

Royal Historical Society of Victoria

Review of Strategy Plan for the World Heritage Environs Area

Royal Exhibition Building and Carlton Gardens

Response to the Strategy Plan Discussion Paper

Introduction

We appreciate the opportunity to respond to the targeted consultation, first stage in the review of the World Heritage Strategy Plan for the World Heritage Environs Area of the Royal Exhibition Building and Carlton Gardens. The Royal Historical Society of Victoria functions both as the peak body for 340 local history societies and as the historical society for central Melbourne. In the first capacity, the RHSV seeks to support the conservation of heritage across the state, including its capital city Melbourne. In the second, the Society seeks to preserve the heritage of the city and its inner area.

The RHSV has been a partner and a key stakeholder with the city's governing authority, the City of Melbourne, since the Society's inception in 1909. Thus the RHSV is doubly a stakeholder in any discussions concerning the protection of what is now a World Heritage site, arguably the most significant heritage precinct in the city.

Indeed, the significance of this site, taken as a whole—the Royal Exhibition Building, the Carlton Gardens, and the environs, still largely suggestive of the kinds of built forms predominating at the time of the 1880 Exhibition—cannot be overestimated. 'There is nothing like it anywhere else in the world today', wrote the eminent UK historian, Professor David Cannadine.¹ As the Australian Government Response to the ICOMOS Assessment Report put it in 2004: 'The Royal Exhibition Building in its original garden setting is the most authentic remaining example of an *in situ* Palace of Industry from a significant international exhibition.'²

The Royal Exhibition Building and Carlton Gardens (REB & CG) together constitute the first Australian cultural site to be inscribed on the World Heritage List (2004), one of only four Australian cultural sites currently so honoured. The others are the Sydney Opera House (2007), the Australian Convict Sites (2010) and the Budj Bim Cultural Landscape (2019). The REB & CG date from the later nineteenth century and bear witness to the period when Australia came of age and became a nation. All that makes the site of the utmost value to Victoria, a state shaped so powerfully in the half-century following the Gold Rush, and particularly to Melbourne.

The Royal Exhibition Building was still young at the time of the RHSV's founding in 1909, but already, more than any other site, it embodied the city of Melbourne in the minds of its inhabitants and represented the young city to the world. It put Melbourne on the international map with the 1880 and 1888 Exhibitions and became the incarnation of 'marvellous Melbourne'. With the opening of Federal Parliament in 1901 and the inauguration of Melbourne as the first national capital, the Royal Exhibition Building

¹ 'Australian Government Response to the ICOMOS Assessment Report on the Royal Exhibition Building & Carlton Gardens World Heritage Nomination', 9 June 2004, <https://whc.unesco.org/uploads/nominations/1131bis.pdf>, p. 2.

² *Ibid.*

became the incarnation of the new nation, immortalised in Tom Roberts' iconic 'Big Picture' and in countless widely disseminated engravings, which have made it part of the Australian imaginary for over a century now. All this has been recognised in its nomination as a World Heritage site.

That nomination, however, is an honour that carries significant responsibilities. Given the significance of the site and its importance for Melburnians and visitors alike, effective conservation of the site and of its context—the WHEA—is the highest obligation imaginable for Melbourne and Victorian planning authorities. In line with UNESCO World Heritage standards, we are obliged to ensure that visitors drawn by the renown conferred by World Heritage status have an experience commensurate with their expectations. The review gives us the opportunity to assess the extent to which the measures in place are adequate to protect the site and its environs in accordance with these high expectations and responsibilities. Given the current pace of development, this will be our last chance to save the site and the WHEA.

The Discussion Paper prepared by Hansen Partnership Pty Ltd, in partnership with HLCD Pty Ltd, provides an excellent basis for such an assessment and we congratulate the consultants on their work.

Key Issues

Broadly speaking, we believe that the Discussion Paper (hereinafter DP) raises five broad issues. Our response is set out under the headings of the DP's recommendations or options to address these issues, which the RHSV supports in the strongest possible terms:

- 1) Remove 'the distinction between areas of greater and lesser sensitivity' so that the WHEA is 'managed as one buffer zone' (DP, p. 7).
- 2) Implement minor expansion and clarification of the unified WHEA to the west and east and, most importantly, at its south-west perimeter.
- 3) Institute 'state level management controls for places within the WHEA, regardless of their municipality, to ensure consistency and to recognise and reinforce the World Heritage listing of the REB & Carlton Gardens' (DP, p. 7). More precisely, we strongly support the option set forth in Table 3, DP, p. 89, to 'implement the Executive Director, Heritage Victoria, as a formal referral authority', that is, a determining referral authority.
- 4) Harmonise all DDOs and other planning instruments in the WHEA and adjacent to it or influencing views of and from the REB so that they:
 - 4.1 reference the WHEA in terms of planning controls
 - 4.2 include triggers for referral to the ED, and
- 5) Strengthen planning controls within the WHEA to ensure protection of surviving views and vistas.

