

Bryce
Raworth
CONSERVATION | HERITAGE

EPBC Act Self-Assessment

43 Mackenzie Street, Melbourne

10 September 2025



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Attachment 1: Schedule 4 to the City of Melbourne Design and Development
Overlay [DD04]



1.0 Introduction

This report has been prepared on behalf of the owner of the subject site at 43 Mackenzie Street, Melbourne. It provides a self-assessment of the proposed development at 43 Mackenzie Street with reference to the requirements of the *Australian Environment Protection and Biodiversity Act 1999* (EPBC Act). The assessment is required as the subject site is located within the World Heritage Environs Area (WHEA) of the Royal Exhibition Building and Carlton Gardens (REB & Carlton Gardens), which is inscribed on the UNESCO World Heritage List (WHL) and included on the Australian National Heritage List (NHL) of natural, historic and Indigenous places of outstanding significance to the nation.

It is proposed to demolish the existing built form on the site and construct a thirty-five storey, contemporary residential development. In addition to the World Heritage Environs, the site is located adjacent to a registered place, the former Police Headquarters [H0913] and is subject to Design and Development Overlays [DDO1 & DDO4] within the *Melbourne Planning Scheme*.

The purpose of this report is to consider whether the proposed development is an action that has, will have or is likely to have a significant impact on a Matter of National Environment Significance (MNES) as defined in the *Significant Impact Guidelines 1.1 – Matter of National Environmental Significance* (Australian Government, Department of the Environment, 2013). The report also considers whether a referral to the Department of Climate Change, Energy, the Environment and Water (DCCEEW) for a decision by the Minister on whether the assessment and approval is required under the EPBC Act is appropriate.

Prior to the preparation of this report, an application for permit was lodged with the Department of Transport and Planning.

It is intended that this assessment be read in conjunction with the drawings by Metier3 and other documentation submitted with respect to permit application.

2.0 Sources of Information

The DCCEEW website contains extensive information regarding the various matters of national environmental significance which are protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), the associated referral and assessment process and the Self-Assessment guide. These include the following:

- *Referrals and environmental assessments under the EPBC Act - DCCEEW*
- *EPBC Act Self Assessment Guidelines - World Heritage properties and National and Commonwealth Heritage places - DCCEEW*

The above websites include information in regard to:

- what's protected,
- how to conduct a self-assessment (to determine whether an action should be referred to the department),
- how to refer,
- referrals and assessment process, including cost recovery.

The department's document *Significant Impact Guidelines 1.1 - Matters of National Environmental Significance* provides overarching guidance to determine if an action is likely to have significant impact on a matter protected under the EPBC Act.

The assessment below draws upon site visits and a review of citations and documents associated with the WHEA for the Royal Exhibition Building and Carlton Gardens. It also draws upon the following additional sources:

- *World Heritage Environs Area Strategy Plan: Royal Exhibition Building and Carlton Gardens (Department of Transport and Planning, 2025)*
- *Victorian Heritage Database*, <https://vhd.heritagecouncil.vic.gov.au>
- Heritage (*Clause 15.03-1L*), and Design and Development Overlay (*Clause 43.02*) in the City of Melbourne Planning Scheme, <https://www.planning.vic.gov.au/planning-schemes>
- Historic MMBW Plans (various), State Library of Victoria, <https://www.slv.vic.gov.au>
- Historic newspapers (various), accessed via Trove Online, <https://trove.nla.gov.au>
- Historic photographs (various), accessed via Trove Online, <https://trove.nla.gov.au>

3.0 Description & brief history

Description

The subject site at 43 Mackenzie Street is a rectangular shaped allotment located on the southwest corner of Mackenzie Street and Grange Place. It is occupied by two interconnecting buildings originally constructed as the offices and clubrooms of the Victorian Police Association (VPA). Fronting Mackenzie Street is a four-storey, late-twentieth century brick faced structure known as the VPA Building. To the rear is a smaller two or three storey brick building that fronts onto Grange Place. This building is also of late-twentieth century origins and is known as the Police Association Club. The Grange Place façade appears to have been modified or extended however the likely original entrance remains and the original textured brick parapet is visible above.

The REB and Carlton Gardens is located to the north east of the subject site, however there is no direct interface between the sites.



Figure 1 Annotated aerial image showing the location of the subject site (outlined red) in relation to the REB and adjacent streets. Source: Google Maps.

The subject site contains no built form heritage elements. Although the buildings are associated with the former Police Headquarters, they are not considered to be of significance from a heritage perspective. The buildings were ancillary structures for the purpose of facilitating the Police Union and social aspects of the Police Force. Furthermore, the architects for each of the buildings remains unknown, and the architectural characteristics are not considered of sufficient merit in order to justify any future heritage interest. Notably, the subject site was not identified as being of significance in the 2022 *Hoddle Grid Heritage Review* – that study involved a comprehensive review of buildings in the Hoddle Grid with a particular emphasis on postwar architecture.



Figure 2 Detailed annotated aerial image showing the location of the subject site (outlined red) and adjacent streets and properties. Source: Google Maps.

Mackenzie Street is a relatively short two-way street that extends between Exhibition and Victoria Streets. To the immediate east, 33 Mackenzie Street, is a modern multi storey development. To the west, the former Police Offices is a two storey late-Victorian civic building that fronts onto Russell Street. As noted, this is a registered site [H0913], and it is also classified by the National Trust of Australia (Victoria) [B0425].

The broader streetscape is a mixed environment. The north side of Mackenzie Street contains only three properties, to either corner are multi-storey buildings that book end the property known as ‘Horticultural Hall’ which fronts onto Victoria Street – this property is registered site [H0520]. It is noted that the multi-storey building to the western corner with Russell Street is the Former IOOF Building and is subject to an individual Heritage Overlay. The south side of Mackenzie Street contains several modern multi-storey developments between the intersection with Victoria Street and the subject site. Adjacent to the rear is La Trobe Street where further modern multi-storey developments are located.

Notwithstanding the direct eastern interface with the former Police Headquarters, it is not considered a sensitive heritage context and there are no direct view lines to the REB and Carlton Gardens at street level.



Figure 3 View of the subject site at 43 Mackenzie Street from Mackenzie Street.



Figure 4 The view along the northern curtilage of the site with the existing building (centre), the former Police Headquarters (right) and adjacent new built form (left).



Figure 5 *The view down Grange Place with subject building (right), the adjacent modern building (left).*



Figure 6 *The view looking west down Mackenzie with subject building to the left*



Figure 7 The view looking east up Mackenzie with subject building to the right



Figure 8 View from the intersection of Mackenzie and Russell Streets.

History

As shown in the 1895 MMW plan for this part of Melbourne, the sites at 41, 43 and 45 Mackenzie Street originally contained a row of three double storey Victorian terrace houses with outbuildings to the rear. The adjacent police building was also already present at that time.

According to the Melbourne city Council building permit records for 41-45 Mackenzie Street a permit [31928] was issued in 1958 for a 'new building' and then in 1966 there was a subsequent permit [38014] for a 'multi storey addition'.

A review of the Mahlstedt Plans indicates that the rear outbuildings to the terraces were first to be demolished for the construction of the clubroom building - permit [31928]. The demolition of the three terrace houses followed several years later for the construction VPA Building - the second building permit [38014]. Refer figure 1 below whereby each of the sequential changes over the years are reflected in the updated versions of the same plan.

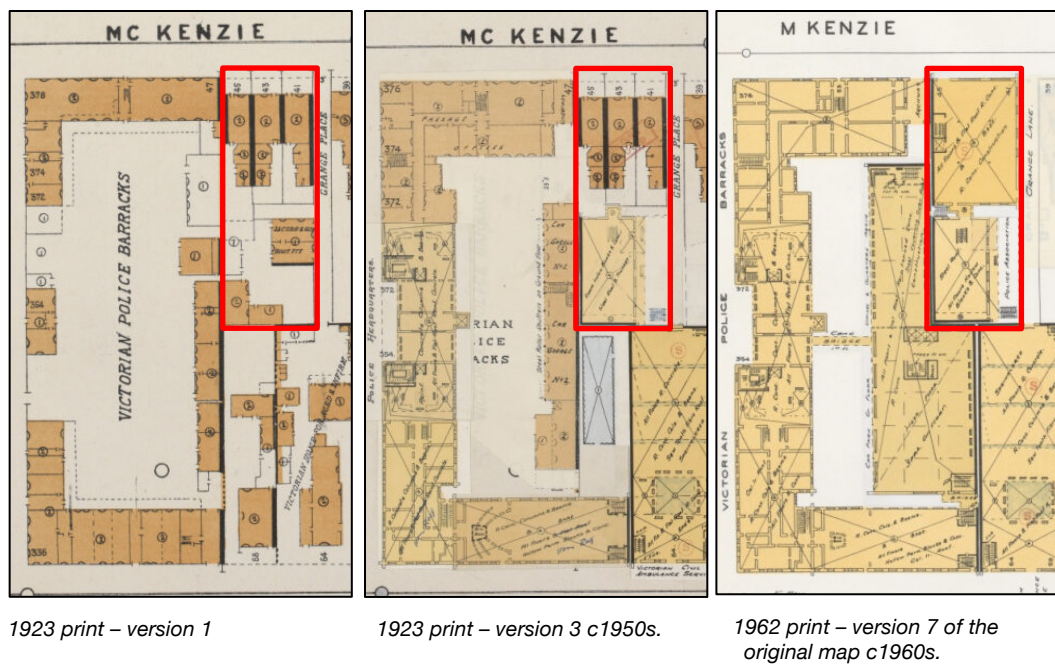


Figure 9 Sequential Mahlstedt Plans of the subject site relative to the Police Head Quarters.

In terms of the progression of the subject site in relation to its adjacent neighbour the former police building, the Sands and McDougall directories indicate that the three terrace houses predate the construction of the police headquarters.

