is the UNESCO adviser on cultural aspects of world heritage, noted that "*in recent years, the use of buffer zones to manage the setting of the world heritage listed places has moved from being an optional tool to an essential management requirement. The current Operational Guidelines (2005) are clear that the buffer zone surrounds the property and includes its immediate setting, important views etc. (2.4)*".

Ms Gray, for the Roman Catholic Trusts Corporation for the Diocese of Melbourne, argued that as the 'area of greater significance' related to properties facing the REB and Carlton Gardens, the boundary should be redrawn to exclude the rear half of its site fronting Drummond Street from the 'area of greater significance' and from the proposed additional controls and instead be included in the 'area of lesser significance'.

6.3 Discussion

The declaration of the WHEA arises from the Heritage Act 1995 which seeks to protect the world heritage values of the listed place. The extent of the buffer zone depicted in the declared WHEA is determined by the Minister and the Committee has no role in revising the boundaries of the buffer zone. The Heritage Act limits the task of the Committee to consideration of the draft Strategy Plan and any amendments it believes should be made to it. This includes consideration of the location of the boundary between the areas of greater and lesser sensitivity and the planning tools to be applied to land in the area of greater sensitivity.

The Committee acknowledges the role of the declared WHEA and agrees that some parts of the WHEA are of greater sensitivity in protecting, presenting and transmitting to future generations the world heritage values of the REB and Carlton Gardens.

The Committee has no authority to revisit the extent of the WHEA but has formed the view that development within the area of greater sensitivity has the potential to adversely affect the world heritage values of the REB and Carlton Gardens and hence represents an appropriate buffer zone within which the introduction of additional planning controls achieves a legitimate heritage conservation purpose.

Whatever attitude one takes to the Melbourne Museum, it is evident that it has altered part of the context of the REB and Carlton Gardens. The purpose of regulating use and development within the WHEA area of greater sensitivity is to ensure that any future proposal within the buffer zone is assessed by reference to its relationship with the REB and Carlton Gardens to ensure that the world heritage values of the listed place are not diminished.

The physical setting of this world heritage place traverses the cities of Melbourne and Yarra where the building fabric predominantly maintains the differential scale and landmark presence of the REB and the Carlton Gardens.

North of Victoria Parade the predominant building height is two and three levels and is largely of 19th century origin, although there are isolated examples of development from later periods. Where there are examples of larger scale 19th century buildings, such as churches, school buildings and former hospitals, these provide a contextual contrast of scale and visibility to those viewing the REB and Carlton Gardens from within the WHEA.

By way of contrast, the area south of Victoria Parade, at the northern edge of the Melbourne CBD, no longer has a 19th century scale. Sites within this area, including those inside the WHEA gazetted boundary accommodate large undistinguished high rise constructions of the 20th and 21st centuries which are occupied by residential, office

or commercial uses. The scale of this development is in sharp contrast to the predominantly lower built form north of Victoria Parade.

To evaluate the effectiveness of the buffer, the means of experiencing the world heritage site in its physical form must first be understood. This appreciation is separate from the well documented historical character of the area as a largely intact 19th century setting for the REB and Carlton Gardens.

The WHEA provides a buffer extending out from the REB and Carlton Gardens, varying in width from around 165 metres to 250 metres. At various points around and within this buffer a visitor is intimately connected with the REB and Carlton Gardens in terms of views and sense of proximity. In other locations there is an apparent distance between the REB and the viewer with occasional glimpses of the dome of the REB.

The world heritage values, as set out in UNESCO Criterion 2 and in the justification for inscription are manifest in the REB and its setting of the Carlton Gardens. These heritage values are recorded not in the sense of the REB being notable as an architectural masterpiece on a world scale, but as having social and cultural significance in reflecting the great optimism in industry and manufacturing in the late 19th century.

However in the Committee's opinion the UNESCO citation of the REB as a 'palace of industry' means it is not possible to divorce the social and cultural values of the place from their physical manifestation in the building. The intention at the time of staging the great Melbourne International Exhibition was that a prominent, permanent and large scale building, with associated pavilions and annexes, would be constructed.

The Committee has therefore formed the view that critical to an appreciation of the world heritage values of the REB and its presentation is an understanding of its scale and placement within the fabric of Melbourne at the time of the International Exhibition movement.

The declared WHEA provides the buffer to ensure the full appreciation of the building that housed and presented the international exhibition can continue from various vantage points outside the world heritage site.

Turning to the demarcation between the areas of greater and lesser sensitivity shown in the draft Strategy Plan, the Committee has formed the view that this should be revised. This revision will transfer some sites from the 'area of greater sensitivity' to the 'area of lesser sensitivity' and include others in the 'area of greater sensitivity' in preserving nominated view-lines to the dome of the REB.

The sites which the Committee concludes should be transferred from the area of greater sensitivity to the area of lesser sensitivity are:

- The site occupied by multi level residential on the south west corner of Spring Street and La Trobe Street.
- The site on the north east corner of Victoria Parade and Nicholson Street (part of St Vincent's Hospital).
- The site occupied by the multi-level office building on the south east corner of Victoria Parade and Nicholson Street.

The Committee has formed the view that the location of these sites at the southern edge of the world heritage site, the existing multi level buildings that occupy them and any redevelopment that may occur on the St Vincent's Hospital site will not diminish the world heritage values of the REB and the Carlton Gardens, including the impact of any overshadowing on the southern part of the gardens.

This said, the Committee is of the view that the presentation at street level of any redevelopment on the above mentioned sites is critical to create an engaging pedestrian environment with light, shade and variation of scale, solid and void elements. Incorporation of such a design approach at street level will continue to provide the setting that will contribute to an appreciation of the qualities of the WHEA manifest in the 19th century streetscape that exists elsewhere along its long east and west boundaries and its shorter northern and southern boundaries. The Committee is of the view that the existing provisions in the Melbourne and Yarra Planning Schemes provide the respective Councils with the planning tools necessary to ensure this outcome is forthcoming.

Turning to the southern interface of the world heritage site, with the exception of the sites occupied by the 19th century $\frac{1}{4}$ Society building and the Royal Australian College of Surgeons, the latter also being located within an important view corridor of the dome from Spring Street, the sites on the south side of Victoria Parade in the CBD and the multi storey developments that occupy them do not contribute to an appreciation of the REB site. Furthermore the angular alignment of the CBD grid with respect to the Carlton Gardens disconnects these sites visually from the REB and its garden setting.

By contrast to the multi-storey buildings in the CBD, the low and modest scale Royal Society building, in its own mini garden setting offers an entirely different connection with the REB site. It enhances any pedestrian approach from the city from the southwest and it continues the notion of well detailed 19th century public buildings in a formal setting to the street. The adjoining triangular pocket of island open space also contributes to an appreciation and understanding of the REB and Carlton Gardens.

In relation to those properties the Committee believes should be added to the 'area of greater sensitivity', these lie within existing view-lines to the REB dome that should be preserved. The revised boundary should include the following properties:

- Properties on the north and south sides of Gertrude Street west of Fitzroy Street.
- Properties on the north and south sides of Queensberry Street east of Drummond Street.
- Marion Lane and land on the north side of Marion Lane for a depth of 5 metres.

The Committee considers it appropriate to retain the Roman Catholic Trusts Corporation property between Rathdowne and Drummond Streets within the area of greater sensitivity, given it is in single ownership on one title, and is occupied by buildings some of which predate or are contemporaneous to the REB and Carlton Gardens.

6.4 Conclusions

The Committee concludes that:

- The declared WHEA includes the immediate setting of and important views to the REB and Carlton Gardens as a world heritage place and presents the contemporaneous late 19th century context of the REB and the Carlton Gardens.

The Committee considers the following amendments should be made to the draft Strategy Plan:

- The boundary of the areas of greater and lesser sensitivity be amended to transfer the following sites into the area of greater sensitivity:
 - *Sites on Queensberry Street east of Drummond Street.*
 - *Sites on Gertrude Street west of Fitzroy Street.*
 - *Marion Lane and land on the north side of Marion Lane for a depth of 5 metres.*
- The boundary of the areas of greater and lesser sensitivity be amended to transfer the following sites into the area of lesser sensitivity:
 - *The corner of Spring Street and La Trobe Street (apartment building).*
 - *The north east corner of Victoria Parade and Nicholson Street (part of St Vincent's Hospital).*
 - *The south east corner of Victoria Parade and Nicholson Street (offices at 8 Nicholson Street).*

The revised boundaries of the area of greater sensitivity are depicted in Map 3 of Appendix A.