1 Make WHEA One Buffer Zone

'The 2009 Strategy Plan only recommended additional WHEA controls for the area of Greater Sensitivity. This meant that the area of lesser significance, like surrounding areas, was subject to the heritage overlay (with few exceptions). The heritage overlay relies on significance assessment focussed on the cultural heritage values of the place rather than its contribution to the REB and the Carlton Gardens.' (DP, p. 7; cf. DP, p. 25)

The RHSV strongly supports the recommendation to remove 'the distinction between areas of greater and lesser sensitivity' so that the WHEA is 'managed as one buffer zone' (DP, p. 7). As the DP points out, the result of this distinction has been 'that the area of lesser sensitivity was no different to areas outside of the WHEA buffer zone' (p. 25). Indeed, Melbourne Clause 22.21 Heritage Places Within the World Heritage Environs Area and Yarra Clause 22.14 Development Guidelines for Heritage Places in the World Heritage Environs Area currently apply only to the Area of Greater Sensitivity. As we have argued above, section 1, the distinction between that area and the rest of the WHEA should be eliminated and these clauses applied throughout the WHEA. At the very least the whole of the existing WHEA must be subject to controls that adequately protect the WH site.

The DP, throughout its analysis, brings into consistent focus the problems associated with the effective limitation of planning controls for the WHEA to the Area of Greater Sensitivity. These problems are particularly pronounced on the southern perimeter of the WHEA, where there has been inappropriate development encroaching on the views and heritage experience of the site. That encroachment is acute in the Area of Lesser Sensitivity at the north-east corner of the CBD. It is absolutely essential that this encroachment be stopped before it produces a curtain wall blocking the visual and physical interaction between the CBD and the REB.

This south-western corner of the WHEA is the most fraught with danger for the integrity of the WH site, and it is here that the stakes are highest if we are to protect the WH site. The REB was sited to take advantage of the link between the Carlton Gardens and the CBD provided by the corner of the Hoddle Grid, reaching Victoria Street precisely at the middle of the Gardens and thus the beginning of Reed's 'Grand allée'. In designing the REB and the Carlton Gardens, Joseph Reed planned the Gardens so that the impressive main entrance and the monumental Hochgurtel Fountain presented visually to the city via the Grand allée. We must protect that link from further encroachment.

It follows logically that, once 'the distinction between areas of greater and lesser sensitivity' is eliminated, the statement of significance in the 2009 WHEA Strategy Plan will need to be updated to reflect the whole of the WHEA, as recommended in the DP (pp. 10–14). The RHSV endorses this recommendation and supports all the changes proposed to the statement of significance in the DP (pp. 10–14).

In addition, the RHSV believes that the VHR statement of significance of the Royal Exhibition Buildings should be updated to reflect its significance as a WH site at the core of the WHEA. It was last updated on 19 April 2007 and does not reflect the management requirements of the REB within the WHEA.

2 Expand WHEA

'Proposed minor boundary modifications will reflect the existing emphasis on streetscape by not excluding properties that contribute to the streetscape. Where streetscapes have been identified for their heritage value, they add to the authenticity of the buffer zone and are recommended to be included ... expansion of the WHEA boundary is recommended to be considered to formally cover areas identified above. By including areas identified as 'at risk', future development on these sites will have to seriously consider potential implications on the REB & Carlton Gardens to ensure its World Heritage listing is protected.' (DP, p. 7)

The RHSV strongly supports the recommendations to expand the boundaries of the WHEA as per the Summary Map (DP, p. 5) and Table 2 (DP, p. 76). The current WHEA is not adequate to protect the WH site. It must be extended, particularly at its south-west corner.

It is a major strength of the WH site that it is surrounded by neighbourhoods that retain many of the characteristics of the time of the 1880 and 1888 Exhibitions. As a result, visitors can experience the WH site in its original context. Indeed, there are areas of Carlton and Fitzroy, in particular significant portions of Drummond and Nicholson streets, that retain much of their Victorian built form. It is logical that planning controls for these neighbourhoods reference the WHEA so as to ensure that they continue to enhance this crucial site. These neighbourhoods constitute two of the three sides on which the DP notes the need for expansion of the WHEA boundary.