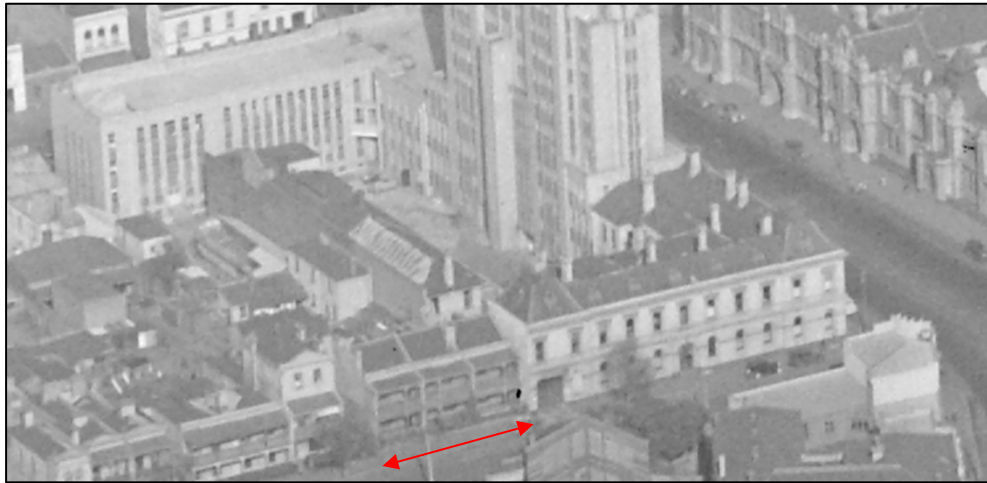


Figure 10 Aerial view of the subject site (as indicated by the extent of the arrows) and surrounds c1948. Source: State Library of Victoria

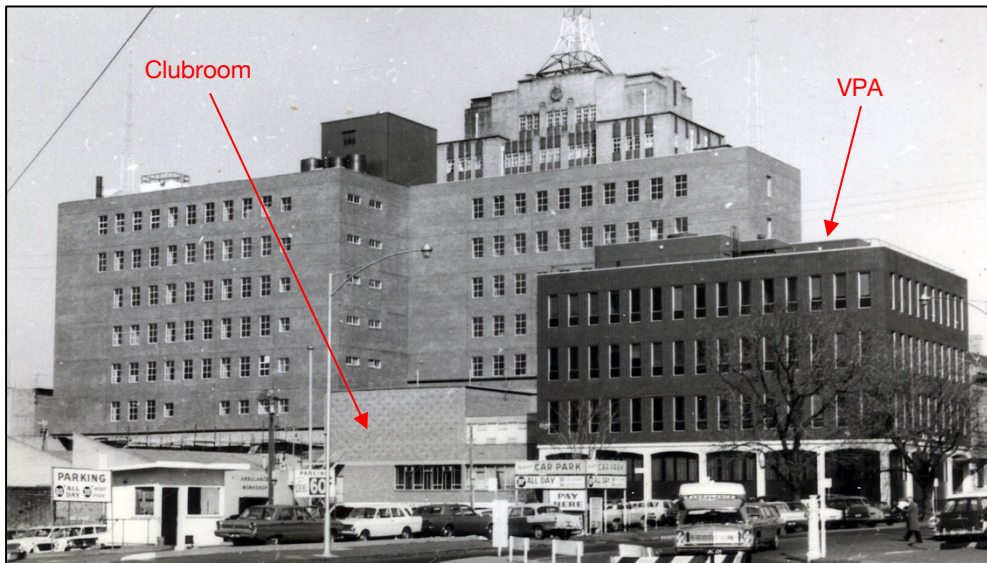


Figure 11 A c1969 view of the recently completed VPA building and the clubroom building to the rear. Source: Victoria Police Historical Society

4.0 Statutory Controls & Heritage Listings

City of Melbourne

Subject Site

43 Mackenzie Street does not have a Heritage Overlay control but is subject to Design and Development Overlays, identified as Schedule 1 [DDO1] and Schedule 4 [DDO4] at Clause 43.02 of the *City of Melbourne* Planning Scheme. DD01 incorporates various design outcomes/requirements and DDO4 relates to the WHEA and the protection of the World Heritage values of the REB and Carlton Gardens.

As outlined in the policy documents for DD04, the subject site falls within the WHEA Boundary for the REB and Carlton Gardens. Each of the sites within the WHEA boundary that are located in the City of Melbourne are identified with areas that have mandatory maximum building heights. The subject site is included in the Area 3 and has a mandatory height of 103m. The schedule also defines each of the important views/viewlines from and to the REB and Carlton Gardens (refer to Figure 12).

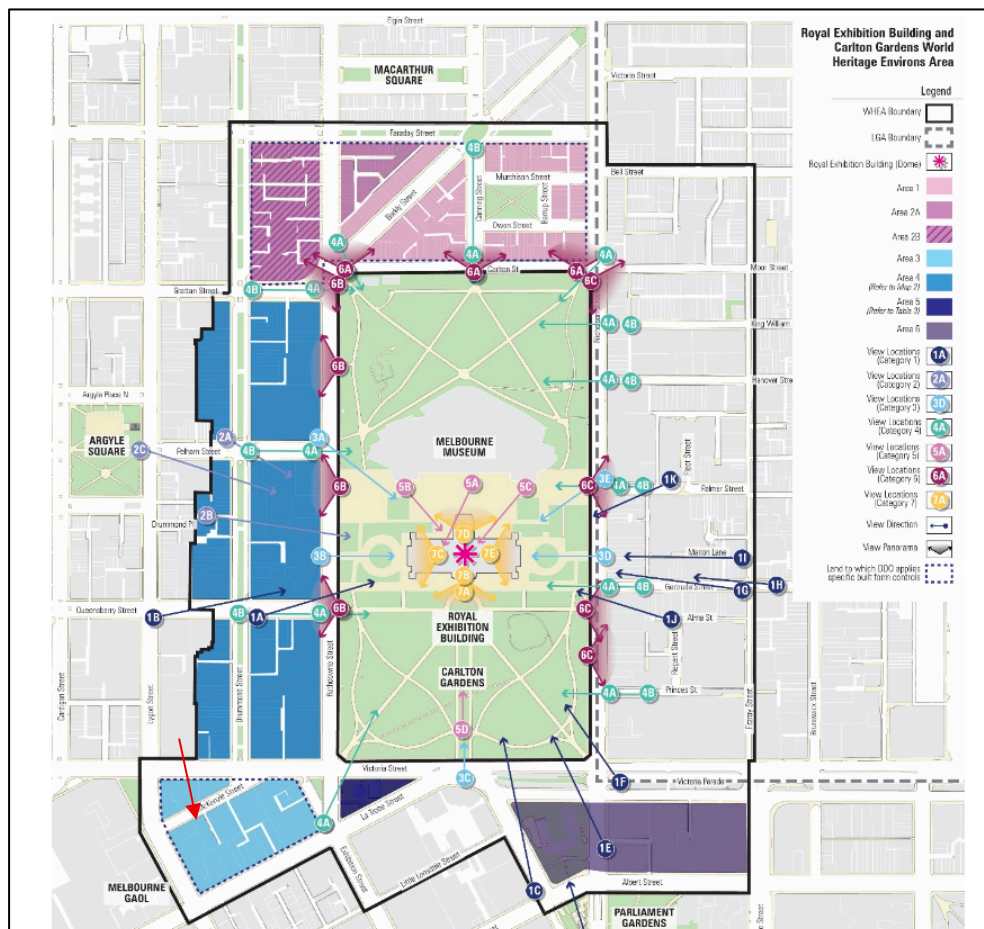


Figure 12 DDO4 WHEA Boundary and Building heights map. The subject site is indicated by the red arrow. Source: Clause 43.02, Schedule 04 of the City of Melbourne planning scheme

The inclusion of the site within the WHEA Boundary denotes that *Clause 15.03-1L-01 Heritage places within the World Heritage Environs Area* is a key consideration.

Similarly, the *World Heritage Environs Area Strategy Plan: Royal Exhibition Building and Carlton Gardens* (Department of Transport and Planning, 2025) is a relevant reference document.

REB & Carlton Gardens

The REB and Carlton Gardens is subject to an individual Heritage Overlay identified as HO69 in the *Melbourne Planning Scheme*. The Schedule to the Heritage Overlay indicates that the land mapped as located within HO69 is included on the *Victorian Heritage Register* [H1501] with Heritage Victoria the Responsible Authority for heritage permits.

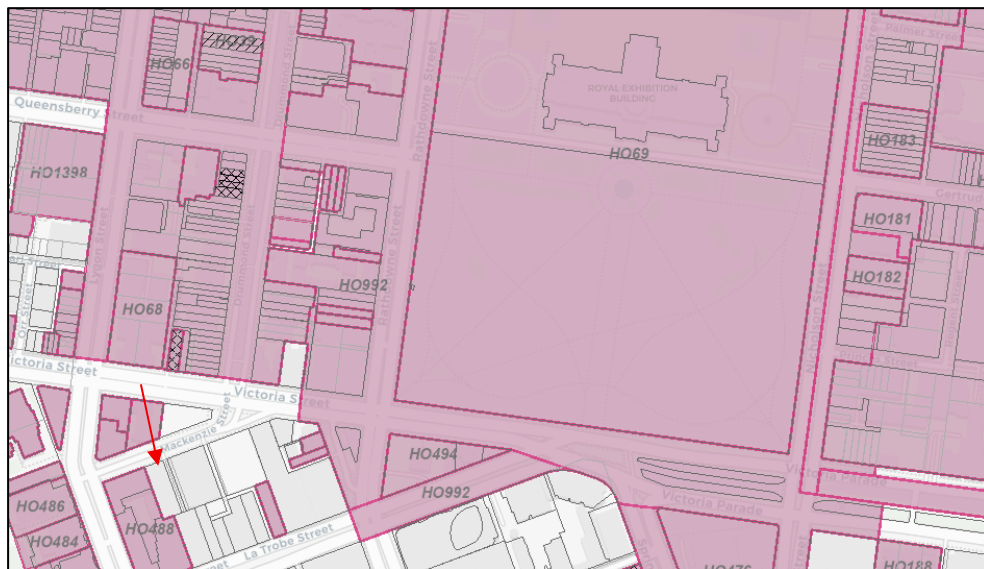


Figure 13 Heritage Overlay Map extract, showing the location of the subject site (indicated by the red arrow) and the extent of HO69 and surround Heritage Overlays.

Victorian Heritage Register

Subject Site

43 Mackenzie Street is not included on the Victorian Heritage Register and is not included in Heritage Victoria's extent of registration for the former Police Headquarters.

REB & Carlton Gardens

The REB and Carlton Gardens is included in the Victorian Heritage Register (H1501) under the *Heritage Act 2017* (Victoria) as a place of historical, architectural, aesthetic, social and scientific (botanical) significance to the State of Victoria.

The proposed action does not require approval under the *Heritage Act* as no work are proposed within the VHR place, and this listing is not considered further in this assessment.

