

H2361 Fawkner Park, 24-88 Commercial Road, South Yarra

Permit Application P29324

Why is Fawkner Park of heritage significance?

Fawkner Park is included in the Victorian Heritage Register under the provisions of the *Heritage Act 2017* for its historical, archaeological, and aesthetic significance to the State of Victoria.

Fawkner Park was permanently reserved in 1862 as part of the vision of Charles La Trobe to develop Melbourne as a city surrounded by extensive public parklands. It was formerly developed in 1875 and is a fine example of an 'outer ring' park which were typically developed for recreation and organised sporting activity. Fawkner Park is also important for its use as an accommodation base for the Australian Women's Army Service (AWAS) and as a camp for British migrants between 1947 and 1955. Fawkner Park is notable for its number of fine, mature avenues of English and Dutch Elm, White Poplar, English Oak and Moreton Bay Fig that criss-cross the site, forming over-arching canopies above the pathway system. The treed avenues form the dominant landscape component of the site counterpointed with expanses of lawn for recreational use between the avenue alignments.

What was the permit application for?

In December 2018 Heritage Victoria received a permit application for improvement works to the Pasley Street North entrance to Fawkner Park including the relocation of a basketball court, tree removal, tree planting, new landscaping and the construction of new drainage and secondary pathways.

The permit application was advertised between 30 January 2019 and 27 February 2019 and a total of 42 submissions were received.

Why has the permit been refused?

The *Heritage Act 2017* requires the Executive Director of Heritage Victoria to consider various matters in determining a permit application including the extent that the application, if approved, would affect the cultural heritage significance of the place; the extent that refusal would affect the reasonable or economic use of the place; and any submissions received in response to public notice of the permit application.

On 31 July 2019, the Executive Director of Heritage Victoria refused the permit application for the following reasons:

- If the application were approved, and the sports court constructed in the proposed location, it would result in an unacceptable detrimental impact on the cultural heritage significance of Fawkner Park.
- The construction of the sports court in this location would result in physical and visual impacts on the landscape character of Fawkner Park as:
 - it represents an incursion of hard surfacing into a part of the park which is currently grassed and eliminates an area of the lawn which remains the majority surface to this sector of the park;
 - the location of the sports court away from its historical location at the perimeter of the park requires a network of new paths that run counter to the overall materiality, alignment and width of the asphalt linear avenues which contribute to the aesthetic significance of Fawkner Park;

- the scope of works goes beyond the relocation of the existing facility as it will be larger than the existing facility and, in tandem with its additional pathways, will have a larger overall footprint; and
 - its placement adjacent to Avenue G, will alter the presentation of an avenue recorded in the Conservation Analysis of 2002 as being of high heritage significance.
- Refusal of the permit application will prevent the works as proposed from being realised. Heritage Victoria accepts that the continuation of a sports court in Fawkner Park, although constructed in a new form, is a reasonable use. However, the Applicant has not sufficiently demonstrated that an alternative more suitable location for the sports court could not be found.
- While Heritage Victoria is generally supportive of the necessary landscape and drainage improvement works and the associated entrance improvements at Pasley Street proposed, it is understood that these works cannot be extracted from the proposal as whole.