7. Protection of views and vistas

7.1 What is the issue?

The issue for the Committee to consider relates to whether identified view-lines to the dome of the REB from vantage points within and beyond the WHEA should be protected and what planning tools should be applied to land within the WHEA to ensure this outcome.

7.2 Evidence and submissions

An objective of the draft Strategy Plan is *to protect direct views and vistas to the Royal Exhibition building, dome and gardens from bordering/abutting streets; and other views and vistas to the dome available from streets within the precinct including Gertrude and Queensberry Streets.* (p 36).

An important issue for the Committee is the adequacy of the planning controls proposed in the draft Strategy Plan for the buffer zone in relation to protecting views and vistas of the REB.

At the reconvened hearing, Mr Milner of Coomes, took the Committee through his report which dealt with the following 'viewing corridors' to the dome of the REB:

- North along Spring Street from Collins Street.
- West along Gertrude Street from Little George Street.
- East along Queensberry Street from Iever Place.
- West along Marion Lane from Fitzroy Street

Based on these viewing cones, the Coomes study identified those properties where it recommended mandatory height limits be applied to protect views of the REB dome.

To protect these views of the REB dome it drafted new Schedules to the DDO which included a Table that listed affected properties and the mandatory height that would apply to any future development.

Of the further submissions lodged, there was general support for the use and application of a DDO by the two Councils, Hansen Partnership (for the RACS), the Carlton Residents Association (and associated groups), Panorama on Rathdowne, and Mr Alexander.

The City of Yarra submission referred to the opinion of its heritage consultant that the DDO should be applied to properties on both sides of Gertrude Street and all sites in Marion Lane between Fitzroy Street and Royal Lane.

Mr Alexander was of the view that, in addition to protecting views to the dome from various vantage points, those *from* the REB should also be protected.

At the hearing Mr Alexander was concerned that mandatory height controls, as applying to the east side of Nicolson Street and the 'Royal Terrace', could result in redevelopment at the rear of this terrace being of a height that impinged on the importance of Royal Terrace.

St Vincent's Hospital supported the use of the DDO as proposed by Coomes, noting that it did not apply it to the properties it owns on the south side of Gertrude Street.

The Skin and Cancer Foundation was concerned that the proposal to apply height controls would compromise its plans to develop 80 Drummond Street, which at the time of purchase was not subject to mandatory height controls. It proposed an increase to the existing heights in the Schedule to the DDO, which would allow a higher building, closer to Queensberry Street to be built on its site.

Hansen Partnership supported the selection of the DDO as the appropriate planning tool but questioned the validity of the diagrams produced by Coomes as they related to the RACS site. The Hansen submission was also critical of the Coomes study in that it did not take account of the effect existing vegetation had on screening views of the REB dome from the south, in Spring Street.

It was also put to the Committee that any height controls should be discretionary, as was presently the case under the Melbourne Planning Scheme.

Evidence called on behalf of Piccolo Developments Pty Ltd was critical of the Coomes study particularly:

- The point from which the view line was taken and its height above ground level.
- The use of a mandatory maximum height control which may thwart innovative design solutions.

In providing evidence in relation to the Piccolo site, Mr McGurn did not support the introduction of additional DDO controls and was of the opinion that the significance of identified views had not been justified in terms of the impact on the REB dome and its setting. It was suggested that attempts to protect views were not based on world heritage values but urban design objectives in relation to local landmarks. In the event a separate Schedule to the DDO was to be applied, he believed it should be performance based and informed by the visual analysis undertaken by Orbit Solutions and Woods Bagot, Architects.

However, the expert heritage opinion before the Committee supported the protection of the views. In giving evidence in relation to the Piccolo site, Ms Burke stated that

“the protection of the view along Queensberry Street from Lygon Street is an appropriate objective.”

In giving evidence for Yarra Community Housing, Ms Riddett also supported *“protecting significant views to and from the Royal Exhibition Building and Carlton Gardens through planning and Heritage Overlay and/or heritage controls under the provisions of the Heritage Act”*. Ms Riddett went on to say *“there may be a case for height controls in some view cones but this appears unnecessary on the south side of Gertrude Street”*.

7.3 Discussion

Based on the submissions made along with its inspections of the WHEA, the Committee makes the following observations:

- On the west side of Rathdowne Street, between Queensberry Street and Pelham Street, and on the east side of Nicholson Street, between Palmer Street and Gertrude Street, there are strong visual links and an intimate connection with the REB. The fine 19th century buildings that line these streets can also be appreciated in the context of the REB and Carlton Gardens.
- Further north, beyond the central Rathdowne and Nicholson Street zones referred to above and along the northern most boundary of the REB site on Carlton Street the presence of the REB is not obvious and from some locations cannot be viewed at all, even when the deciduous trees are not in leaf. This is due to vegetation and topography but mostly due to the introduction of the Melbourne Museum building.
- The important axial view taken from the mid point of the southern boundary of the site on Victoria Parade looking north along the access path to the southern facade of the REB and the Hochgurtel (or Exhibition) Fountain is an iconic setting in the Melbourne context. Moving away from this pathway to the east or west, the ability to see the REB is diminished and the viewer must move further afield to appreciate the landmark form of the REB and its notable dome set within the mature grand scale plantings of the Carlton Gardens.
- The approach to the REB from the south along the west side of Spring Street is of particular importance because it is viewed in the context of other grand Victorian buildings including the Victorian Parliament, the Windsor Hotel and the Princes Theatre.
- The view west along Marion Lane provides a most impressive view of the dome over ‘Royal Terrace’, on the east side of Nicholson Street.
- Views to the REB and its dome are notable approaching the Carlton Gardens from the east along Gertrude Street and from the west along Queensberry Street.
- Oblique view lines to the REB from the southern footpath of Victoria Parade, in the vicinity of the intersection with Nicholson Street, are not affected by the multi storey St Vincent building on the north east corner of this intersection.

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- Views within the city looking north to the REB are obstructed by existing multi storey CBD buildings.

The central zones to the east (on Nicholson Street) and west (on Rathdowne Street) of the REB are locations where the world heritage values of the REB and Carlton Gardens are presented and can be appreciated. In addition to these views at the perimeter of the world heritage site, the Committee has identified the importance of longer range views to the dome from various vantage points, particularly those approaching the site from the east along Gertrude Street and Marion Lane, from the west along Queensberry Street, and from the south along Spring Street where vistas unfold of the prominence of the dome.

The Committee acknowledges that most of these views are not derived from deliberate axial planning of the REB to align with neighbouring streets. In this respect, views to the REB differ from views to the Shrine of Remembrance along St Kilda Road, which are protected by the mandatory provisions of the Shrine Vista Control.

However, in the opinion of the Committee the preservation of these view-lines is important in appreciating the values of the REB as “an extant survivor of a Palace of Industry”.

It accepts the submissions of Piccolo and RACS and the concession of Mr Milner that some of the views depicted in the Coomes study were somewhat unhelpful because they are taken from an elevated position.

The Committee found the montages prepared by Orbit Solutions and Woods Bagot for the Piccolo site, those prepared for the Skin and Cancer site and those prepared for the RACS site particularly helpful in ascertaining the effect any future development would have on views to the dome of the REB. This material also demonstrated that building heights could vary on these sites without necessarily blocking views of the REB dome.

At the conclusion of the hearing the Committee re-visited Spring Street and Queensberry Street to study views to the dome from the various reference points identified in both the Coomes and submitters’ reports. These further visits confirmed that at certain vantage points on Spring and Queensberry Streets existing vegetation, either in the road reserve or on private land, including a large evergreen tree in the Carlton Gardens, already obscures views to the dome.

Based on the information provided to it by submitters, and on observations from its visits to the WHEA, the Committee concludes that the preservation of the following views to the dome of the REB is important:

- views from the south east corner of Queensbury Street and Lygon Street;
- views over the RACS site from the corner of Spring and Bourke Streets;

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- views over the buildings on the north side of Gertrude Street from the corner of Fitzroy Street;
 - views along Marion Lane over Royal Terrace from Fitzroy Street.

In the Committee's opinion the appropriate planning tool to protect these view lines is the DDO. Details concerning this control are set out in the following Section of this report.

Having considered the Views and Vistas Analysis prepared Coomes, the Committee notes that three of the four identified viewing corridors and the associated properties proposed for inclusion in the DDO extend beyond the boundary of the 'declared' WHEA.

In the Committee's opinion, the Strategy Plan can properly have regard to views from beyond the WHEA but can only lawfully recommend planning controls over properties within the WHEA.

During the course of oral submissions and without notice to any parties, Mr Canavan QC and Mr Connor on behalf of Piccolo submitted that there was no power to consider the impact on the REB of development on properties beyond the boundaries of the REB and Carlton Gardens and that there was no power to introduce additional planning controls seeking to govern use and development of land beyond the REB and Carlton Gardens.