	<p>2. All of the landscape features marked as follows on Diagram 1501 held by the Executive Director:</p> <p>P1 Pathways (south garden) P2 Pathways (north garden) P3 Pond and Island P4 Pond and Islands</p> <p>3. All the mature trees and palms, including avenues, rows and individuals growing in the Carlton Gardens including the following species:</p> <p>Acmena ingens Angophora floribunda Araucaria bidwillii Araucaria cunninghamii Araucaria heterophylla Cedrus deodara Chamaecyparis funebris Corymbia citriodora Cupressus macrocarpa Cupressus torulosa Eucalyptus cladocaylx Ficus macrophylla Ficus platypoda Harpephyllum caffrum Magnolia grandiflora Phoenix canariensis Pinus canariensis Pinus nigra var. Corsicana Pinus pinea Pittosporum undulatum</p>	<p>Platanus x acerifolia Populus alba Populus x canadensis 'Aurea' Quercus acutissima Quercus bicolor Quercus canariensis Quercus cerris Quercus ilex Quercus robur Robinia pseudoacacia Salix babylonica Schinus molle Taxodium distichum Tilia x europaea Ulmus procera Ulmus x hollandica Washingtonia robusta Waterhousea floribunda</p> <p>4. All of the Crown Land Reserve Rs 9990 (Carlton Gardens) and Rs 37130 (Royal Exhibition Building and Museum of Victoria), crown allotment 19A, shown on Diagram 1501 held by the Executive Director, being the land bounded by Rathdowne Street, Carlton Street, Nicholson Street and Victoria Parade.</p>
<p>1. All of the buildings and structures marked as follows on Diagram 1501 held by the Executive Director:</p> <p>B1 Royal Exhibition Building B2 Curator's Cottage B3 Hochgurtel Fountain B4 French Fountain B5 Westgarth Drinking Fountain B6 Stawell Sandstone Sample B7 Palisade Fence and Gate B8 Remnants of Bluestone Base to Palisade Fence B9 Iron Rod Fence</p>		

Figure 14 Diagram 1501 showing Heritage Victoria's extent of registration for the Royal Exhibition Building and Carlton Gardens.

EPBC Act

The REB and Carlton Gardens was included in the National Heritage List on 20 July 2004 and was inscribed in the World Heritage Listing in 2004. The Australian Heritage Database contains two listings under Place File 2/11/033/0235, which are as follows:

- National Heritage List: Place ID: 105708, Class: Historic
- World Heritage List: Place ID 105143, Class: Cultural

Both listings on the database provide a comprehensive entry for the REB and Carlton Gardens, including a description, history, location and bibliography. The World Heritage List does not include a statement of significance but rather directs reference to the 'official statement of Outstanding Universal Value' on the UNESCO website.

These listings exclude the subject site. However, as noted, the subject site falls within the WHEA Boundary for the REB and Carlton Gardens, and it is the purpose of this assessment to determine whether development of this land, neighbouring the REB and Carlton Gardens, is a controlled action within the terms of the EPBC Act.

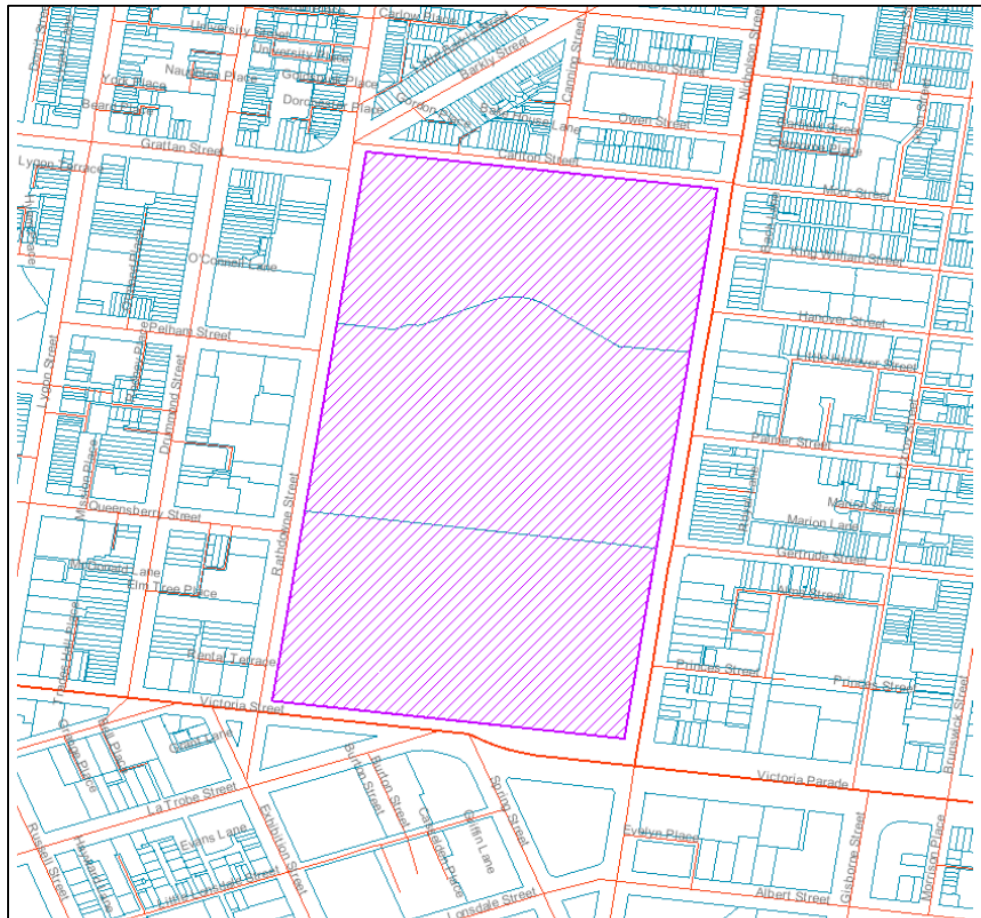


Figure 15 Diagram showing the extent of the National Heritage List curtilage. Source: DCCEEW website.

5.0 Significance of the REB and Carlton Gardens

As previously noted, this assessment has been triggered by the location of the subject site within the WHEA Boundary associated with the REB and Carlton Gardens.

The REB and Carlton Gardens is a substantial allotment bounded by Victoria, Nicholson, Rathdowne and Carlton Streets. The site contains the Royal Exhibition building within a landscaped park setting.

The UNESCO World Heritage Listing provides the following summary comments.

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.

The listing continues with the following details on the sites value, integrity and authenticity.

Outstanding Universal Value

Brief synthesis

The Royal Exhibition Building and Carlton Gardens are a surviving manifestation of the international exhibition movement which blossomed in the late 19th and early 20th centuries. The exhibition building was constructed as a Great Hall, a permanent building initially intended to house the Melbourne International Exhibition of 1880 and the subsequent 1888 Melbourne Centennial International Exhibition. These were the largest events staged in colonial Australia and helped to introduce the world to Australian industry and technology.

The site comprises three parcels of Crown Land in the City of Melbourne, being two Crown Land Reserves for Public Recreation (Carlton Gardens) and one dedicated to the exhibition building and the recently-constructed museum (Exhibition Reserve). The inscribed property consists of a rectangular block of 26 hectares bounded by four city streets with an additional 55.26 hectares in the surrounding buffer zone.

Positioned in the Exhibition Reserve, with the Carlton Gardens to the north and the south, is the Great Hall. This building is cruciform in plan and incorporates the typical architectural template of earlier exhibition buildings: namely a dome, great portal entries, viewing platforms, towers, and fanlight windows. The formal Carlton Gardens, with its tree-lined pathways, fountains and lakes, is an integral part of the overall site design and also characteristic of exhibition buildings of this period.

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.*

Integrity

The completeness of the inscribed property has been retained with the same boundaries as set out in 1879. The Melbourne Museum was constructed in 1998-2000 to the north of the Royal Exhibition Building.

The present state of the conservation of the Great Hall is very good. Conservation work has recently been undertaken on the building's dome and structure, the external joinery and stonework, and timber floors. Additionally, upgrades to building services have been completed. The scroll and parterre gardens on the southern side of the exhibition building, which were part of the 1880 Melbourne International Exhibition, have been restored. As part of the restoration of the 1880 German Garden, an extensive water harvesting and storage system has been installed that involved the installation of underground water tanks in the western forecourt to capture roof and surface runoff. The formal ornamental palace garden, being the southern part of the Carlton Gardens, provided the context for the Palace of Industry and is substantially intact in form including its treed avenues. These works contribute to maintaining the integrity of the Royal Exhibition Building and Carlton Gardens.

Authenticity

The property of the Royal Exhibition Building and Carlton Gardens has retained high authenticity of setting, maintaining its original form on the international exhibition site defined in 1879. The site is still surrounded by city streets and is edged by the bluestone plinth, the base of the iron railings that bounded the 1880 exhibition grounds.

The 1880 Great Hall survives substantially intact in its form and design, internally and externally. Authenticity of form is manifest in its survival as the only Great Hall from a major industrial exhibition of the late 19th and early 20th century. The east and west annexes, not part of the original design and intended to be of temporary use only, were demolished in the mid 20th century. Some modern interventions have been reversed including two structures attached to the north elevation in the 1960s and 1970s which were removed and the original structure repaired. Recent restoration works have included the reinstatement of missing ornamentation around the parapet line.

Interior spaces have been largely retained and are once again used for large-scale exhibitions demonstrating a relatively high authenticity of function within the Great Hall. Prompted by fire safety concerns, most of the original timber staircases were replaced by concrete early in the 20th century, an acceptable risk-sensitive reduction in material authenticity. In 1994, major restoration work included the reworking of the interior colour scheme to the documented era of 1901. The ornate internal paintings have mostly been replaced by the third decorative scheme of 1901, however, parts of the 1880 murals are still intact.

The museum's construction removed part of the north garden although the surviving garden has retained its late 19th century layout. The original axial layout of the south garden survives with its formal paths, tree clumps and central avenues, lawn areas and two lakes (although reduced in size) and fountains. One fountain, the 1888 Westgarth Fountain, has been relocated. A high number of the trees extant on the site are from the 1880s and 1890s layout. Restoration of garden pathways and plantings are based on research.

6.0 Proposal

It is proposed to demolish all the existing built form on the site and construct a thirty-five storey (thirty-six storeys inclusive of the mezzanine) contemporary residential development with a basement. The development is for Purpose Built Student Accommodation (PBSA).

The design response as shown in the drawings prepared by Metier3 separates the built form into three components:

1. The Infill
2. Grange Place
3. Pure Tower Form

Each of these elements are discussed further below.

