



Heritage Impact Statement

Benalla Art Gallery Redevelopment – Stage 1
Benalla Botanical Gardens and Art Gallery VHR H2260
Bridge Street West, Benalla

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1 Introduction

1.1 Place Details

This Heritage Impact Statement (HIS) is for the Benalla Botanical Gardens and Art Gallery VHR H2260 (the heritage place).

1.1.1 Address and location description

The heritage place is located at Bridge Street West, Benalla.

This proposal affects part of the heritage place, known as the Benalla Art Gallery at 2A Bridge Street West, Benalla. The formal extent of registration encompasses the entire Benalla Botanical Gardens and is inclusive of buildings, footpaths, and landscaping (Figure 1). The project area comprises the existing gallery building and extends to the north-west most space of the building and adjacent gardens (Figure 2).



Figure 1: Aerial view of Benalla Botanic Gardens VHR H2260 (outlined in red). The Benalla Art Gallery can be seen to the north, outlined in blue. Source: Near Map 2024.



Figure 2: Benalla Art Gallery (outlined in blue) The extent of the project area shown indicatively in yellow. Source: Near Map, 2024.

1.1.2 Traditional Owners information

Benalla Art Gallery and Botanic Gardens is located on the traditional lands of the Yorta Yorta People. Under the Aboriginal Heritage Act 2006, the Registered Aboriginal Party for this land is the Yorta Yorta Nation Aboriginal Corporation (YYNAC).

The heritage place is located within an area of cultural heritage sensitivity associated with a waterway (Broken River/Lake Benalla). Given the proximity of the heritage place to significant Aboriginal historical events and places, a Cultural Heritage Management Plan (CHMP) has been prepared by Joanne Bell of Jo Bell Heritage Services Pty. Ltd. and Diarna Kerr of the Yorta Yorta Nation Aboriginal Corporation.

1.2 Project Details

This HIS forms part of an application for minor demolition works, alterations and additions to the project area.

A Victorian State Government grant was received by Benalla Rural City Council in June 2021 to undertake improvements at the Benalla Art Gallery that included addressing aspects of functionality of the building for both visitors and management/gallery staff, undertaking an upgrade to the existing cafe and provide additional storage for artwork.

A second grant from the Commonwealth was received in mid-2024, with the formal executed contract issued February 2025. The focus of this grant was to upgrade the physical envelope of the existing building, including improved art hanging surfaces and upgrades to climate control systems to meet Triple A Sector Standards supported by environmentally sensitive design. Renovations will also improve the gallery lobby including the shop, office spaces, and reception.

Benalla Rural City Council has also committed funding to the project.

As such, the proposal will be carried out in two stages:

Stage 1A – Café Enhancement and New Collection Storage

Stage 1A scope will comprise the construction of an extension to the existing building, facilitating the relocation of the café and separation of gallery and café operations. New public and staff amenities, art store and back of house services, and loading bay are proposed.

Stage 1B – Envelope and Environmental Upgrade

Stage 1B scope provides upgrades to the gallery to bring the climate control and gallery infrastructure to sector standards, and environmentally sustainable design upgrades to the entire building.

Both packages are intended to be delivered on a concurrent construction program commencing late August 2025.

1.2.1 Pre-application meeting

A pre-application meeting (P34314) was held between Heritage Victoria and the architect (WBa) on 6 October 2022. Representatives of Heritage Victoria visited the site in Benalla and subsequently provided written comments on 30 November 2022 to WBa. The key points are reproduced below:

- *The place is currently experienced in the round and the proposed development has the potential to harm the cultural heritage significance if not approached sensitively.*
- *We support the removal of unsympathetic alterations to allow for a stronger understanding of the original design.*
- *We understand the current limitations on storage are impacting the long-term viability of the place in its original use as an art gallery.*
- *We understand the importance of the cafe to the successful long-term function of the place in its original use as an art gallery.*