The Committee does not accept this submission. The Heritage Act contemplates the declaration of a buffer zone beyond the boundaries of the listed place within which use and development of land may need to be regulated to ensure that world heritage values are protected and managed.

While the world heritage values attach to the REB and Carlton Gardens, development outside the REB and Carlton Gardens may adversely affect these values by compromising the presentation, transmission and appreciation of these values. Examples of development which might have such an impact include development which prevents physical or visual access, development which poses structural threats or other damage to physical fabric, or development which detracts from or competes with the prominence of a listed place. In the specific case of the REB and Carlton Gardens, examples of development which do adversely affect its values include the scale of the Panorama building and the loss of views from the north due to the insertion of the Melbourne Museum. Notwithstanding these impacts, the REB and Carlton Gardens was still inscribed on the World Heritage List. However, the Committee is concerned to ensure that future development in the WHEA does not diminish the values of the listed place.

The *Environment Protection and Biodiversity Conservation Act* "Significant Impact Guidelines" explicitly identify construction of buildings or structures within important sight lines of a listed place as actions which may adversely affect a world heritage place.

7.4 Conclusions

The Committee concludes that:

- Additional planning controls are warranted to protect views of the dome from nominated approaches to the REB. These are to be in the form of DDOs in the Melbourne and Yarra Planning Schemes.
- Additional controls to protect views from the REB are not considered necessary given the extent of changes that have occurred in the broader area since its construction and which dramatically influence the outlook from the REB platform. From this viewing point now the higher, more recent built form backdrops the lower 19th century fabric.
- Additional controls over land outside the WHEA to protect more distant views to the REB and dome are outside the scope of the draft Strategy Plan and in any case such views are too far removed from the REB and Carlton Gardens to be materially affected by intervening development.

8. Proposed planning controls

8.1 What is the issue?

The draft Strategy Plan recommends amendments to the Melbourne and Yarra Planning Schemes to recognise and protect the world heritage values of the REB and Carlton Gardens. The issue arising from this recommendation relates to the appropriateness of the proposed controls and whether different or additional controls should be applied under the respective Planning Schemes over the 'area of greater sensitivity' of the WHEA.

8.2 Evidence and submissions

In its exhibited form, the draft Strategy Plan prepared for the REB and Carlton Gardens recommends the following changes to the provisions of the Melbourne and Yarra Planning Schemes as they apply to land within the WHEA:

- Amend *Clause 15.11-2* of the State Planning Policy Framework to require that planning and responsible authorities should take into account provisions relating to World Heritage listed places and declared World Heritage Environs Areas.
- Amend the Schemes to include a Schedule to the Heritage Overlay over the area the area of greater sensitivity in the declared WHEA. This Schedule will replace the existing Schedules to the Heritage Overlay that presently apply to land in the WHEA. The provisions of *Clause 43.01* Heritage Overlay and Local Planning Policies in relation to heritage will apply to the land affected by the new Schedule.
- Include the Strategy Plan for the WHEA as a reference document to *Clauses 22.04* (Heritage Places within the Capital City Zone) and *22.05* (Heritage Places outside the Capital City Zone) in the Melbourne Planning Scheme and to *Clause 22.02* (Development Guidelines for Heritage Places) to the Yarra Planning Scheme.
- Insert the map of the WHEA in *Clause 21.08-7 'Carlton'* in the Melbourne Planning Scheme along with text in the section on 'Carlton' in that Clause.
- Insert the map of the WHEA in *Clause 21.05* of the Yarra Planning Scheme along with nominated text.
- Amend the existing citation for the South Fitzroy Precinct (HO334) to include a reference to the proximity to the REB and adjacency to the WHEA and the contributory importance of the nineteenth century development and character of the precinct to the broader setting and context of the REB.
- Prepare a citation for the Carlton area (HO1).

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- The City of Yarra to consider amending *Clause 22.02 'Landmarks and Tall Buildings'* to include specific reference to the dome of the REB and views to it from outside the WHEA, such as from Gertrude Street, Fitzroy.
 - The City of Melbourne to investigate the appropriate mechanism to protect vistas within the city but outside the WHEA.

The draft Strategy Plan does not recommend that the existing DDO under the Melbourne Planning Scheme be varied, but does recognise the importance of views and vistas to the REB and states that if changes are considered in the future, regard should be had to the general principles contained in the SPPF.

A number of submitters, including the two planning authorities, supported the recommendations of the draft Strategy Plan, including reference to the REB and Carlton Gardens and the WHEA in the State Planning Policy Framework (SPPF), and in the two Municipal Strategic Statements (MSS). They also supported the inclusion of the area of greater sensitivity within the WHEA in a new Schedule to the Heritage Overlay.

While some submitters supported the introduction of a new Schedule to the Heritage Overlay, others were of the opinion that there was no need to change the existing Schedules to the Heritage Overlay applying to land within the WHEA.

The view was put by some submitters and their experts that the DDO, not the Heritage Overlay, was the correct planning tool to control development in order to protect views and vistas of the REB and its dome.

There were differing opinions as to whether any Schedule to the DDO should set mandatory or discretionary height controls.

In giving evidence for the Piccolo site, Ms Burke stated that the *"mandatory 10m maximum building height proposed by the Coomes Report fails to provide the flexibility that would allow an appropriate design response to the heritage values of the streetscape on the Piccolo site"*.

In response to questioning by the Committee relating to mandatory controls, Ms Burke did concede there may be a need to set an upper limit on building height in the Schedules to the DDO.

8.3 Discussion

Having considered all the written submissions, and submissions made at the hearings, the Committee has formed the view that the SPPF and the MSS of the Schemes should be amended to refer to the world heritage importance of the REB and Carlton Gardens

and to the role of the WHEA in protecting these values, as recommended by the Executive Director of Heritage Victoria.

It also agrees that referring to the WHEA in the MSS of each Scheme will affirm the importance of the environs of the REB and Carlton Gardens as a buffer zone intended to protect the world heritage values of the REB and Carlton Gardens.

The Committee agrees that the WHEA is comprised of an 'area of greater sensitivity' and an 'area of lesser sensitivity'. The draft Strategy Plan uses the term 'area of greater sensitivity' interchangeably with 'area of primary significance' and the term 'area of lesser sensitivity' interchangeably with 'area of contributory significance'. It considers that terms referring to the relative sensitivity of parts of the WHEA are preferable to terms which imply that the cultural heritage significance of the REB and Carlton Gardens extends beyond the borders of the inscribed place into the WHEA. It is important to reinforce that the world heritage values attach to the listed place and do not apply to the WHEA. The role of the WHEA is to provide a buffer of protection to the REB and Carlton Gardens to ensure its presentation and transmission are not adversely affected and to ensure that the world heritage values of the REB and Carlton Gardens can be appreciated from beyond the listed place. Accordingly, the Committee recommends the removal of all references to the primary or contributory significance of the WHEA from the draft Strategy Plan.

Based on the information provided to it, the Committee supports the inclusion of land contained in the 'area of greater sensitivity' (as amended, but with the exception of the strip of land on the north side of Marion Lane) as a separate Schedule to the Heritage Overlay, in recognition of the importance of this buffer zone to the protection of the world heritage values of the REB and Carlton Gardens. The Committee notes that, under the Melbourne Planning Scheme, this new Schedule to the Heritage Overlay will apply to some sites on the west side of Rathdowne Street that are not covered by an existing Schedule to the Heritage Overlay. The strip of land on the north side of Marion Lane has been included in the 'area of greater sensitivity' because of the impressive view along Marion Lane over Royal Terrace to the dome of the REB but does not think it is necessary to include this land in the proposed WHEA heritage overlay. The Committee has recommended a DDO to cover this strip of land and the Heritage Overlay for the South Fitzroy precinct under the Yarra Planning Scheme will continue to apply to it in any case.

In the case of land in the 'area of lesser sensitivity', the Committee is of the opinion that the existing controls under both Schemes are adequate to control development and does not believe this area should be included in the new Schedule.

Because the Schedule to the Heritage Overlay cannot currently include a Statement of Significance, design objectives or detailed requirements, the Committee is of the view that it would be useful to insert a new local Heritage Policy in each scheme to deal

with these matters based on the precinct of objectives set out in the draft Strategy Plan. The Committee has perused the existing policies contained in the Melbourne and Yarra Planning Schemes, and has formed the view that it is preferable to draft a new policy for inclusion in each Scheme. In the event that future changes to the Heritage Overlay enable these matters to be scheduled in, the local policies could be deleted from the Schemes.