Western boundary: We support the DP's sensible recommendation (p. 7) that the western boundary be modified to match the western part of DDO6 in Carlton to include properties on both sides of Drummond Street, which is a key heritage streetscape within the WHEA. For planning purposes, it is vitally important that this streetscape be considered in relation to the WH site and thus that it be integrated into the WHEA.

Eastern boundary: The DP points (p. 7) to an ambiguity on the eastern boundary. Fitzroy Street defines the WHEA eastern boundary, as per Figure 1—World Heritage Environs Area (2009 Strategy). But while that map includes the Fitzroy Street road reserve within the WHEA boundary, Map 1 in the Committee Report (April 2009) excludes the Fitzroy Street road reserve from the WHEA. The RHSV believes that this confusion necessitates clarification and that the WHEA must be expanded to include the Fitzroy Street road reserve.

'Southern boundary: *Following threshold testing, an 'at risk' area which is currently located outside the WHEA was identified to the south-west. This area is bounded by Victoria Street, Exhibition Street, La Trobe Street and Lygon Street. This land is zoned MUZ, which indicates its functional transition role from the central city / CCZ located immediately to the south, and the low-rise heritage streetscapes located to the north. There is clear potential for development of major scale in this area, which is amplified by a lack of a guiding DDO or other built form control. Based on the threshold testing, development in this area could have major visual impacts on the REB & Carlton Gardens'.* (DP, p. 7)

'The current development trajectory at the northwestern edge of the CBD indicates cases of recent constructions encroaching into views of the northern elevation from public areas along the Museum forecourt. This includes the completed building at 23 Mackenzie Street and the approved Shangri La Hotel building at 308 Exhibition Street.

Should this development trajectory at the CBD edge continue, internal views within the Carlton Gardens toward the REB and Dome are at risk of visual intrusion and crowding’. (DP, p. 75)

The third side on which the DP proposes expansion of the WHEA is at its south-west extremity. As we pointed out above, the presentation of the REB was to the CBD and this corner of the WHEA is where the need for expansion of the WHEA is greatest.

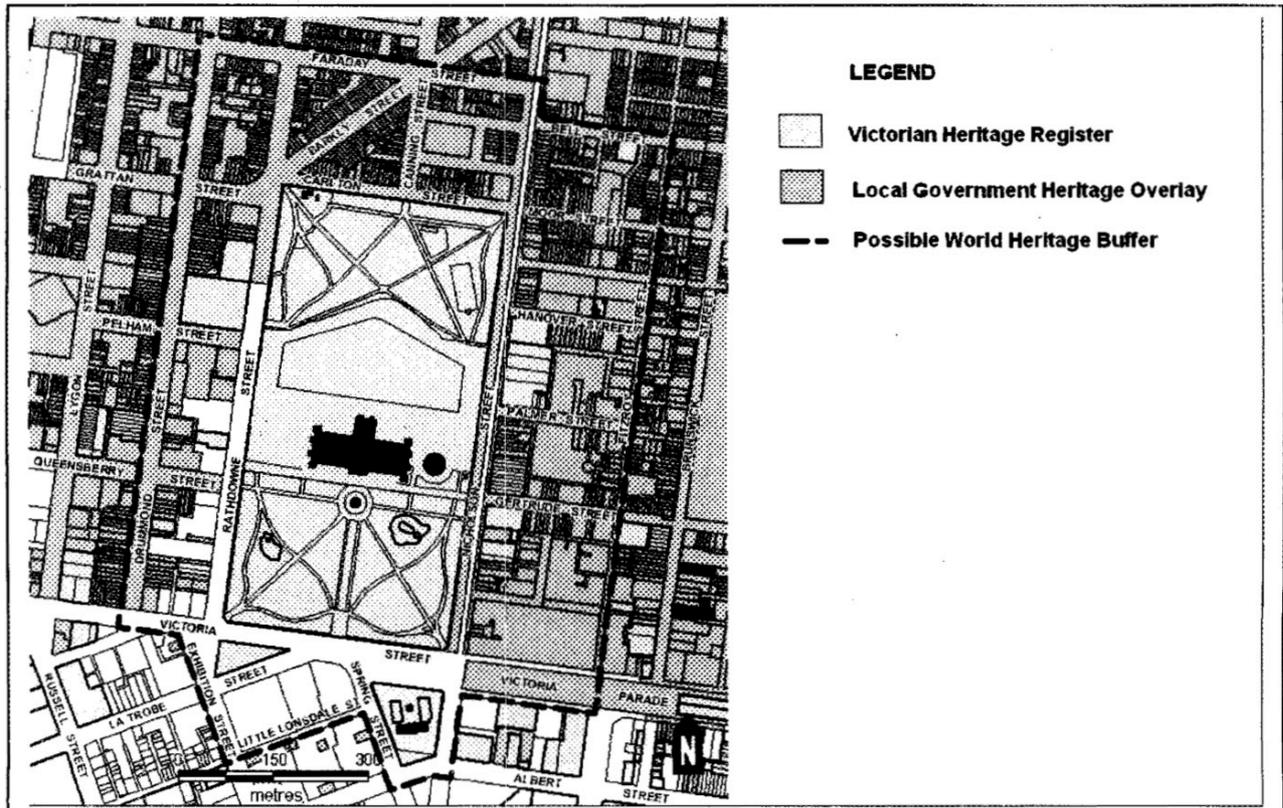
The alignment of the CBD has in the past complicated the issues around the WHEA. It is crucial that this time we ensure adequate protection for the most significant perspectives on the REB. We are not calling for curtailment of development, only for ensuring that visual impacts on the REB are part of the planning controls for these areas. Making them part of the WHEA will ensure that DDOs are put in place to reference visual and other impacts on the WH site. The RHSV believes this to be an absolutely crucial recommendation, one that must be implemented.