The Infill

The western boundary or particularly the northwestern corner directly interfaces with the adjacent former Police Headquarters building, creating an area of heritage sensitivity. The design manages this interface with the inclusion of a semi-outdoor courtyard or linking/laneway form between the heritage building and the new development. The scale and transparency of this glazed volume provides a sense of separation between the two structures whilst revealing more of the upper mansard roof of the former police offices - helping to establish a more sympathetic scale relationship. The concept of inserting a glazed laneway achieves an integrated architectural approach, that sensitively bridges between the existing and proposed elements.

Furthermore, the introduction of a kiosk provides a transitional element between the new built form and the heritage building by establishing a sympathetic scale relationship in terms its height and materiality. The height of the kiosk is aligned with the first-floor string course of the Police Headquarters and adopts a masonry expression compatible with the render brick of the heritage building.

Grange Place

Grange Place is essentially a modern laneway environment and is not considered to be a sensitive heritage context. As such the design concept with a street wall for the laneway interface is not a heritage concern.

Pure Tower Form

The tower is setback 4.5m from the western boundary or heritage building i.e. the full width of the glazed laneway and between 2.7m-3.5m from Mackenzie Street. As there is no podium or street wall, but rather a forecourt or plaza to the street this accentuates the visual septation from the former Police Headquarters whilst also allowing for glimpses to the heritage building's mansard roof in views from the east and north-east. This aspect of the scheme is a positive outcome that stems from the introduction of a setback instead of the more conventional approach of a podium element built hard to the street boundary. The adopted materiality is suitable respectful, providing a neutral backdrop to the former police offices that doesn't compete or dominate the heritage building when viewed from Russell Street. It is noted that overall height is taller than outlined in the DDO by 10m, ie the overall height at 112,855m is approximately 10m greater than the specified maximum height of 103m.

7.0 Key Considerations

This Self-Assessment has been prepared in general accordance with The DEECCW's guidelines for such assessments. The following document and policy considerations have been made.

EPBC Act Considerations

Under the EPBC Act, an action requires referral to and approval from the relevant Australian Government Minister if the action has, will have or is likely to have a significant impact on a matter of national environmental significance.

An action is defined in Section 523 of the EPBC Act as a:

... project, development, undertaking, activity, or series of activities, or an alteration to any of those things. Almost all proposals which will have a direct or indirect physical impact are likely to fall within the definition of an action under section 523 [of the Act.]

A 'significant impact' is defined in the Guidelines as follows:

A significant impact is an impact which is important, notable, or of consequence, having regard to its context or intensity. Whether or not an action is likely to have a significant impact depends upon the sensitivity, value, and quality of the environment which is impacted, and upon the intensity, duration, magnitude and geographic extent of the impacts. You should consider all of these factors when determining whether an action is likely to have a significant impact on the environment.

'Likely' is defined in the Guidelines as follows:

To be 'likely', it is not necessary for a significant impact to have a greater than 50% chance of happening; it is sufficient if a significant impact on the environment is a real or not remote chance or possibility.

It is noted that both World Heritage properties and National Heritage places are identified in the Guidelines as Matters of National Environmental Significance (MNES) as defined by the EPBC Act. Accordingly, the significant impact criteria for a World Heritage Property is defined as follows:

An action is likely to have a significant impact on the World Heritage values of a declared World Heritage property if there is a real chance or possibility that it will cause:

- *one or more of the World Heritage values to be lost*
- *one or more of the World Heritage values to be degraded or damaged, or*
- *one or more of the World Heritage values to be notably altered, modified, obscured or diminished.*

The significant impact criteria for National Heritage Places is defined as follows:

An action is likely to have a significant impact on the National Heritage values of a National Heritage Place if there is a real chance or possibility that it will cause:

- *one or more of the National Heritage values to be lost*
- *one or more of the National Heritage values to be degraded or damaged, or*
- *one or more of the National Heritage values to be notably altered, modified, obscured or diminished.*

Regarding World Heritage properties with cultural heritage values, the guidelines provide the follow examples as a form of guidance on the impacts that are likely to be significant to the World Heritage values. These are reproduced as follows.

World Heritage properties with cultural heritage values

An action is likely to have a significant impact on cultural heritage values of a World Heritage property if there is a real chance or possibility that the action will:

Historic heritage values

1. *permanently remove, destroy, damage or substantially alter the fabric of a World Heritage property*
2. *extend, renovate, refurbish or substantially alter a World Heritage property in a manner which is inconsistent with relevant values*
3. *permanently remove, destroy, damage or substantially disturb archaeological deposits or artefacts in a World Heritage property*
4. *involve activities in a World Heritage property with substantial and/or long-term impacts on its values*
5. *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*
6. *make notable changes to the layout, spaces, form or species composition in a garden, landscape or setting of a World Heritage property which are inconsistent with relevant values.*

A further note is included:

To have a significant impact on World Heritage values, it is not necessary for an action to impact upon the whole of a World Heritage property, all of the values of a World Heritage property, or a whole value of a World Heritage property. It is sufficient if an action is likely to have a significant impact on a part, element, or feature of a World Heritage property, which embodies, manifests, shows, or contributes to the values of that property.

Council Policy Considerations

As the site is included in the Design and Development Overlay, it is subject to the provisions of *Schedule 4 to Clause 43.02*. The relevant policy aspects are reproduced, in part, below:

Design objectives

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

To ensure development is sensitively designed to protect the Royal Exhibition Building and Carlton Gardens.

To ensure development does not detract from, or intrude on, the prominence and visibility of the Royal Exhibition Building and Carlton Gardens.

To protect views and vistas of the drum, dome, lantern and flagpole and the northern elevation and ridgeline of the western wing of the Royal Exhibition Building and Carlton Gardens.

To maintain the visual prominence of the drum, dome, lantern and flagpole to a clear sky backdrop from primary vantage points.

[...]

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Whether the siting, height and appearance of a building or works detrimentally impact the view of the drum, dome, lantern and flagpole of the Royal Exhibition Building.

Whether the development intrudes on the clear sky backdrop to the dome of the Royal Exhibition Building.

Whether the development maintains the urban form and conserves the significant historic built form and landscape character within the WHEA, as defined by:

- *The contrast in existing built form between high rise context within the Hoddle Grid (south of Victoria Street).*
- *The predominantly low-rise fabric within the established heritage context (north of Gertrude Street).*
- *The well-defined taller mid-rise forms (St Vincents Hospital and south Victoria Parade).*
- *The sense of openness provided by the island sites located on the northern fringe of the Hoddle Grid.*

Whether materials and colours are sympathetic of the heritage context and avoid large areas of reflective materials.

Whether development in areas south of Victoria Street (such as within the Mixed Use Zone) ensure materiality is of muted materials and colours and avoid large areas of reflective materials to minimise impact on the heritage setting.

Whether building services and plant equipment is minimised and/or screened.

Whether the development is in accordance with the building height requirements.

Whether the proposal avoids high wall signs, major promotion signs, panel signs, pole signs, internally illuminated/animated signs, electronic signs, and sky signs within the WHEA.

As previously noted, the inclusion of the subject site within the WHEA Boundary indicates that Clause 15.03-1L-01 applies to the site. The objectives and Strategies of the Overlay are as follows:

Objectives

To provide a buffer area for the World Heritage listed Royal Exhibition Building and Carlton Gardens which:

- *Defines the immediate setting of, and important views to and from the Royal Exhibition Building and Carlton Gardens as a World Heritage place and presents the contemporaneous late 19th century context of the Royal Exhibition Building and Carlton Gardens.*
- *Protects, conserves, manages and provides certainty to the Outstanding Universal Values of the Royal Exhibition Building and Carlton Gardens, a place outside of the WHEA.*
- *Ensures appreciation of the building that housed and presented the International Exhibition.*
- *Provides a setting and context of significant historic character.*

To protect significant views and vistas to and from the Royal Exhibition Building and Carlton Gardens.

To maintain and conserve the urban form and significant historic character including built form and landscapes of the area.

To ensure development responds to the prominence and visibility of the Royal Exhibition Building and Carlton Gardens.

To ensure development does not detract from, or intrude on, the prominence and visibility of the Royal Exhibition Building and Carlton Gardens.

Strategies

Support the retention and conservation of valued heritage streetscape character.

Encourage retention of the predominantly lower scale form of development to provide a contrast with the dominant scale and form of the Royal Exhibition Building and Hoddle Grid.

Discourage consolidation of allotments in residential areas to protect typical nineteenth century subdivision and allotment patterns, where appropriate.

Protect direct views and vistas to the Royal Exhibition Building and Carlton Gardens from bordering streets and other views and vistas to the dome from streets within the WHEA.

Discourage permanent structures such as shelters, kiosks and signage (other than for historic interpretation purposes), around the perimeter of the Royal Exhibition Building and Carlton Gardens to:

- *Avoid impact on the presentation of the Royal Exhibition Building and Carlton Gardens, including axial views along treed allies and avenues.*
- *Minimise inappropriate visual clutter around the perimeter of the Royal Exhibition Building and Carlton Gardens.*

Discourage high wall signs, major promotion signs, panel signs, pole signs, internally illuminated/animated signs, electronic signs, and sky signs within the WHEA.