To protect important views and vistas of the REB, in particular its dome, from identified vantage points, the Committee believes that the DDO is the planning tool best able to achieve this aim of the draft Strategy Plan.

Under the Melbourne Planning Scheme, a DDO currently applies over most of the land in the 'area of greater sensitivity' in the draft Strategy Plan. DDO6 and DDO13 provide 'preferred' height and set back controls. In the case of land under the Yarra Planning Scheme no such overlay currently applies to the 'area of greater sensitivity'.

By amending Schedules 6 and 13 to the existing DDO in the Melbourne Planning Scheme and introducing a new Schedule under the Yarra Planning Scheme, the view line to the dome of the REB along Queensberry Street, Spring Street, Gertrude Street and Marion Lane can be preserved.

As to whether protection of the view lines should be through mandatory or discretionary controls the Committee makes the following comments.

It is generally accepted that height controls should retain a level of discretion unless there are exceptional circumstances. The Panel appointed to hear submissions to Amendment C7 to the Queenscliffe Planning Scheme formed the view that Queenscliff was an exceptional case, justifying mandatory height controls. On the other hand, the Bayside C2 and Melbourne C20 Panels did not support the adoption of mandatory controls over the wide areas they were to apply to.

This Committee is of the view that the specific qualities of the REB dome would support the introduction of mandatory height controls if there were clear evidence that views to it would be fully blocked by future development. The Committee has not been provided with sufficient or reliable information to determine precisely at what heights or setbacks future development would fully or partially obscure views to the dome, but it accepts that in some cases, future development on land within the view corridors may not affect views to the dome. In the circumstances, the appropriate course is to include a clear design objective to protect views and to require any future development seeking approval to demonstrate that it will not obscure, partially or fully, the silhouette of the dome from relevant vantage points. Hence, the Committee is of the opinion that the discretion currently contained in the Schedule in the Melbourne Planning Scheme should be retained.

In relation to the evidence presented by Ms Hamilton for the Skin and Cancer Foundation, the Committee is not persuaded that the permissible height of a building on this site should be increased and setbacks from Queensberry Street reduced from what is presently in the Schedule applying to this site. A hearing in relation to the WHEA is not the appropriate case to relax controls which support other planning objectives. In any case, in the Committee's view what was suggested by Ms Hamilton would have an impact on the view of the dome from the south side of Queensbury Street.

In the case of the Yarra Planning Scheme, the DDO does not presently apply to land in the vicinity of the REB and Carlton Gardens. While the existing Policy at *Clause 22.03* (Landmarks and Tall Structures) could be amended to require new structures along Marion Lane and on the north side of Gertrude Street to be designed to retain views of the dome, the Committee also supports the introduction of a Schedule to the DDO over land on the north sides of Gertrude Street and Marion Lane.

Mr Alexander's concern that development which met any new height controls but adversely affected Royal Terrace is addressed by the requirement to obtain a permit for works within the curtilage of Royal Terrace from Heritage Victoria and by the policy for land in the WHEA heritage overlay and DDO to maintain and conserve the historic character of the area and to protect views down Marion Lane respectively.

The Committee is of the opinion that the DDO should only apply to properties within the 'area of greater sensitivity' as revised and not, as suggested by Coomes, to land that is outside the WHEA.

8.4 Conclusions

Based on the information put to it at the hearing along with its considerations following inspections of the WHEA, the Committee concludes that the views to the dome of the REB from particular vantage points warrant preservation. The Committee is of the opinion that the appropriate planning tool to protect these views is the DDO.

The draft Strategy Plan should be amended to recommend the following amendments to the Melbourne and Yarra Planning Schemes:

- Under the Melbourne Planning Scheme, introduce a new Heritage Overlay for the area of greater sensitivity in the WHEA. The extent of the new Heritage Overlay in the Melbourne Planning Scheme is shown in Map 4 in Appendix A.
- Under the Yarra Planning Scheme, introduce a new Heritage Overlay for the area of greater sensitivity in the WHEA, excluding the strip of land on the north side of Marion Lane. The extent of the new Heritage Overlay is shown in Map 5 in Appendix A.

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- Under the Melbourne Planning Scheme, amend the existing Schedule 6 to the DDO to protect views across the Drummond Street road reserve, 80 Drummond Street and 83 to 95 Rathdowne Street Carlton to the REB dome. A suggested draft of this Schedule is included in Appendix B.
 - Under the Melbourne Planning Scheme, amend the existing Schedule 13 to the DDO as it applies to the RACS site bounded by Victoria, Lonsdale, Spring and Nicholson Streets. A suggested draft is included in Appendix B.
 - Under the Yarra Planning Scheme introduce a new Schedule to the DDO to apply to land on the north side of Gertrude Street between Fitzroy and Nicholson Streets, over 50 – 60 Nicholson Street and over land on the north side of Marion Lane for a depth of five metres. A suggested draft is included in Appendix B. The extent of the new DDO is shown in Map 6 in Appendix A.
 - Under the Yarra Planning Scheme, amend *Clause 22.03 “Landmarks and Tall Structures”* to include a further dot point under the heading ‘Landmarks and Tall Structures Design Response’ to read:
 - *Protect the silhouette / profile of the drum, dome, lantern and flagpole of the Royal Exhibition Building as viewed from Marion Lane over ‘Royal Terrace’ and from the south side of Gertrude Street from the corner of Fitzroy Street.*
 - Under the Melbourne Planning Scheme draft a new local policy “*Heritage Places in the World Heritage Environs Area of greater sensitivity*”. See Appendix C.
 - Under the Yarra Planning Scheme draft a new local policy “*Development Guidelines for Heritage Places in the World Heritage Environs Area of greater sensitivity*”. See Appendix C.

9. Other issues

9.1 What are the issues?

Other matters that were raised by submitters related to:

- limitations a new Schedule to the Heritage Overlay would place on public streets;
- use of the Carlton Gardens for the annual Melbourne International Flower and Garden Show;
- the effect of overhead power lines and super tram stops on views to the REB.

9.2 Evidence and submissions

Telstra Corporation made submissions about the extent of the proposed Heritage Overlay, objecting to the inclusion of the perimeter streets of the Carlton Gardens.

Mr Lynn, for Telstra, stated his client supported the declaration of the WHEA but was concerned that the proposed additional heritage controls would affect its ability to install telecommunications network assets.

The Carlton Residents Association and associated residents' groups and the Protectors of Public Lands Victoria Inc objected to the Carlton Gardens being used for the annual Melbourne International Garden Show, particularly the erection of structures associated with this event and the damage caused to the gardens.

9.3 Discussion

The Committee regards the inclusion of the perimeter streets in the proposed heritage overlay as essential to the management and protection of the REB and Carlton Gardens. Some telecommunications infrastructure is exempt from the operation of the Planning and Environment Act 1987; other telecommunications infrastructure is not exempt.

The Committee does not consider it appropriate to reject the introduction of a heritage overlay to avoid further regulation of the telecommunications carrier; the introduction of telecommunications infrastructure has the potential to adversely affect the listed heritage place, for example in terms of visual impact and clutter, and if the infrastructure is not otherwise exempt from the operation of the planning system, it is appropriate that such infrastructure be governed by the proposed heritage overlay.

In relation to telecommunications infrastructure that is not exempt, the Committee is of the view that, given the REB has been recognised as being of world significance, it is

appropriate that the same level of control over private land owners in the more sensitive part of the WHEA also be applied to service authorities.

As the Committee explained to the parties during the hearing, the draft Strategy Plan for the WHEA is not concerned with the management and use of the listed heritage place, but with the management and protection of the area around the listed heritage place which has been declared the WHEA. The gazetted WHEA does not include the REB and Carlton Gardens and the Committee has no statutory role in relation to the management and use of the REB and Carlton Gardens.

A plan for the REB and Carlton Gardens will be prepared which will *inter alia* set out policies designed to ensure that the world heritage values of the place are identified, conserved, protected, presented and transmitted to future generation; set out mechanisms designed to deal with the impacts of actions that individually or cumulatively degrade, or threaten to degrade the world heritage values of the REB and Carlton Gardens; and provide for management actions for values other than world heritage values that are consistent with the management of the world heritage values of the REB and Carlton Gardens. Upon completion of the draft plan for the REB and Carlton Gardens, notice of the plan is required to be given, inviting submissions to the Steering Committee established for the REB and Carlton Gardens. The Steering Committee may conduct a hearing in relation to the draft Plan for the REB and Carlton Gardens. After considering submissions, the Steering Committee may adopt the draft Plan or adopt it with amendments.