A glance at the Summary Map (DP, p. 5) shows that the WHEA stops perilously close to the south-west corner of the Carlton Gardens, whereas it extends much further from the south-east corner. Yet the need for protection is much greater to the south west because it is currently zoned MUZ, which means that there is no zone-specified maximum height.

In its efforts to secure World Heritage listing, the Australian Government, in its response to the ICOMOS Report on the nomination of the site for World Heritage listing, noted that not only were the REB & CG protected, but also that ‘any action which may have a significant impact on a world heritage property, *whether inside or outside the boundaries* of the property, is prohibited [emphasis original]’. It further noted that ‘all planning policies in these [i.e. the surrounding] areas discourage the demolition of Victorian-era buildings and require any development to enhance heritage values. These provisions would also apply to any redevelopment of existing modern buildings around the site, **including the southern Central Business District area**’ [emphasis added]. Finally, the Australian Government noted that ‘the State Minister for Planning intends to enact a special provision to establish a formal buffer zone around the site’ and included a map showing a ‘probable configuration’ of that buffer zone. That map, Map 1 (below), indicated clearly the inclusion in the buffer zone of the block south of LaTrobe Street bounded by Spring, Lonsdale and Exhibition streets, the block on which the 65-storey Shangri-La Hotel development is currently proceeding.³

³ ‘Australian Government Response to the ICOMOS Assessment Report on the Royal Exhibition Building & Carlton Gardens World Heritage Nomination’, 9 June 2004, <https://whc.unesco.org/uploads/nominations/1131bis.pdf>, pp. 12, 13.

Map 1. Royal Exhibition Building and Carlton Gardens and surrounds, indicating areas protected under the Heritage Act 1995, Heritage Overlay and possible buffer zone.



Subsequently, despite these promises, the buffer zone was divided into the Area of Greater Sensitivity and that of Lesser Sensitivity (a distinction nowhere mentioned in the Australian submission documents), and the block was excised from the Area of Greater Sensitivity, leaving open the Shangri-La development. The exclusion of an area that could have such impact on the WH site represents a retreat from the positions used to justify the nomination, if not a betrayal of promises.

The most disastrous consequence of this excision, and thus the most eloquent argument in favour of its restoration, is the 65-storey twin tower development mentioned above, the Shangri-La Hotel site at 308 Exhibition Street, Melbourne (see photo, DP, p. 61). It is difficult to overstate the damage this development will inflict on the WH site. It will add to the curtain wall effect already created by overdevelopment on Victoria Parade/Street at the southern end of the Carlton Gardens (see photo, DP, p. 61). Worse, it will loom above the Gardens and dominate the southern views to and from the Dome (see photo, DP, p. 61). While this cannot be prevented, it testifies to the danger of allowing development so near to the WH site without its being in the WHEA.