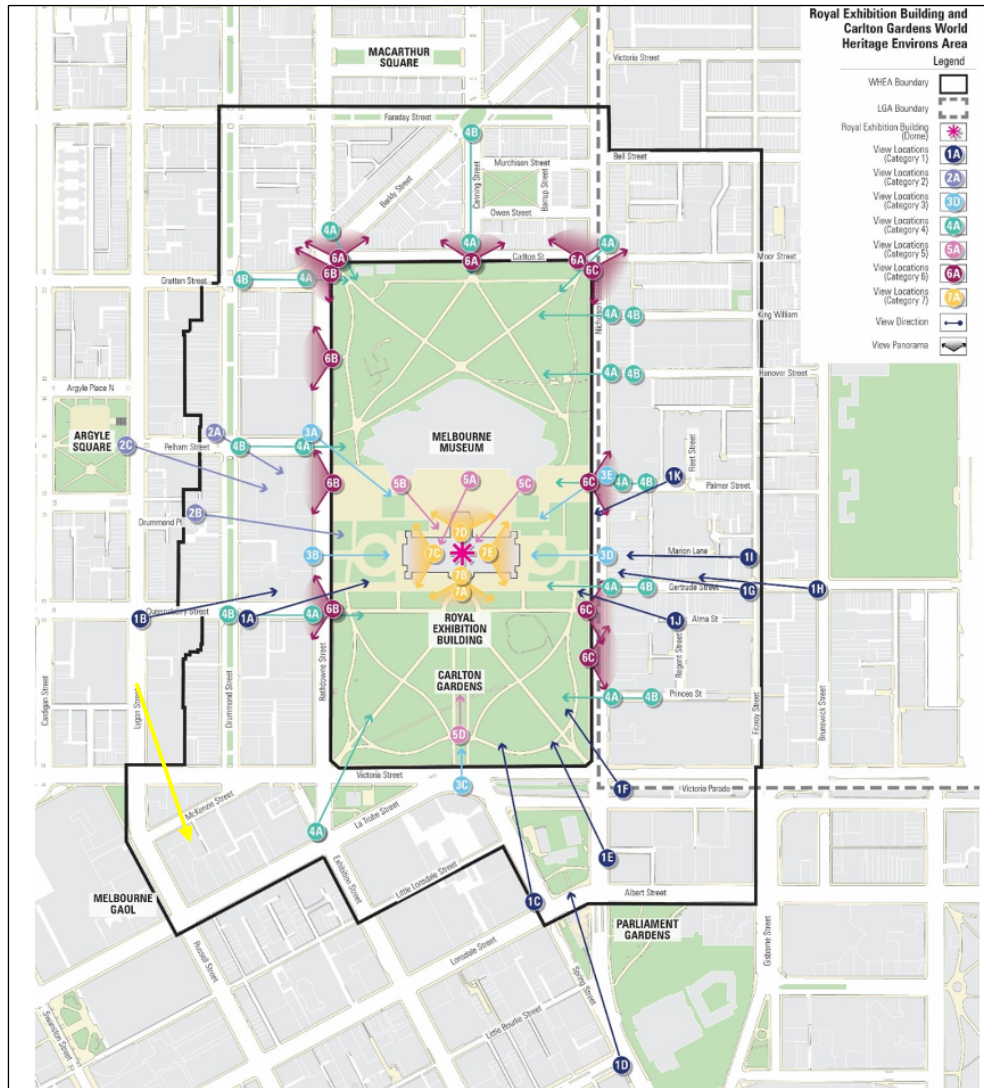


Figure 16 Extract from clause 15.03-1L-01 significant views. The subject site is indicated by the yellow arrow.

WHEA Strategy Plan considerations

A key document for the consideration of potential impacts on the REB as result of development in the immediately adjacent area is the *World Heritage Environs Area Strategy Plan: Royal Exhibition Building and Carlton Gardens* (Department of Transport and Planning, 2025). The strategy plan is the reference document for Council’s policy as outlined above and provides detailed analysis of the views and built form requirements for sites within the WHEA Boundary. The following is noted in regard to views:

It is important to distinguish between the more ‘significant’ views and vistas of the REB (Dome, building) and Carlton Gardens from within the WHEA; as well as views of the WHEA from the REB & Carlton Gardens.

The following summary table defines each of the view categories and outlines which views require protection or are considered to be significant.

Table 1: Views and Vistas Assessment Summary

View Category	Primary/ Secondary/ Supporting	View Types	View Locations in WHEA	View Locations outside WHEA	Protection required?
Category 1	Primary	Direct/ Proximate	1A, 1C, 1E, 1F, 1G, 1I, 1J, 1K	1B, 1D, 1H	Yes
Category 2	Secondary	Glimpse/ Distant	2A (Note: view 2D has been removed as site inspections conducted in October, 2023 revealed it is no longer available due to a recent development)	2B, 2C	Yes
Category 3	Primary	Direct	3A, 3B, 3C, 3D, 3E	-	Yes
Category 4	Primary	Direct/ Proximate	4A	-	Yes
	Secondary	Glimpse/ Distant	4B	-	Yes
Category 5	Primary	Direct	-	5A, 5B, 5C, 5D (within the Museum forecourt & Carlton Gardens)	Yes
Category 6	Supporting	Oblique Streetscape	6A, 6B, 6C	-	Streetscape View Consideration + Sense of openness
Category 7	Supporting	Distant	-	7A, 7B, 7C, 7D, 7E (within the REB & Carlton Gardens)	Urban Structure Consideration

Figure 17 Extract from Royal Exhibition Building & Carlton Gardens, Approved World Heritage Strategy Plan for the World Heritage Environs Area, 2025 outlining the classification of the views.

The view categories are characterised as primary, secondary or supporting views. These are defined as follows:

- Primary*
The 2009 Strategy Plan identified 'significant', or 'primary' views being direct and proximate views into the site from key streets and planned axial views within the Carlton Gardens.
- Secondary*
Other views (being glimpses, or distant views) to the Dome are mainly considered less significant. Secondary views are framed around ensuring the landmark is visually prominent when viewed from key vantage points.
- Supporting view*
While some properties included in the VHR within the WHEA are landmarks in their own right, they were examined within the context of the WHEA's 19th century setting. When considering views and vistas, heritage streetscapes contribute to the built form and streetscape context of the WHEA. In that regard, this 19th century setting 'supports' the prominence and significance of the REB & Carlton Gardens. Consideration of views to other heritage landmarks and visual frameworks of heritage streetscapes within the WHEA were not explicitly addressed in the 2009 Strategy Plan. For the purpose of this Approved Strategy Plan, these views are regarded as 'supporting views'.

Analysis of these views is provided in Section 8.

8.0 Assessment of Impact

World Heritage Assessment

The proposed action, redevelopment of 43 Mackenzie Street, would have no direct impact on the World Heritage property, REB and Carlton Gardens, as the works are proposed outside the WHL curtilage itself and there are no direct interfaces. Having regard for this, the guidance examples given in Significant Impact Guidelines 1.1 (as previously outlined) largely address works or activities within the World Heritage property which are not relevant.

That said, point 5 the ‘*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*’ is considered a more relevant consideration, and point 9 considers the potential for the setting of a World Heritage property to be altered in a manner that is inconsistent with relevant values.

The proposed works involve the construction of a new building within the WHEA Boundary that is of increased scale compared to the existing building on the site. To that end, the potential impact on important views to and from the REB and Carlton Gardens and/or on the setting of the World Heritage property must be considered. This is relevant to the value of a place as comprising ‘*the main extant survivors of a Palace of Industry and its setting, [which] together reflect the global influence of the international exhibition movement of the nineteenth and early twentieth centuries*’.

Of relevant to this issue, Clause 15.03-1L-01 seeks to ‘*Protect direct views and vistas to the Royal Exhibition Building and Carlton Gardens from bordering streets and other views and vistas to the dome from streets within the WHEA.*’ Two specific viewlines are identified in the WHEA Strategy Plan and the relevant planning scheme provisions that are of particular relevance. These views 5A and 5C which are illustrated below.



Figure 18 View 5A as included in the Royal Exhibition Building & Carlton Gardens, Approved World Heritage Strategy Plan for the World Heritage Environs Area, 2025.



Figure 19 View 5C as included in the Royal Exhibition Building & Carlton Gardens, Approved World Heritage Strategy Plan for the World Heritage Environs Area, 2025.

Category 5 views are protected as direct views 'towards the REB and Dome (Flagpole, Lantern, Dome and Drum) from within the Carlton Gardens and Melbourne Museum Forecourt.'

The View Impact Assessment, prepared by Orbit addresses the potential of additional visible built form within these views. Versions of view 5A and 5C are included below.



Figure 20 Proposed View 5A, prepared by Orbit. The proposed building envelope is outlined in pink and a small area of visible form is seen above the west ridge of the REB, between other elements of higher built form.



Figure 21 Detailed extract of the proposed View 5A, prepared by Orbit. The proposed building envelope is outlined in pink and a small area of visible form is seen above the west ridge of the REB, between other elements of higher built form.



Figure 22 Proposed View 5C, prepared by Orbit. The proposed building envelope is outlined in pink and it is apparent that the building will not be visible in this view.



Figure 23 Detailed extract of the proposed View 5C, prepared by Orbit. The proposed building envelope is outlined in pink.

It is acknowledged that these views do not directly align with the WHEA Strategy plan views, however this is noted within View Impact Assessment:

It is also noted that while the Strategy Plan map shows the direction of the centre of the nominated views as being at a differing angle than the photos that have been presented in this analysis there is no variance in the extent of any occlusion or projection of the proposed building envelope from the nominated viewing position. Where the map indicates a slightly different central viewing angle than what the photograph captured, the overall visual relationship between the viewpoint, any existing occlusions, and the proposed building envelope (its presence, extent, and how it's projected) can remain effectively the same.

It is understood the Orbit views could exactly reproduce the Strategy Plan views insofar as elements of infrastructure and landscaping have in recent times been put in positions that prevent the appropriate view location being adopted.

In view 5C to the REB the new building would not be visible.

However, in View 5A some additional built form is shown above the ridgeline, as indicated by the red outline in Figure 20 above. In this context, the key considerations are, in the first instance, whether the new building obstructs the identified significant viewlines, and secondly, whether an acceptable relationship is achieved, such that the additional incursion of built form to the west of the REB dome will not detract from its significance.

In relation to the first issue, there would be no additional obstruction of views to the REB from the proposal.

The second issue requires a nuanced analysis. The WHEA strategy plan (2025) conducted a built form analysis of view 5A to determine the appropriate level of visibility of new built form within this existing high-rise context. Two heights were assessed 'concealment height' and '10m above concealment height' (refer to the figures below).