During the course of the hearing, the Executive Director explained that the draft plan for the REB and Carlton Gardens was under preparation and was proposed for exhibition after the draft Strategy Plan for the WHEA had been progressed.

For the sake of consistency, it is appropriate that the statements of significance for places on the Victorian Heritage Register within the WHEA area of greater sensitivity refer to the Strategy Plan so that decision making in relation to those places has regard to their relationship with the REB and Carlton Gardens.

9.4 Conclusions

The Committee concludes that:

- Given the world significance of the REB and Carlton Gardens, it is appropriate to include the streets bordering the site in a new Schedule to the Heritage Overlay.
- In the Statement of Significance for all registered places on the Victorian Heritage Register that are within the WHEA area of greater sensitivity, include the requirement that in determining an application regard is to be had to the Strategy Plan.

10. Conclusions

10.1 Conclusion

In conclusion, the Committee finds that the draft Strategy Plan is generally well researched and presented and, with the exception of its treatment of views and vistas to the REB, comprehensive and well founded. Subsequent analysis of views and vistas has confirmed the need for additional planning controls to protect key views and vistas to the REB dome. Subject to modifications to strengthen strategies for appropriate development within the WHEA area of greater sensitivity, the draft Strategy Plan meets the requirements of the Heritage Act.

In accordance with the instrument of delegation of the Heritage Council dated 11 March 2009 and section 62G of the Heritage Act 1995, the Committee adopts the draft Strategy Plan with amendments.

The draft Strategy Plan with the amendments will be forwarded to the Minister for approval in accordance with section 62G(2) of the Heritage Act.

10.2 Amendments and recommendations

Based on the reasons set out in this Report, the Committee has determined as follows:

- a) Adopt the Strategy Plan with the following amendments:
 - Section 2. Update sections 2.1 and 2.2 to reflect adoption of the Strategy Plan by the Heritage Council.
 - *Clause 5.4* generally. Delete references to primary and contributory significance.
 - *Clause 5.4.1. Area of Greater Sensitivity* last dot point. Delete the last sentence of this dot point.
 - *Clause 5.4.2. Area of Lesser Sensitivity.* Amend to read:

“The area of lesser sensitivity within the WHEA, shares some of the attributes of the more sensitive area including the nineteenth century built form. The area of lesser sensitivity also includes a number of key heritage buildings (from the nineteenth and twentieth centuries), which while not necessarily having a strong visual relationship with the REB, help demonstrate aspects of historical development within the area of geographical proximity to the character of the setting. The area includes properties in the vicinity of the REB site, in the

southern portion of the WHEA and at the northern edge of the CBD and East Melbourne, which are not of heritage significance and may be subject of development in the future."

- **Clause 6.2. Planning Scheme Amendments.** Replace the last sentence with:
“By virtue of section 62L(4) of the Heritage Act there is no further public notification of the proposed planning scheme amendments.”
- **Clause 6.2.1. WHEA Heritage Overlay Precinct.** Replace the third paragraph with the following:
“The relevant provisions, considerations and decision guidelines at Clause 43.01 ‘Heritage Overlay’ will apply to the Precinct. In addition a new Policy ‘Heritage Places in the WHEA’ and ‘Development Guidelines for Heritage Places in the WHEA’ shall be inserted into the Melbourne and Yarra Planning Schemes respectively to apply to land in the WHEA Heritage Overlay Precinct. These respective Policies shall reference the Strategy Plan and include the Precinct Objectives generally based on what is in the WHEA precinct citation in the Strategy Plan.”
- The following revisions are to be made to the WHEA precinct citation.
 - **How is it significant.** Amend to read:
“The ‘World Heritage Environs Area’ Heritage Overlay Precinct is of historical, social, and architectural / aesthetic significance as a buffer zone for the world heritage listed Royal Exhibition Building and Carlton Gardens.”
 - **Why is it significant.** In the third paragraph, amend the first sentence to read:
“The precinct is of architectural and aesthetic significance.”
 - Delete the last paragraph in the section of the citation.
- Under Precinct Objectives in the section commencing “the following objectives apply to the ‘World Heritage Environs Area’ Heritage Overlay precinct, amend the third dot point to read
“Retain the predominantly lower scale form of development in the precinct which provides a contrast to the dominant scale and form of the Royal Exhibition Building.”
- In the fifth dot point, in the third line, after the words ‘Gertrude and Queensberry streets’ (sic), add the words “Marion Lane,”.
- **Clause 6.2.2. Reference documents.** Amend to read:
“It is recommended that this Strategy Plan be included as a Reference Document to the new policies “Heritage Places in the WHEA Heritage Overlay precinct” in the Melbourne Planning Scheme and “Development Guidelines for Heritage Places in the WHEA Heritage Precinct in the Yarra Planning Scheme” and in the Schedules to the Design and Development Overlays in the respective Schemes.”

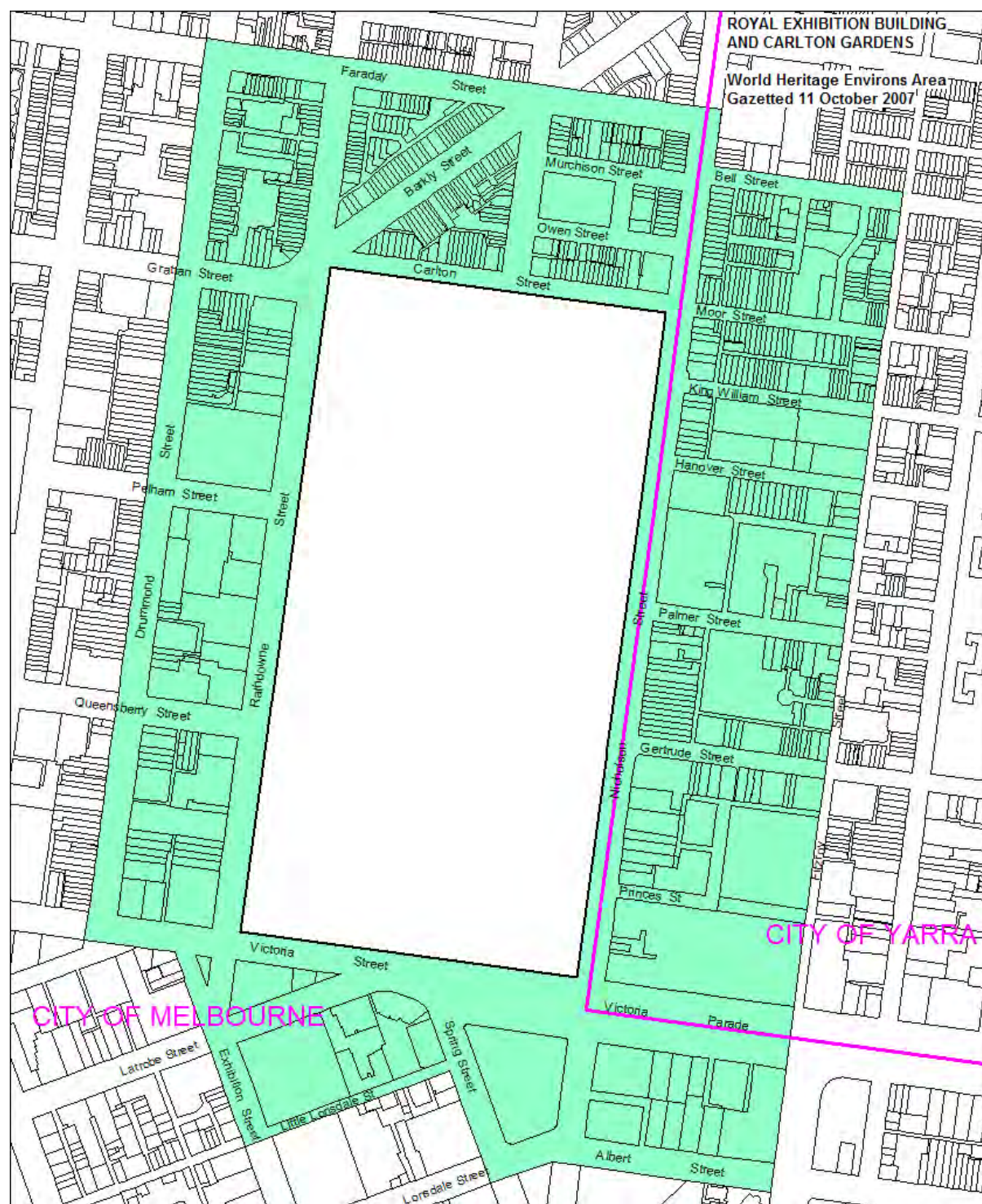
- *Clause 6.2.3. Municipal Strategic Statements.*
 - **City of Melbourne.** Amend the second sentence of the text to be inserted after paragraph 4 of *Clause 21.08-7 'Carlton'* to read:

"The WHEA which includes land in Carlton and Melbourne acts as.....World Heritage property."
 - *Clause 6.3. Design and Development Overlay.* Replace the text to now refer to the proposed Schedules to the DDOs to be placed over the area of greater sensitivity in the respective Schemes.
 - Delete *Clause 6.4 Views and Vistas from Outside the WHEA* in its entirety. Insert a new *Clause 6.4* that refers to the introduction of the two new Local Planning Policies to be inserted into the respective Schemes and amendment of *Clause 22.02 'Landmarks and Tall Structures'* in the Yarra Planning Scheme to reference the views from within the WHEA from Marion Lane and from the corner of Gertrude and Fitzroy Streets.
 - Amend Figure 12 in the Strategy Plan to reflect the Committee's recommendation for the new boundary of the area of greater sensitivity.
- b) Recommend amendment to the State Planning Policy Framework as set out in the draft Strategy Plan.
 - c) Recommend amendment to the Municipal Strategic Statements of the Melbourne and Yarra Planning Schemes as set out in the amended Strategy Plan.
 - d) Recommend inclusion of the area of greater sensitivity (except for the strip of land along the north side of Marion Lane) in a new Schedule to the Heritage Overlay.
 - e) Recommend amendment to Schedules 6 and 13 to the DDO in the Melbourne Planning Scheme and insertion of a new Schedule to DDO in the Yarra Planning Scheme generally as set out in Appendix B.
 - f) Recommend insertion of a new local heritage policy in the Melbourne and Yarra Planning Schemes to include the citation, design objectives and requirements based on the Statement of Significance contained in the amended Strategy Plan.
 - g) Recommend insertion of new Overlay maps in the Melbourne and Yarra Planning Schemes as per the Committee's conclusions.
 - h) In the Statement of Significance for all places on the Victorian Heritage Register that are within the WHEA area of greater sensitivity, include the requirement that in determining an application regard is to be had to the Strategy Plan.

Appendix A

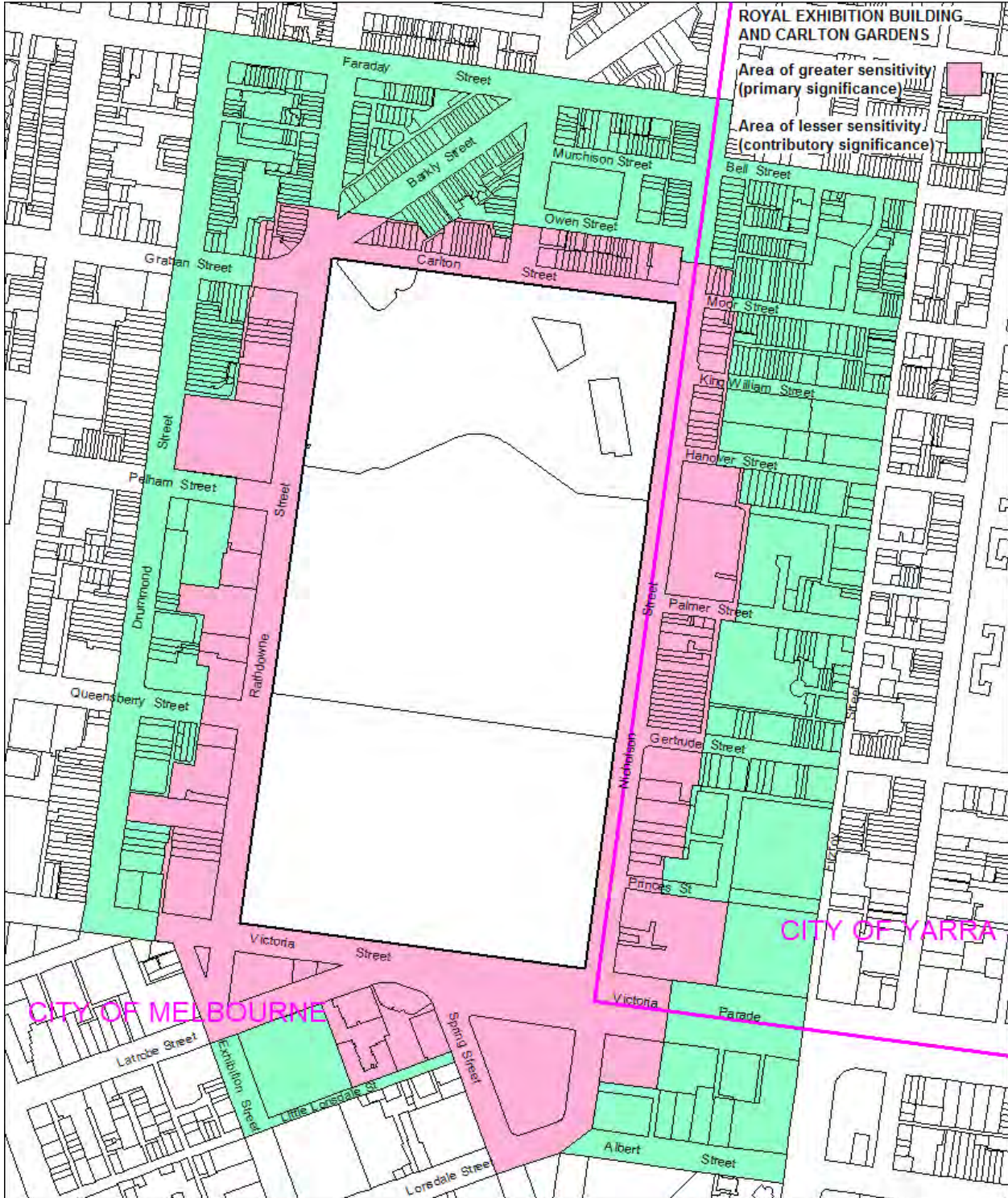
A.1 Map 1

THE DECLARED WORLD HERITAGE ENVIRONS AREA FOR THE ROYAL EXHIBITION BUILDINGS AND CARLTON GARDENS.