Restoring the integrity of the buffer zone (the WHEA) at the very least to that used to persuade UNESCO to grant the site World Heritage listing is thus crucial to protecting it in its context. Implementing this measure would also have significant benefit in protecting the context of the many existing heritage sites in or adjacent to this point, including the Royal Society of Victoria, Horticultural Hall and the extremely important Trades Hall Council building, as well as many largely intact Victorian streetscapes, especially Nicholson, Gertrude and Drummond streets. The DP proposal to expand the WHEA to the south west as far as the area bounded by Victoria Street, Exhibition Street, La Trobe Street and Lygon Street would keep faith with the Australian Government undertakings to UNESCO.

This expansion of the WHEA (together with the elimination of the Area of Greater Sensitivity), as recommended in the DP, is an absolute minimum. But it would not cover all the areas in which, under current controls, built form could be approved that would have significant negative impact on views to and from the Dome.

A major finding of the study, which deserves greater emphasis, is that development on the block south of Victoria Street bounded by Russell, Swanston and McKenzie Streets ‘could have major visual impacts on the REB & Carlton Gardens’ (DP, p. 76). Table 2: Threshold Testing Findings (DP, p. 76) demonstrates that, on this block, the kinds of developments now being proposed and approved would threaten views from the forecourt. The DP suggests, too timidly in our view, ‘that the WHEA to be expanded to capture and formally cover this area’ (DP, p. 76).

We call attention to the first four blocks listed in Table 2 (coloured red and orange) and to the accompanying map showing the location of these blocks. We also call attention to Figures 27, 28 and 29 (DP, p. 77), which show the effect of various built form heights in the CBD on views from the Museum forecourt, corresponding to the height thresholds noted in Table 2. And we call particular attention to the especially graphic photo, ‘Recently constructed high rise development at Victoria Street & Mackenzie Street’ and the images, ‘Approved 65 storey form at 310-326 Exhibition Street-Under Construction’ (DP, p. 60) and ‘Recently constructed high rise developments within the Hoddle Grid, viewed from the elevated Promenade Deck’ (all DP, p. 61). These make clear the damage already done by the excision of the the block south of Victoria Street between Russell, Swanston and McKenzie Streets from the ‘Area of Greater Sensitivity’ and thus the need for expansion of the WHEA, as well as for the implementation of maximum height controls in the expanded WHEA.

We therefore submit that the expanded WHEA should include the block south of Victoria Street between Russell, Swanston and McKenzie Streets. It is imperative that the WHEA be expanded to capture and formally cover this additional area as well as that proposed in the DP if we are to preserve the views essential to the integrity of the WH site.

3 Institute State Level Management Controls with ED Referral Authority

‘State level management controls should be considered for implementation for places within the WHEA, regardless of their municipality, to ensure consistency and to recognise and reinforce the World Heritage listing of the REB & Carlton Gardens.’ (DP, p. 7)

‘Implementation of controls following the 2009 Plan have been applied inconsistently by each municipality through DDOs. In this content Australia’s obligations under the World Heritage Convention are important. Potential development within the WHEA should be regulated in a consistent manner and it is recommended that this is best achieved through State level management controls, rather than left up to local municipalities to implement and manage.’ (DP, p. 25)

‘It is clear that statutory decision making processes should be improved for consistency, and the formal involvement of Heritage Victoria should be strengthened. Thus regardless of municipality, this would ensure consistency and to recognise and reinforce the World Heritage values of the REB & Carlton Gardens.’ (DP, p. 88)

The RHSV strongly supports the recommendation to institute ‘state level management controls for places within the WHEA, regardless of their municipality, to ensure consistency and to recognise and reinforce the World Heritage listing of the REB & Carlton Gardens’ (DP, p. 7). More precisely, the RHSV very strongly supports the option set forth in Table 3 (DP, p. 89) to ‘implement the Executive Director, Heritage Victoria as a formal referral authority’.

The UN manual, *Managing Cultural World Heritage*, suggests that ‘an effective institutional framework for heritage [must be] sufficiently defined in relation to the wider governance context’ and, further, that State Parties ‘must identify a single institution to act as the nodal point for all World Heritage matters and for communication with the World Heritage Centre’.⁴

There is little point in setting up a WHEA if it does not have some place where the buck stops. It is totally pointless to expect that municipalities will give adequate protection to a site outside their boundaries. Their primary interest and indeed obligations are to their citizens and ratepayers. Even if the various DDOs applying across the WHEA were fully harmonised to include reference to the WHEA as per section 4 below, one could not count on the councils, as responsible authorities, to put the WHEA first, especially if the choice were between greater and lesser development, as it will often be.