Figure 24 View 5A with 'concealment height'. Source: Royal Exhibition Building & Carlton Gardens, Approved World Heritage Strategy Plan for the World Heritage Environs Area, 2025

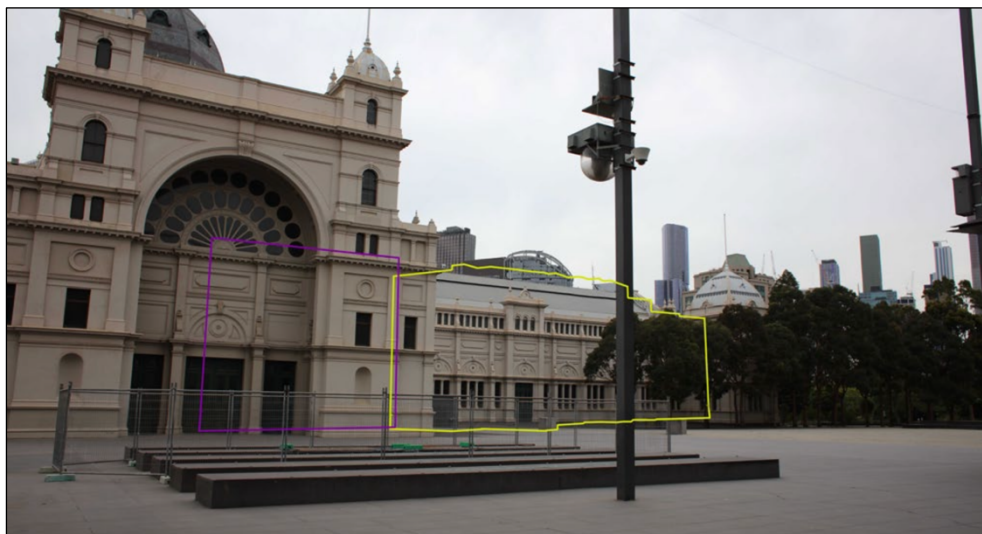


Figure 25 View 5A with 10m above 'concealment height'. Source: Royal Exhibition Building & Carlton Gardens, Approved World Heritage Strategy Plan for the World Heritage Environs Area, 2025

The earlier, exhibited draft document of the WHEA strategy plan, upon which the draft DDO was based, noted that the purpose of the DDO and mandatory heights was as follows:

The new DDO proposed to implement a maximum building height across Area 3 to ensure future development did not compete with the visual primacy of the Dome when viewed from primary vantage point locations 5A, 5B and 5C located in northern forecourt of the REB. The proposed DDO also seeks to discourage potential continuous walls of building in the backdrop of these primary views.

The outlined 'acceptable visibility' was 10m above the concealment zone. The Heritage Council disagreed with this assessment:

The Heritage Council in its adoption of the September 2022 draft Strategy Plan and submissions to it did not accept there was benefit in a 10 metre visibility allowance as had been proposed in the exhibited draft Strategy Plan. Its view was that this incremental and continued incursion to the REB & Carlton Gardens from key vantage points would have further detrimental impact. The Committee adopted the proposed preferred maximum building height as a mandatory height to protect and conserve the OUV of the REB & Carlton Gardens. [...]

The *Visual Framework and Testing* was the relevant supporting document that informed the built form assessment as included in the WHEA strategy plan. The recommended maximum building height for Area 3 (the area associated with the subject site) of the *Visual Framework and Testing* are reproduced below.

West of Exhibition Street, for sites in MUZ: maximum building heights of 38 storey (133 metres), commensurate with the approval at 9-23 McKenzie Street in Area 3 (west of Exhibition Street). [...]

The taller built form up to 38 storeys as recommended for Area 3 was determined by the assessment of key principles for the relevant significant views. Of relevance to view 5A are the following principles and associated findings.

Protection of primary view to the Dome

Impact: No primary views to the Dome are impacted by potential development of up to 38 storeys on tested allotments south of Victoria Street and west of Exhibition Street (Area 3), or DDO6 envelopes north of Victoria St (Area 2).

[...]

Visual dominance of the Dome along significant view lines

While 38 storey envelopes encroach above the REB skyline on the testing block bound in Area 3 (west of Exhibition Street), these taller forms are afforded with considerable distance and will 'blend' into the background of recently constructed towers within the Capital City. Tower development of up to 38 storeys in Area 3 (west of Exhibition St) is unlikely to compete or diminish the primacy of the Dome when viewed from primary vantage points 5A and 5C.

It is established that the original intent of the author of the exhibited WHEA Strategy was for a 10m allowance as outlined above. Accepting that this was not the position adopted by the Heritage Council and set out in the final WHEA Strategy Plan, the proposal for the subject site is consistent with this outcome. Furthermore, the assessment as determined by the *Visual Framework and Testing* provides an appropriate response to the existing high-rise context within Area 3 which anticipates the additional built form associated with the approved permits within Area 3. The proposal does not encroach beyond what was considered to be an acceptable level of incremental built form within an area of density. The dome remains the dominant feature, and the built form does not extend beyond the existing built form framework i.e. it does not continue/extend the visual backdrop of buildings as outlined as the purpose of the DDO in the draft WHEA strategy plan.

Further to this, it is noted that view lines beyond the east of the dome, ie above the ridge extending east, are pristine and uninterrupted in view 5A, while those to the west of the dome are impinged upon by existing visible built form. Accepting this, the visual impact of the proposed additional built form to the west of the dome is minor in nature and will not affect the presentation or significant fabric of the REB as a nineteenth century Palace of Industry. The REB including the dome, remains the dominant element in both its immediate

and broader setting, ensuring that the understanding of the REB and Carlton Gardens or the relationship of the World Heritage property with the surrounding street context will not be altered. While the exhibited Strategy Plan does not have the status of the finalised Strategy Plan, it illustrates the point that the authors of that draft did not themselves believe that a visible envelope of this kind would result in a significant impact upon View 5A.

The view impact assessment prepared by Orbit demonstrates that the replacement building is of increased but not dominant or imposing scale relative to the mandatory height in the Strategy Plan. Based on the degree of visibility shown, it is clear that in this view a very small increment of new built form is visible, flanked by higher, more readily visible existing built form. While this represents a change to view 5A, it is not considered to represent a significant impact as the proposed building will sit amongst other buildings with the CBD that already form part of the backdrop of the REB.

In terms of view category 7 – Dome Views, these are supporting views, and the additional built form is seen within a considerable built form context.

Having regard for the above, the proposal for 43 Mackenzie Street is not considered to alter the setting of the World Heritage property in a way that is inconsistent with the values of the place or that results in a significant impact. The proposed action will not result in any World Heritage values being lost, degraded or damaged or notably altered, modified, obscured or diminished.

National Heritage Assessment

National Heritage values of the REB and Carlton Gardens, these are outlined in the statement of significance as included in the Australian Heritage Database.

Having regard for the guidance provided in the Significant Impact Guidelines 1.1, the assessment is provided below of the proposed action and its potential to impact on the National Heritage values of the REB and Carlton Gardens. An analysis of the values and the proposed action is included below.

CRITERION	VALUE	COMMENT
A (Events & Processes)	<i>The Royal Exhibition Building and Carlton Gardens, the venue for the grand opening of the first Australian Parliament in 1901, has outstanding national historic value for its role in the defining event of Federation. It is the place where Commonwealth of Australia's first Parliament was commissioned and sworn in, on 9 May 1901. The Royal Exhibition Building and Carlton Gardens is a tangible symbol of the country's pride in its technological and cultural achievements in the latter part of the nineteenth century. Together with the associated gardens the Royal Exhibition Building is the most significant extant nineteenth century exhibition building in Australia.</i>	The proposed action will have no impact on the REB and Carlton Gardens value or significant historical associations.
B (Rarity)	<i>The Royal Exhibition Building and Carlton Gardens including the gardens' associated ornamental features has outstanding historic values as the major extant nineteenth century international exhibition building and garden complex in Australia.</i>	The proposed action will have no impact on these attributes and values as no works

	<p><i>The Royal Exhibition Building in its garden setting is a rare surviving example of an Australian response to the international exhibition movement.</i></p> <p><i>The Royal Exhibition Building is one of the few major nineteenth century exhibition Great Halls to survive substantially intact worldwide and represents a rare example of the nineteenth century international movement's belief in the benefits of industrialisation, the transmission of ideas and social progress and development of an extensive international economy.</i></p> <p><i>The Royal Exhibition Building in its original garden setting is a rare example of a surviving nineteenth century exhibition precinct, nationally and internationally.</i></p> <p><i>Carlton Gardens is a significant example of nineteenth century classicism in an Australian public garden, featuring earlier nineteenth century 'Gardenesque' style elements and later more classical features. These more classical features are seen in the south garden and are references to the classical gardens of European aristocracy and royalty. These features include the main north-south tree-lined avenue framing the southern entrance to the Exhibition Building (Grande Allee and tapis vert), the east-west terrace, the circular garden bed surrounding a central fountain (Hochgurtel fountain), the radial pattern of tree-lined linear pathways (allees) all converging on the Hochgurtel fountain (patte d'oi), the formal garden beds created along the south facade (parterres), the eastern forecourt with circular garden beds and the French fountain, the creation of axial views with foci and the planting of trees in groups or clumps (bosquets).</i></p> <p><i>Further axial features are used to reinforce the building's function as the focus of the garden. These design elements are reminiscent of European baroque palace gardens. These features include the axial layout of the building on a north south alignment extended by the Grand Allee, the creation of the Promenade Deck (at the base of the dome) which reinforces the importance of the view down the Grande Allee and across to the city (which is intended to link the Exhibition Building with other central places of democracy and civic institutions - Parliament and Government House) and the placement of the building on the high point of a ridgeline so that the building's dome would become a landmark in the surrounding city. The adjacent gardens on the north and south sides of the Yarra River, the Fitzroy, Treasury and Parliament Gardens, Yarra Park and the Melbourne Botanic Gardens, all heightened the contrived device of the Carlton Gardens and Royal Exhibition Building as set within an endless boulevard of greenery and civic grandeur (World Heritage nomination report).</i></p> <p><i>The ornamental lakes, the diagonal tree-lined pathways and lawn in the north garden and the mature nineteenth century specimen tree planting, some of which are rare, also contribute to the garden's values.</i></p>	<p>are proposed within or to the place.</p>
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<p>D (Principal characteristics of a class of places)</p>	<p><i>The Exhibition Building is an outstanding example demonstrating the principal characteristics of the Victorian Free Classical architectural style to express the form and ideas of the international exhibition movement. As one of the largest and finest nineteenth century buildings in Australia it represented a temple to industry rather than a palace.</i></p> <p><i>Carlton Gardens were originally developed as a public park for passive recreation. Later more classical garden modifications were made forming the setting for the Royal Exhibition Building. The main garden elements include the main north-south tree-lined avenue (Grande Allee), the east-west terrace, the Hochgurtel fountain with surrounding circular garden bed, the eastern forecourt with surrounding circular garden bed and the French fountain, the radial pattern of tree-lined linear pathways converging on the Hochgurtel fountain (patte d'oie), the formal garden beds (parterres), the incorporation of axial views and vistas, the planting of trees in groups or clumps (bosquets), the ornamental ponds and the mature specimen trees surviving from Bateman's plan and the later trees planted by Sangster in c1879-1880 and the c1890 diagonal tree lined pathways of the north garden.</i></p> <p><i>The Royal Exhibition Building and its garden setting retain continuity of public use and its original purpose of exhibitions and displays has been maintained.</i></p>	<p>The proposed action will have no impact on the significant architectural characteristics of the place as no works are proposed to the place.</p> <p>There will be no impact on the ongoing use and enjoyment of the place.</p>
<p>E (Aesthetic characteristics)</p>	<p><i>The Carlton Gardens, the setting for the Royal Exhibition Building, are of outstanding aesthetic significance for their nineteenth century classically modified 'Gardenesque' style.</i></p> <p><i>The Royal Exhibition Building with its soaring dome, is a significant landmark in the Melbourne skyline. It is a leading icon in promotional literature for the State and city. The dome, building and its garden setting exhibit inspiring aesthetic features which are highly valued by the State of Victoria and the city of Melbourne.</i></p> <p><i>The Royal Exhibition Building as a building in a garden ensemble continues to inspire Melbourne and Victorian communities.</i></p>	<p>The proposed action will have no impact on the aesthetic values of the place including its landscaped setting, appreciation of the dome and the overall composition of the place.</p> <p>As set out above, it is also the finding of this report that there will be no significant impact upon views to and from the REB and the Carlton Gardens arising from the proposed development.</p>
<p>F</p>	<p><i>The Royal Exhibition Building together with its Carlton Gardens setting, demonstrates an outstanding achievement in design. The building and gardens are representative of the international exhibition movement style, based on a Beaux-Arts axial scheme</i></p>	<p>The proposed action will have no impact on the technical or</p>