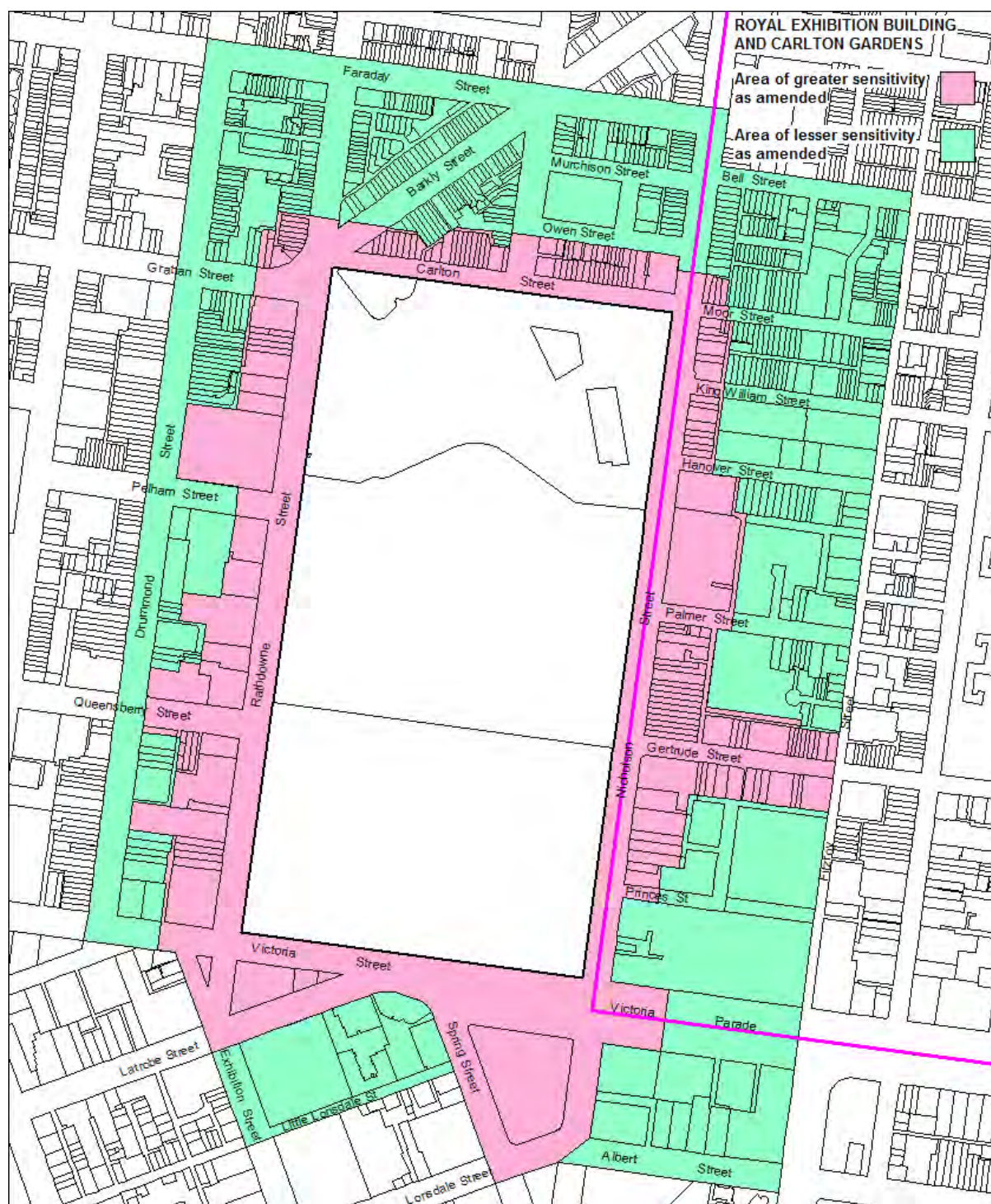
A2. Map 2

THE AREAS OF GREATER AND LESSER SENSITIVITY IN THE WHEA IN THE DRAFT STRATEGY PLAN.



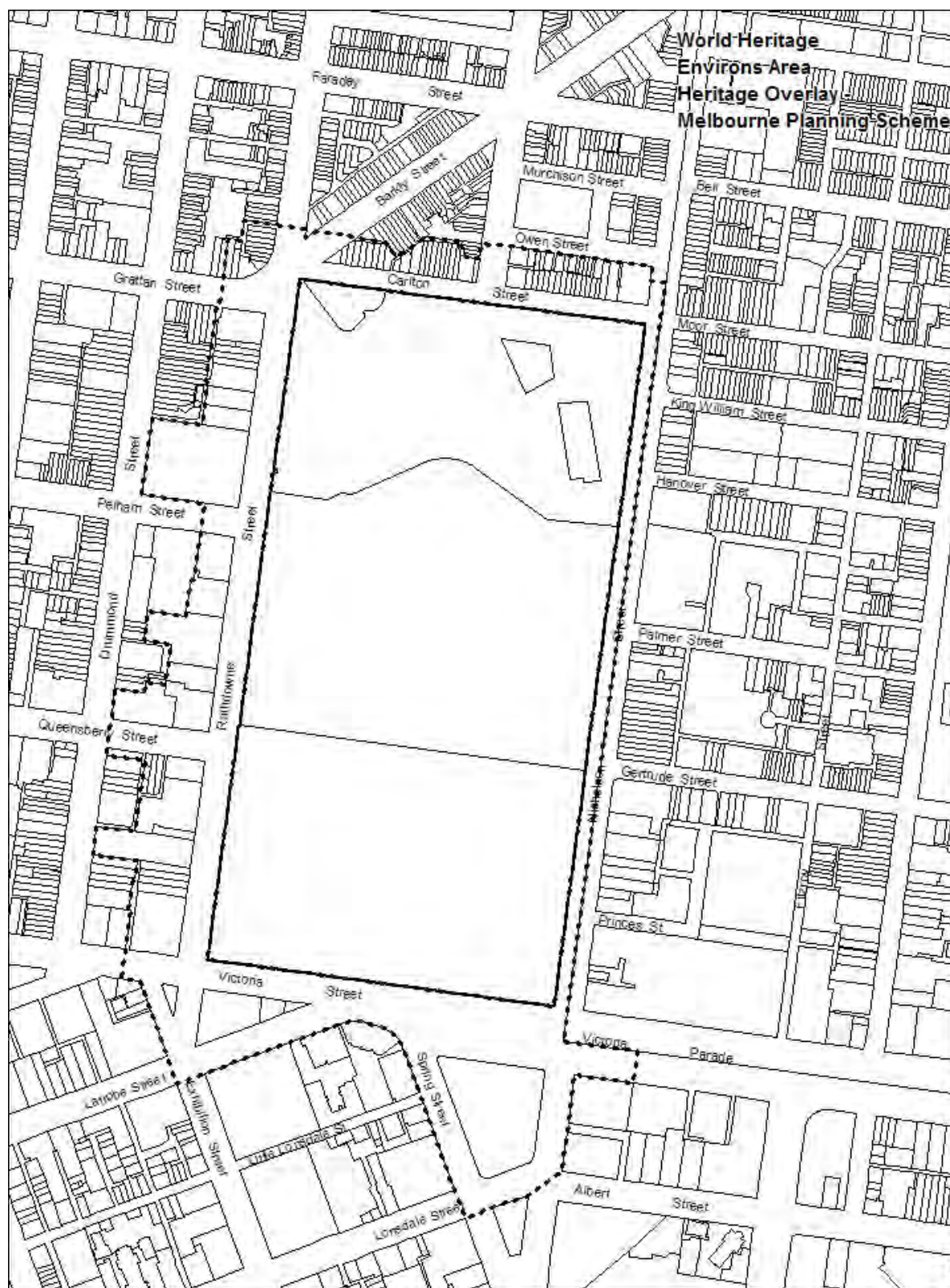
A.3 Map 3

REVISED BOUNDARIES OF AREAS OF GREATER AND LESSER SENSITIVITY.



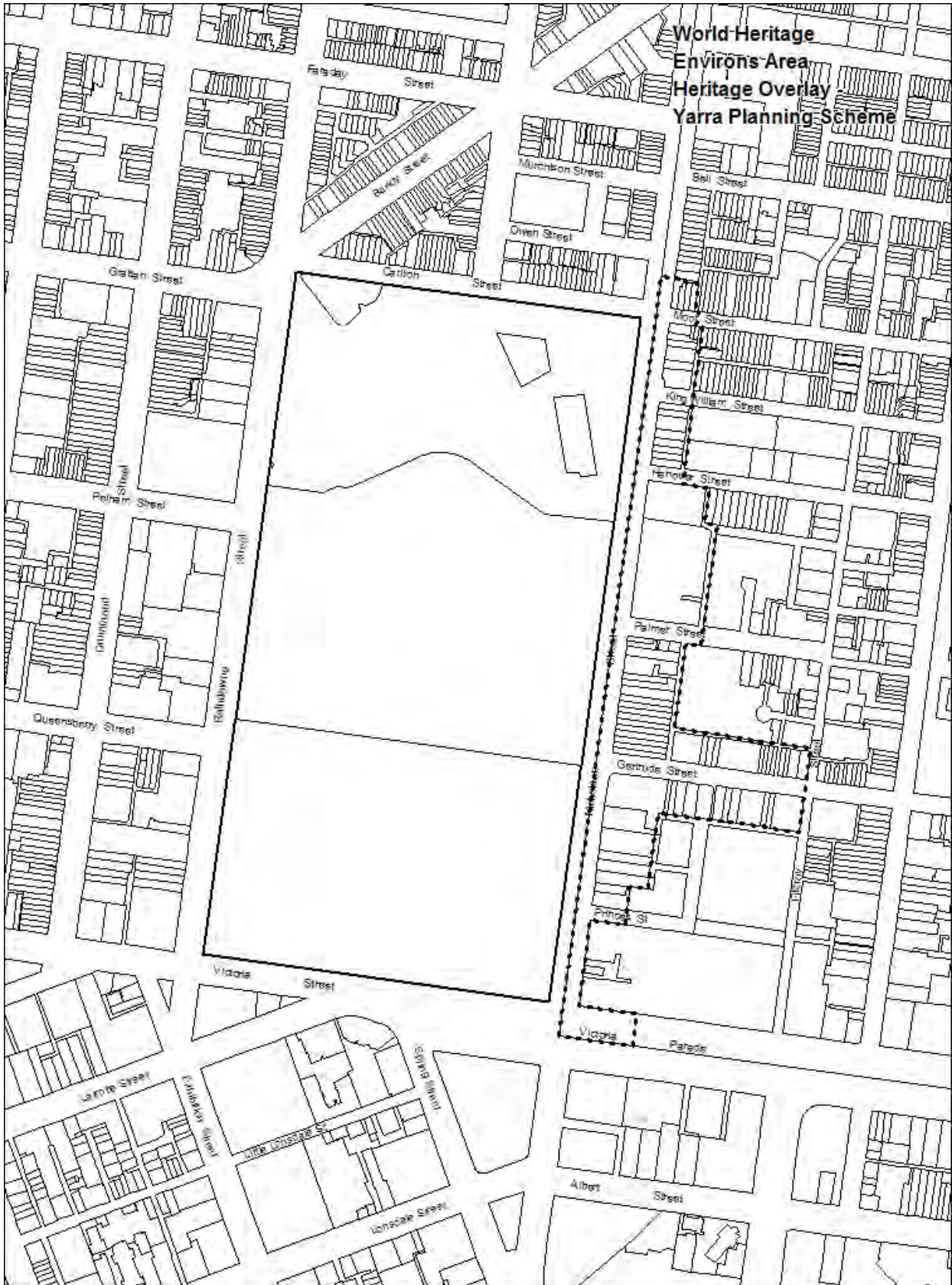
A.4 Map 4

NEW HERITAGE OVERLAY:- MELBOURNE PLANNING SCHEME.