The DP points to a number of developments inappropriate to the WHEA that have been approved owing to the weaknesses of the current controls, including the absence of a single referral authority responsible for the WHEA. We cite three of these to show the need for a single referral authority:

- In 2017, VCAT approved an eight-storey development at 34–36 Nicholson Street, Fitzroy, and, following a VCAT order, a permit was issued. The VCAT order, noted, *inter alia*, that ‘the land is about 250 metres from the REB dome. This distance, plus intervening vegetation, means the new building will not be noticed from ground level’ (DP, p. 42). We quote this to demonstrate that VCAT has made judgments without the tools to assess the visual impact of the proposal. The DP provides excellent tools (pp. 60 *ff.*), which would be used by the single management authority such as Heritage Victoria, for which we are calling. It is also worth noting that this development is wildly inappropriate to the largely intact nineteenth-century streetscape to its north and that VCAT used the egregious development of St Vincent’s Hospital to justify it (see photo 8, DP, p. 61)
- In 2019, VCAT upheld refusal of a permit for a development at 16–22 Drummond Street, Carlton, which would involve demolition of much of an 1872 terrace and construction of a five-storey addition across the rear and middle of the site. Here the DDO provided unusual protection for the site without reference to the WHEA by setting 13.5 metres as the maximum height. VCAT, in its decision, thus made ‘little if any commentary ... regarding the WHEA and the visual prominence of the REB Dome’, contenting itself to base its decision on the DDO without reference to the WHEA (DP, p. 43). Again, this demonstrates the weakness of depending for protection of the WHEA upon DDOs under a responsible authority without reference to a WHEA controlling agency.

In 2018, the Royal Society of Victoria commissioned a conceptual design for an extremely narrow 60-storey building, dubbed ‘Magic Tower’, to be built on part of the RSV site (itself

⁴ *Managing Cultural World Heritage* (Paris: United Nations Educational, Scientific and Cultural Organization, 2013), pp. 71, 73.

listed on the VHR) on Victoria Street opposite the Carlton Gardens. The land plot for the proposed tower is about half the size of a tennis court. If realised, it would be the southern hemisphere's tallest skyscraper on a site of this size. Surprisingly, the RSV is still hawking this concept. The point here is not that there is serious danger of the tower being built but that, in the absence of proper management of the WHEA, developers can contemplate the most outlandish projects in the hope they might gain acceptance under the applicable DDOs because they function without reference to the WHEA and to any management authority for the WHEA (DP, p. 44).

The experience of the last decade proves conclusively that the absence of state level management of the WHEA has allowed development that is already adversely impacting the WH site, an impact that will grow as approved projects are built.

The current management plan fails to produce a single institution that can function as a nodal point, as the DP makes clear. Heritage Victoria, through its ED, is well placed, indeed uniquely placed, to fulfil this function. We agree, however, with the DP, that the ED should be a determining referral authority, not the responsible authority.

In supporting this proposal we recognise that a threshold will need to be established as to what types or scale of development would merit referral. This will be important, since referrals obviously cannot be confined to matters requiring a permit under the Heritage Overlay, given that the management of built form is so critical to the continuing significance of the site.

4 Harmonise DDOs in WHEA to Reference WHEA, Including Triggers for Referral to ED

4.1 Harmonise DDOs to reference WHEA

'... the relevant HO Schedules of HO361 (Yarra), and HO992 (Melbourne) do not include a cross reference back to the World Heritage listing to reinforce that the WHEA exists specifically in relation to the REB & Carlton Gardens.' (DP, p. 25)

'Existing DDO built forms controls have their basis in the 2009 Strategy Plan, but are noted to have been inconsistently applied within both the Melbourne and Yarra Planning Schemes. For example limited DDOs applied within the Yarra Planning Scheme.' (DP p. 88)

'The lack of state or regional policies or clauses which specifically refer to WHEA is considered to be an existing policy gap which should be addressed by relevant updates to the Planning Policy Framework.' (DP p. 88)

Leaving the protection of a site adjoining but outside their jurisdictions to different jurisdictions without oversight or management is clearly problematic and has, as we have noted, led to many regrettable failures to protect the WH site. It is, in the view of the RHSV, crucial to ensure that all applicable DDOs relevant to the WHEA be amended in concert so as to reference the WHEA.