<p>(technical or creative achievement)</p>	<p><i>with the building as a palace, primarily in the German Rundbogenstil and Italian Renaissance style for which its designer Joseph Reed, won the design competition. The soaring dome, based on the Florence Cathedral dome designed by Brunelleschi, is a landmark on the Melbourne skyline. The gardens to the south of the building were also designed to create a palatial garden setting.</i></p> <p><i>Gardenesque and formal classical garden elements have been used in the design of Carlton Gardens to create a setting for the Royal Exhibition Building. The main garden elements creating the setting for the Royal Exhibition Building during the 1880 and 1888 exhibitions are in the south garden. These elements include the main north-south tree-lined avenue (Grande Allee), the east-west terrace, the Hochgurtel fountain with surrounding circular garden bed, the eastern forecourt with surrounding circular garden bed and the French fountain, the radial pattern of tree-lined linear pathways converging on the Hochgurtel fountain (patte d'oie), the formal garden beds (parterres), the incorporation of axial views and vistas, the planting of trees in groups or clumps (bosquets), the ornamental ponds and the mature specimen trees surviving from Bateman's plan and the later trees planted by Sangster in c1879-1880. These Gardenesque and classical elements are all integral to the original 1880 design for the setting of the building and are a major feature of the place's outstanding national values.</i></p> <p><i>The Carlton Gardens, both north and south gardens together, are a notable creative achievement demonstrating a skilful Gardenesque design with classical elements and a landscape character with plantings of pines, cedar, Araucaria, cypress, gums, figs, pepper trees, elms, planes, oaks, poplars, Canary Island date palms and Washington palms that display contrasting colours and forms which enhances Carlton Gardens, the Royal Exhibition Building and the adjacent urban area.</i></p>	<p>creative values of the place as no works are proposed that would alter the dome or obscure views to it. No works are proposed to the gardens.</p>
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9.0 Conclusion

The proposed action, redevelopment of 43 Mackenzie Street, Melbourne will not result in any of the World Heritage values or National Heritage values being lost, damaged or diminished, or notably altered, modified, or obscured. Accordingly, the action will not have a significant impact on a Matter of National Environmental Significance (MNES) as defined by the EPBC Act.

While the proposal would introduce a building of a scale comparable to that of some of its neighbours in the broader environs of the REB, within the WHEA, it will not adversely impact upon the heritage values of the REB and Carlton Gardens or the appreciation or landmark status of the dome. The additional built form will have modest visibility within the context of other neighbouring buildings that extend further above the ridge line and are more evident in the associated view/viewlines.

The potential for the proposed action to pose an impact on the World Heritage values or National Heritage values of the REB and Carlton Gardens has been considered. The analysis provided above demonstrates that the proposed action is not inconsistent with the range of relevant World and National heritage values of the place. Having regard for this, it is concluded that the proposed action will not have a significant impact on a REB and Carlton Gardens however referral to the Department of Climate Change, Energy the Environment and Water (DCCEEW) is recommended to confirm this due to the nuanced considerations surrounding the minor additional built form to be introduced within View 5A.

Attachment 1: Schedule 4 to the City of Melbourne Design and Development
Overlay [DD04]



17/04/2025
VC251

SCHEDULE 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO4** .

WORLD HERITAGE ENVIRONS AREA (WHEA)

1.0
17/04/2025
VC251

Design objectives

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

To ensure development is sensitively designed to protect the Royal Exhibition Building and Carlton Gardens.

To ensure development does not detract from, or intrude on, the prominence and visibility of the Royal Exhibition Building and Carlton Gardens.

To protect views and vistas of the drum, dome, lantern and flagpole and the northern elevation and ridgeline of the western wing of the Royal Exhibition Building and Carlton Gardens.

To maintain the visual prominence of the drum, dome, lantern and flagpole to a clear sky backdrop from primary vantage points.

2.0
17/04/2025
VC251

Buildings and works

A permit must not be granted for buildings and works, including the replacement of the existing building, which exceed the mandatory maximum building height requirements specified in Tables 1, 2 and 3 of this schedule. This does not apply to buildings and works for a replacement building which:

- Retain the existing building envelope, including no increase in height or reduction of setbacks.
- Does not result in any additional habitable or occupiable floor area (including an open balcony).

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

- Development in each area must achieve the corresponding design outcomes in Tables 1, 2 and 3 of this schedule.

Table 1 – Preferred and mandatory maximum building height requirements

Areas shown in Maps 1, 2 & 3	Preferred maximum building height	Mandatory maximum building height	Design outcomes
1	None specified	9 metres	<p>Maintain the predominantly lower scale form of development which provides a contrast to the dominant scale and form of the Royal Exhibition Building.</p> <p>Retain and conserve the heritage character of streetscapes to maintain the heritage character of the setting and context of the Royal Exhibition Building and Carlton Gardens.</p>
2A	None specified	11 metres	<p>Maintain the predominantly lower scale form of development which provides a contrast to the dominant scale and form of the Royal Exhibition Building.</p>
2B	10.5 metres	11 metres	<p>Maintain and conserve the heritage character of the area and streetscapes to protect the heritage character of the setting and context of the Royal Exhibition Building and Carlton Gardens.</p> <p>Development creates an environment with high pedestrian amenity along Faraday Street.</p>
3	None specified	Refer to Table 2	<p>Protect the views and visual dominance of the Royal Exhibition Building, including the dome, northern elevation and ridgeline when viewed from the Melbourne Museum Forecourt and view locations 5A, 5B & 5C as outlined in Map 1.</p> <p>Development when viewed from the Melbourne Museum Forecourt must:</p> <ul style="list-style-type: none"> ▪ Not impact or overwhelm the visual dominance of the drum, dome, lantern and northern elevation and ridgeline of the western wing of the Royal Exhibition Building. ▪ Be designed, setback and orientated to not overwhelm the northern elevation and ridgeline of the western wing of the Royal Exhibition Building. ▪ Not interrupt the clear sky view which provides a backdrop to the dome, northern elevation and ridgeline of the western wing, of the Royal Exhibition Building. ▪ Ensure use of muted materials and colours which complement the local area and avoid reflective materials. ▪ Ensure building services and plant equipment is minimised and/or screened within the maximum building height.

MELBOURNE PLANNING SCHEME

Areas shown in Maps 1, 2 & 3	Preferred maximum building height	Mandatory maximum building height	Design outcomes
4A	None specified	8 metres	The predominantly 1-2 storey built form character of the area is maintained to ensure a pedestrian scale of development abutting the streets and laneways.
4B	None specified	10 metres	The low-rise built form of the area, which is predominantly 2-3 storey, is maintained to ensure that the existing character of the area is protected.
4C	None specified	13.5 metres	The historic character of the area is maintained.
4D	None specified	16 metres	Development of an appropriate scale to Rathdowne Street is achieved which maintains a comfortable relationship with the surrounding low-rise built form of the area. 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.
6A	None specified	15 metres	Protect views and retain the clear sky backdrop of the drum, dome, lantern and flagpole of the Royal Exhibition Building when viewed from the southwest corner of Spring Street and Bourke Street, the northwest corner of Lonsdale Street and Spring Street and the northeastern corner of Nicholson Street and Evelyn Place.
6B	74 metres	None specified	The height of additional development should not be more than the existing building height to minimise impact on the environmental qualities of the area around Victoria Parade, Albert Street and the Fitzroy Gardens.
6C	15 metres	None specified	Fitzroy Gardens should be protected from additional overshadowing between 11am and 2pm on 22 March and 22 September.
6D	25 metres	None specified	A consistent scale of buildings on the edge of the Victoria Parade boulevard entry to the CBD.

Table 2 - Mandatory maximum building height requirements (Area 3)

Address***	Mandatory maximum building height*
58-66 La Trobe Street	115 metres
336-376 Russell Street	107 metres
54 La Trobe Street	115 metres
52 La Trobe Street	114 metres
42-50 La Trobe Street	123 metres**
36-40 La Trobe Street	111 metres
30-34 La Trobe Street	109 metres
20 La Trobe St	99 metres
333 Exhibition Street	99 metres
353 Exhibition Street	100 metres
13A Victoria Street	97 metres
355-357 Exhibition Street	96 metres
11-17 Victoria Street	95 metres
19-21 Victoria Street	94 metres
9-23 Mackenzie Street	127 metres**
27-39 Mackenzie Street	101 metres
43 Mackenzie Street	103 metres
380 Russell Street	73 metres
390-394 Russell Street	69 metres
31-33 Victoria Street	71 metres
23-29 Victoria Street	80 metres

*** Nominated building heights are to be measured as the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building and must include all buildings services and plant equipment.