A.5 Map 5

THE NEW HERITAGE OVERLAY:- YARRA PLANNING SCHEME.



A6. Map 6

MAP OF PROPOSED SCHEDULE TO DESIGN AND DEVELOPMENT OVERLAY:- YARRA PLANNING SCHEME



Appendix B

B.1 Schedule 6 to the Design and Development Overlay in the Melbourne Planning Scheme

Amend the first dot point under the Design objectives to read *“To protect and conserve buildings and streetscapes of significance, to protect and manage the values of the REB and Carlton Gardens and to reinforce the built form character of the area as being essentially of low rise buildings.”*

Under the Table to Schedule 6 insert the following under the column ‘Outcomes’ for Areas A12, A13 and A14:

- *“Views across 83 - 95 Rathdowne Street and 80 Drummond Street and along Drummond Street to the drum, dome, lantern and flagpole of the Royal Exhibition Building, from the footpath on the south side of Queensberry Street, between the south west corner of Lygon Street and Rathdowne Street, are to be protected.”*

Add:

3.0 Decision Guidelines

Before deciding on an application for 83-95 Rathdowne Street, 80 Drummond Street or the Drummond Street road reserve, the responsible authority must consider:

- the views of the Executive Director of Heritage Victoria;
- the impact on the view of the drum, dome, lantern and flagpole of the REB.

B.2 Schedule 13 to the Design and Development Overlay in the Melbourne Planning Scheme

Add the following additional dot point under the heading Design objective.

- *To ensure that new development protects views of the Royal Exhibition Building from the south.*

In the Table to Schedule 13 insert a new ‘Area 26’ over the land bounded by Victoria Street, Nicholson Street, Lonsdale Street and Spring Street (in lieu of Area 23 as now appearing) and in the column headed ‘Outcomes’ insert the words *“The views of the drum, dome, lantern and flagpole of the Royal Exhibition Building from the western footpath of Spring Street, between the north west corner of Bourke Street and the south west corner of Lonsdale Street and from Spring Street are to be protected”*.

Add:

3.0 Decision Guidelines

Before deciding on an application for 240 Spring Street, the responsible authority must consider:

- the views of the Executive Director of Heritage Victoria;
- the impact on the view of the drum, dome, lantern and flagpole of the REB.

B.3 New Schedule to the Design and Development Overlay to the Yarra Planning Scheme

Prepare a new Schedule to the DDO and apply it to land on the north side of Gertrude Street, between Fitzroy Street and Nicholson Street, to land to the north side of Marion Lane for a depth of 5 metres and to land at Nos 50 – 68 Nicholson Street (Royal Terrace).

DRAFT SCHEDULE OF THE DESIGN AND DEVELOPMENT OVERLAY – FITZROY SOUTH AREA

1.0 Design objectives

- *To protect the values of the REB and Carlton Gardens.*
- *To reinforce the built form character of the area as being essentially of low rise buildings.*
- *To protect views of the drum, dome, lantern and flagpole of the REB from the footpath on the south side of Gertrude Street and along Marion Lane, west of Fitzroy Street.*

2.0 Requirements

2.1 Building height

An application for a new development on the north side of Gertrude Street and on land abutting Marion Lane, between Nicholson Street and Fitzroy Street, and at 50 to 60 Nicholson Street must be accompanied by a site analysis and urban context report that demonstrates views from the footpath on the south side of Gertrude Street or west along Marion Lane to the silhouette and profile of dome of the REB will not be obscured.

3.0 Decision Guidelines

Before deciding on an application, the responsible authority must consider:

- the views of the Executive Director of Heritage Victoria;
- the impact on the view of the drum, dome, lantern and flagpole of the REB.

B.4 Clause 22.03 Landmarks and Tall Structures: Yarra Planning Scheme

Under *Clause 22.03-3* headed 'Landmarks and Tall Structures Design Response' add the following additional dot point.

- *Protect views of the drum, dome, lantern and flagpole of the REB from the footpath on the south side of Gertrude Street and along Marion Lane, west of Fitzroy Street.*

Appendix C

New Local Policies

Melbourne Planning Scheme

Heritage Places in the WHEA area of greater sensitivity

This Policy applies to all places in the world heritage environs area for the Royal Exhibition Building and Carlton Gardens heritage overlay.

Policy objectives

- To protect significant views and vistas to the Royal Exhibition Building and Carlton Gardens.
- To maintain and conserve the significant historic character of the area.
- To ensure new development in the area has regard to the prominence and visibility of the Royal Exhibition Building and the Carlton Gardens.

Policy

It is policy to:

- Retain and conserve significant and contributory heritage buildings within the precinct, including contributory fabric, form, architectural features and settings, to assist with maintaining the heritage character of the setting and context of the Royal Exhibition Building and Carlton Gardens.
- Retain and conserve the valued heritage character of streetscapes within the precinct, to assist with maintaining the heritage character of the setting and context of the Royal Exhibition Building and Carlton Gardens.
- Retain the predominantly lower scale form of development in the precinct which provides a contrast to the dominant scale and form of the Royal Exhibition Building.
- Avoid consolidation of allotments in residential areas of the precinct, which will result in the loss of evidence of typical nineteenth century subdivision and allotment patterns.
- Protect direct views and vistas to the Royal Exhibition Building and **Carlton Gardens** from bordering/abutting streets and other views and vistas to the dome available from streets within the precinct including Queensberry Street, the north ends of Spring and Exhibition Streets, and the east end of Latrobe Street.

-
- Discourage the introduction and proliferation of permanent structures and items, such as shelters, signage (other than for historic interpretation purposes), kiosks and the like, around the perimeter of the Royal Exhibition Building and Carlton Gardens site in order to:
 - avoid impacts on the presentation of the Royal Exhibition Building site, including impacts on axial views along treed allees and avenues within the gardens; and
 - minimise inappropriate visual clutter around the perimeter of the Royal Exhibition Building site.

Yarra Planning Scheme

Development Guidelines for Heritage Places in the WHEA area of greater sensitivity

This Policy applies to all places in the world heritage environs area for the Royal Exhibition Building and Carlton Gardens heritage overlay.

Area objectives

- To protect significant views and vistas to the Royal Exhibition Building and Carlton Gardens.
- To maintain and conserve the significant historic character (built form and landscapes) of the area.
- To ensure new development in the area has regard to the prominence and visibility of the Royal Exhibition Building and the Carlton Gardens.

Policy

It is policy to:

- Retain and conserve significant and contributory heritage buildings within the precinct, including contributory fabric, form, architectural features and settings, to assist with maintaining the heritage character of the setting and context of the Royal Exhibition Building and Carlton Gardens.
- Retain and conserve the valued heritage character of streetscapes within the precinct, to assist with maintaining the heritage character of the setting and context of the Royal Exhibition Building and Carlton Gardens.
- Retain the predominantly lower scale form of development in the precinct which provides a contrast to the dominant scale and form of the Royal Exhibition Building.
- Avoid consolidation of allotments in residential areas of the precinct, which will result in the loss of evidence of typical nineteenth century subdivision and allotment patterns.

-
- Protect direct views and vistas to the Royal Exhibition Building and **Carlton Gardens** from bordering/abutting streets and other views and vistas to the dome available from streets within the precinct including Gertrude Street, Marion Lane, and in Victoria Parade immediately east of the junction with Nicholson Street.
 - Discourage the introduction and proliferation of permanent structures and items, such as shelters, signage (other than for historic interpretation purposes), kiosks and the like, around the perimeter of the Royal Exhibition Building and Carlton Gardens in order to:
 - avoid impacts on the presentation of the Royal Exhibition Building and Carlton Gardens, including impacts on axial views along treed allees and avenues within the gardens; and
 - minimise inappropriate visual clutter around the perimeter of the Royal Exhibition Building and Carlton Gardens.