The first problem this would address is the lack of control in crucial zones of the WHEA. The DP notes a number of anomalies and risks to the WHEA including:

- The lack of any built form controls for the Commercial 1 Zone (C1Z) land bounded by Nicholson Street, Princess Street, Regent Street and Alma Street, Carlton (DP, p. 88).

- The lack of any built form controls for the Public Use Zone (PUZ) land accommodating St Vincent's Hospital, bounded by Victoria Parade, Nicholson Street, Princess Street, Regent Street, Alma Street & Fitzroy Street, Carlton (DP, p. 88).

The second problem this would address is possible changes to the applicable DDOs by the respective planning authorities. An example the DP cites (p. 88), and with which the RHSV agrees wholeheartedly, is that the current residential zones apply mandatory maximum height restrictions, which are crucial to the World Heritage Listing of the REB & Carlton Gardens, but it is possible that, in future, residential zoning could be changed to increase or indeed to remove the current mandatory maximum heights altogether. The point is not the likelihood of such changes but the fact that nothing in the current structure would prevent them.

The RHSV thus strongly supports the DP recommendation that a statutory control which applies consistently across the WHEA be implemented, and that it address such matters as built form scale, independent of the maximum mandatory height controls within the various built form controls (DP p. 88).

4.2 Harmonise DDOs to include triggers for referral to the ED

'Based on these issues, it is worthwhile considering the role of who should be the responsible authority, whether this should be elevated to a higher state level to allow for better coordination and consistency in planning decision making, and how the formal involvement of Heritage Victoria may be better incorporated into the process. Regardless of how this is facilitated, it is clear that statutory decision making processes should be improved for consistency, and the formal involvement of Heritage Victoria should be strengthened. Thus regardless of municipality, this would ensure consistency and to recognise and reinforce the World Heritage values of the REB & Carlton Gardens.' (DP, p. 88)

The RHSV calls urgently for inclusion in all relevant planning controls of a trigger for referral to the ED Heritage Victoria. There is precedent for this. While normally responsible authorities administering the Heritage Overlay in planning schemes and the Executive Director under the Heritage Act operate more or less independently of each other, as the DP points out, subdivision of registered places is not exempt under the HO, so in this case the ED is a referral authority. Although the WHEA is not on the Victorian Heritage Register this provision is nonetheless a useful precedent for the ED to become a referral authority for the WHEA (DP, p. 88).

Making Executive Director, Heritage Victoria, a determining referral authority for the WHEA is the most realistic, indeed the only workable option that will achieve consistent state level control of the area. It follows that the relevant planning controls should be harmonised to trigger the involvement of the ED as a referral authority.

5 Strengthen Planning Controls within WHEA to Protect Surviving Views

'A large proportion of the study area is within a residential zone, including the areas of the WHEA to the north and east of the Carlton Gardens. Of particular note the existing residential zones include mandatory maximum height controls, which by default functions to limit built form scale within a large proportion of the WHEA. This current situation functions to protect the low scale heritage character of areas surrounding the REB & Carlton Gardens. However, the mandatory height controls within the residential zones were not implemented to protect the setting of the REB & Carlton Gardens within the WHEA. Rather they were a result of ongoing modifications which have been made to the suite of residential zones in recent years. Furthermore it is noted that the zones did not contain these height controls when the current Strategy was developed.' (DP, p. 32)

'With reference to the current height controls, there is a potential risk for the WHEA if the suite of standard residential zones were amended in future to remove the current mandatory maximum height controls. It is therefore considered that other built form controls to specifically address height within the WHEA may be warranted and should be investigated.' (DP, p. 32)

'Land within the WHEA which is zoned for Mixed Use (MUZ), allow a mandatory maximum building height to be nominated. However this has not been utilized, in favour of a discretionary maximum height controls within a Design & Development Overlay (DDO). It is recommended that the implications of discretionary versus mandatory maximum control should be further investigated through the built form testing phase.' (DP, p. 32)

'Land within the WHEA which is zoned for Public Use (PUZ) raises particular implications for the setting of the REB & Carlton Gardens, and typically development for the designated purpose does not require planning approval. The greatest implication for the study area relates to the planned redevelopment of the St Vincent's Hospital.' (DP, p. 32)

The RSHV strongly supports the DP recommendations for strengthening the planning controls, once they are unified as per the above points, to include mandatory height controls preserving views and vistas to and from the Dome, as per pp. 60–79 of the DP.