MELBOURNE PLANNING SCHEME

*** Maximum height of existing building.*

**** Should any sites listed in Table 2 be consolidated, then the height applicable to that site's title at the time of gazettal or the lower height of the sites being consolidated will apply.*

Table 3 - Mandatory maximum building height requirements (Area 5)

Address	Mandatory maximum building height*	Design outcomes
2-8 La Trobe Street and 1-9 Victoria Street Melbourne (Royal Society)	No higher than the maximum height of the existing building on the land.	Protect the view and visual dominance of the Royal Exhibition Building. Not impact or overwhelm the visual dominance of the drum, dome, lantern and northern elevation and ridgeline of the eastern and western wings of the Royal Exhibition Building. Ensure use of muted materials and colours which complement the local area and avoid use of reflective materials. Ensure building services and plant equipment is minimised and/or screened.
<p>* Nominated building heights are to be measured as the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building and must include all buildings services and plant equipment.</p>		

3.0
17/04/2025
VC251

Subdivision

None specified.

4.0
17/04/2025
VC251

Signs

Sign requirements are at Clause 52.05. Land within the WHEA is in Category 3 - High amenity areas.

5.0
17/04/2025
VC251

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

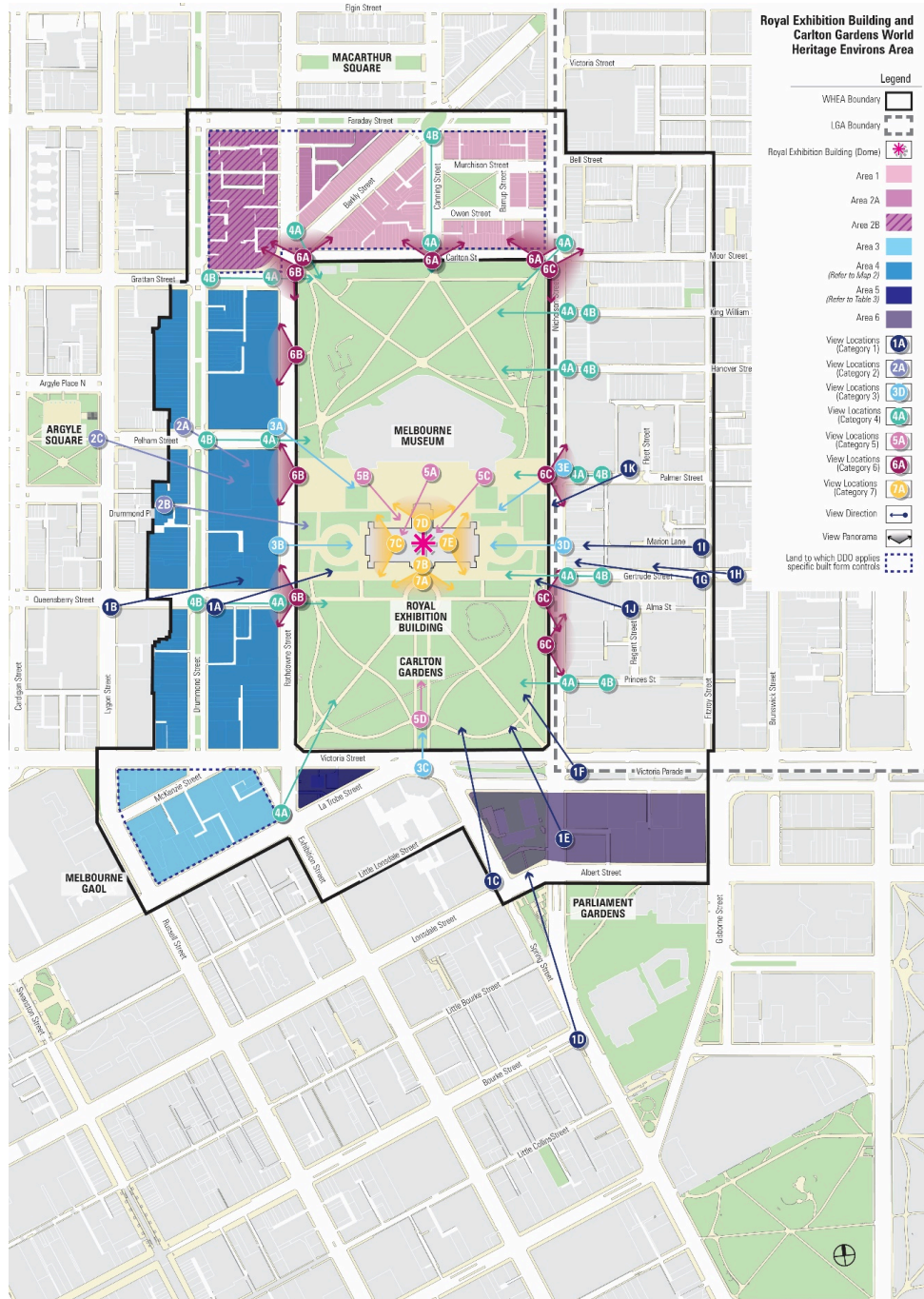
- A site analysis plan and urban context report which demonstrates how the development achieves the requirements of this schedule.
- A visual impact assessment of the buildings and works viewed from any primary vantage point (including photomontages, as appropriate) to demonstrate whether:
 - The buildings and works impact the clear sky backdrop of the dome, and northern elevation and ridgeline of the western wing, of the Royal Exhibition Building.
 - The visual impact of the buildings and works from the Dome Promenade.
- An explanation of how the development achieves the objectives of clauses 15.03-1R and 15.03-1L-01.
- Evidence approval has been requested or received under the *Environment Protection and Biodiversity Conservation Act 1999* (Clth) for potential impact of development on a ‘matter of national environmental significance’, including World Heritage places and National Heritage places.

Decision guidelines

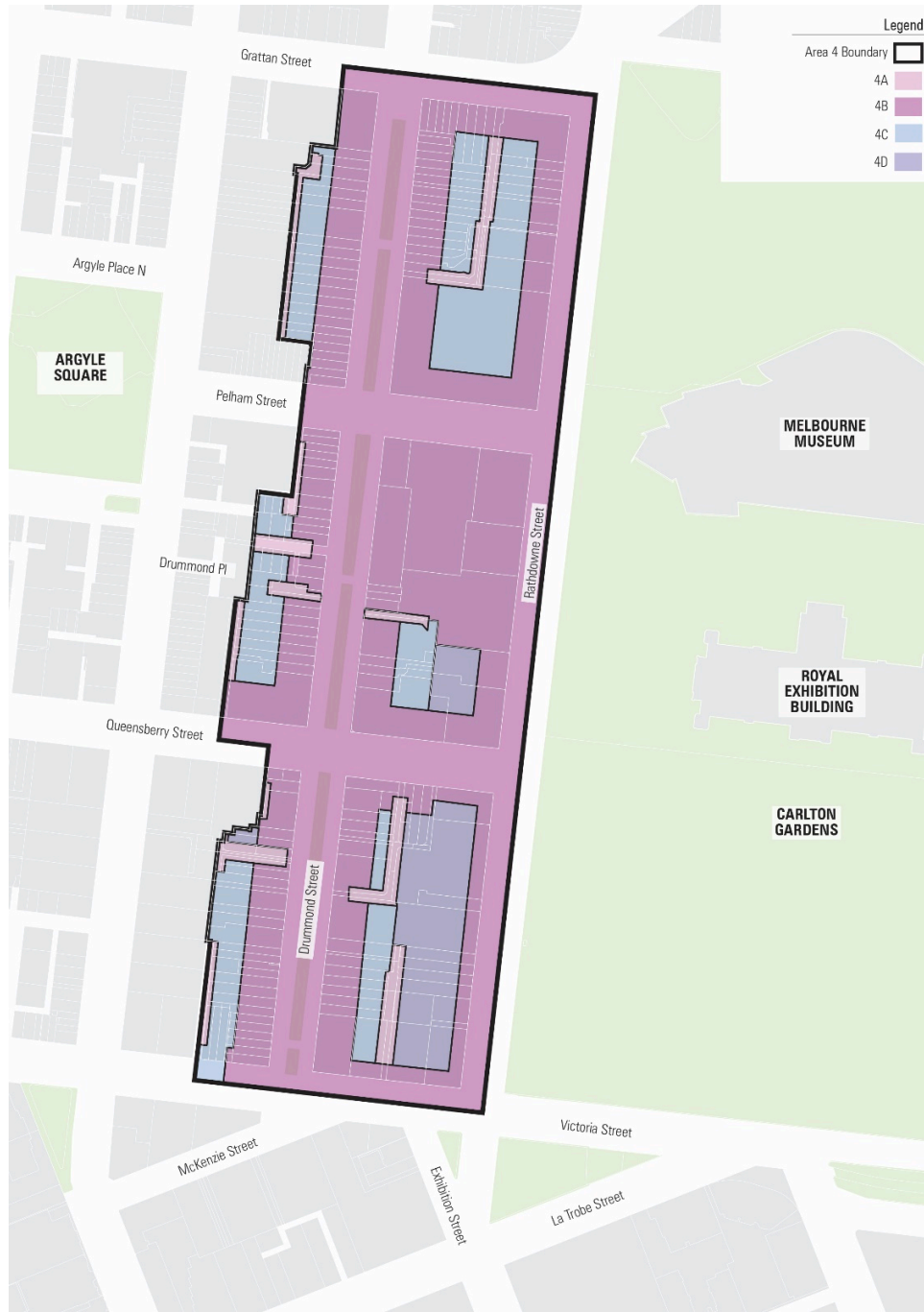
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the siting, height and appearance of a building or works detrimentally impact the view of the drum, dome, lantern and flagpole of the Royal Exhibition Building.
- Whether the development intrudes on the clear sky backdrop to the dome of the Royal Exhibition Building.
- Whether the development maintains the urban form and conserves the significant historic built form and landscape character within the WHEA, as defined by:
 - The contrast in existing built form between high rise context within the Hoddle Grid (south of Victoria Street).
 - The predominantly low-rise fabric within the established heritage context (north of Gertrude Street).
 - The well-defined taller mid-rise forms (St Vincents Hospital and south Victoria Parade).
 - The sense of openness provided by the island sites located on the northern fringe of the Hoddle Grid.
- Whether materials and colours are sympathetic of the heritage context and avoid large areas of reflective materials.
- Whether development in areas south of Victoria Street (such as within the Mixed Use Zone) ensure materiality is of muted materials and colours and avoid large areas of reflective materials to minimise impact on the heritage setting.
- Whether building services and plant equipment is minimised and/or screened.
- Whether the development is in accordance with the building height requirements.
- Whether the proposal avoids high wall signs, major promotion signs, panel signs, pole signs, internally illuminated/animated signs, electronic signs, and sky signs within the WHEA.

Map 1 – WHEA Building Height Areas



Map 2 - Building Height Area 4



Map 3 - Building Height Area 6