The existing Strategy gives little consideration to the REB northern elevation. This east–west axis and forecourt represent a key contemporary meeting point. Indeed this is probably the most heavily trafficked pedestrian space in the Carlton Gardens. Therefore the visual prominence of the REB from this public vantage point must be taken into account in all site planning controls (DP, p. 75).

We submit three important issues in this context:

1) We strongly support the DP recommendation in favour of the interim DDO for the Gertrude Street spine, proposed by Yarra Council and currently before the Minister (DP, p. 38 left). We support this both because it will enhance protection of views to and from the Dome and also because, as the DP points out, 'the same principles and parameters of the earlier built form testing work for Gertrude Street should be applied to land within the study area for any further built form'. We therefore submit that testing be undertaken as part of the current study, that new guidelines be drafted, and that they be implemented in the WHEA and, where relevant, in any WHEA-related planning controls.

2) We agree wholeheartedly with the suggestion in the DP (p. 38) that ‘potential built form to the southern side of Gertrude Street ... be considered as part of the current project work and particularly from the perspective of potential visual impact when viewed from the Royal Exhibition Building Dome viewing platform’. It is highly regrettable that, because the earlier built form review included only land specifically within a Mixed Use Zone and Commercial 1 Zone, the majority of land within the study area located to the southern side of Gertrude Street was excluded. (This land is within the Public Use Zone and Neighbourhood Residential Zone.) This unintended omission should be corrected.

3) We believe that the DP should have given greater weight to the ‘less significant’ views to and from the Dome. Indeed, we submit that any encroachment on the current views should be a major contributor to refusal of a permit. All the views are significant in terms of the integrity of the World Heritage site. Moreover, glimpses of the Dome from the surrounding area are a major part of the experience that the site offers visitors.

We therefore strongly urge that detailed recommendations be made to ensure that the relevant planning controls protect these views. At the very least, the following anomalies found in the study must be remedied:

- development of the College of Surgeons site (VHR) to heights above 15m as prescribed in DDO13 would interrupt views to the Dome (DP, p. 68). DDO 13 must be amended to prevent this.
- redevelopment of a large, non-contributory site at 19–35 Gertrude Street in C1Z would threaten the view and primacy of the Dome (DP, p. 72). Again, the proposed DDO must be amended to prevent this.
- 169–199 Rathdowne Street represents a ‘gap’ in DDO6. There is a risk of eroding the nineteenth-century streetscape in the absence of built form control and guidelines on this site. DDO6 must be amended to prevent this. The view corridor along the Grand Allée is framed and dominated by landscaping and canopy planting. Encroachment of high rise, contemporary development along the southern end of Rathdowne Street may undermine the sense of ‘openness’ along its eastern and western flanks.

Conclusion

The RHSV fervently believes that preservation of the Royal Exhibition Building and Carlton Gardens, *in situ*, that is in context, is not only morally essential, to keep faith with UNESCO and with subsequent generations, but also economically and socially essential to the interests of tourism and sustainable development. This is our last opportunity to ensure preservation. The threats of development before the next review are too great. If we miss this opportunity, the result will be a curtain wall of development changing completely the perception of this unique site, which includes not only such major heritage buildings as the Royal Society of Victoria, the Horticultural Hall and the extremely important adjacent Trades Hall Council building, but also many largely intact Victorian streetscapes, especially on Nicholson, Gertrude and Drummond Streets.

To achieve this, we stress three changes are absolutely essential:

- 1) Remove ‘the distinction between areas of greater and lesser sensitivity’ so that the WHEA is ‘managed as one buffer zone’.

2) Expand the unified WHEA to the west and east, and, most importantly, at its south-west perimeter.

3) Make the Executive Director, Heritage Victoria, a formal, determining referral authority for the expanded WHEA.

Two more changes follow logically to ensure implementation of these reforms and are thus also essential:

4) Harmonise all DDOs and other planning instruments in the WHEA, reference the WHEA in terms of planning controls, and include triggers for referral to the ED.

5) Strengthen planning controls within the WHEA to ensure protection of surviving views and vistas to and from the Dome.

We have a once-only chance to save one of the world's great heritage sites. The significance of this chance cannot be overstated. Generations of Victorians, residents and visitors alike, will enjoy a unique site if we do. We will never have another chance if we fail.

This response was prepared on behalf of the Royal Historical Society of Victoria by the Chair of the RHSV Heritage Committee, Professor Charles Sowerwine, assisted by Mr Ian Wight MICOMOS, and Adjunct Professor Judith Smart AM.