- *We have some concerns regarding the design insertion to the north-east elevation fronting Lake Benalla and encourage further refinements that ensure the design is appropriate, sympathetic and recessive to the original design, noting that this elevation is a primary elevation of the place. It is expected that any new materials allow the original brick remains the 'hero' material in any proposed design.*
- *The tree proposed for removal should be supported by an arborist's report assessing the condition of the tree. It is understood that the timber from the tree will be dried and used as part of the design towards interpretation and this approach is supported. The signage should be retained to this elevation.*
- *The proposed gallery addition to the south east has the potential to obscure the original main entrance and alter one of the primary views of the place. Consideration should be given to minimising this impact.*
- *The original entry should be retained in full internally in any proposed design, maintaining full visibility, noting that the existing stairs are not part of the original fabric.*
- *Any permit application should include interpretation of the original design of the place.*
- *We would prefer that the original font for the external gallery signage should be determined, and that all external signage utilise this font, including replacement signage to the east corner, which is a primary elevation of the place.*

1.2.2 Client

This HIS has been prepared on behalf of Benalla Rural City Council.

1.3 Reference Documents

This HIS refers to, and should be read in conjunction with, the following supporting documentation:

- *Architectural Drawings*, prepared by William Boag Architects in April 2025, inclusive of Sheets a001 - a802.
- *Architectural Schedule*, prepared by William Boag Architects in April 2025.
- *Arborist Report*, prepared by Dean Steegstra.
- *Landscape Plans*, and *Landscape Works, Technical Specification* prepared by Urban Initiatives in April 2025
- *Cultural Heritage Management Plan* prepared by Jo Bell Heritage Services in April 2025.
- Appendix A: Victorian Heritage Database Report: Benalla Botanical Gardens and Art Gallery.

1.4 Limitations

This report addresses limited Aboriginal, archaeological or horticultural matters for the purpose of assessing proposed works. Should further advice regarding these matters be required, it is recommended to refer to the Cultural Heritage Management Plan (CHMP) prepared by Jo Bell Heritage Services in April 2025 or to engage with a Heritage Advisor and the Yorta Yorta Nation Aboriginal Corporation.

The Benalla Botanical Gardens and Art Gallery VHR H2260 is not listed on the Victorian Heritage Inventory and as such, there are no identified archaeological values or potential.

A site visit to the project area was undertaken by Trethowan Architecture on 2 April 2025. Apart from the project area and key sightlines, other parts of the heritage place were not inspected during the site visit.

2 History and Description

2.1 Historical Summary

The heritage place is located on the traditional lands of the Yorta Yorta People.

The first European explorers of the area now known as Benalla were Hamilton Hume and William Hovell in 1824-25, followed by Major Thomas Mitchell in 1836. Between 1839 and 1860 squatters largely controlled pastoral land held under licence from the Government. Squatters in the region were generally immigrants from England, Ireland and Scotland. A key historical event in the region occurred on 11 April 1838, when an overlanding party led by George Faithfull was attacked by an estimated 20 Aboriginal warriors. This conflict became known as the Faithfull Massacre. It unfortunately led to further reprisals from local settlers taking revenge the following day by shooting many Aboriginal people on the Broken River and burning the bodies. The exact location of the retributive massacre of Aboriginal people has not been established, although historical accounts vary and include the recreation reserve, public gardens and Botanical Gardens (all sites located along the Broken River/Benalla Lake).¹

In 1859, land was set aside for public recreation near the Broken River for 'cricketing and other purposes of public recreation.' The cricket ground and recreation reserve were temporarily reserved on 6 October 1873 as a site for recreation purposes, and Council started to gradually develop the reserve by constructing footpaths and planting trees. After community agitation for better facilities, Alfred Sangwell was appointed as the first curator to design and layout the gardens. Sangwell's plan shows a large central oval, separated from ornamental beds on the north-western and south-eastern aspects by serpentine paths, sweeping lawns, shrubs and flower beds typical of the gardenesque style popular at the time.²

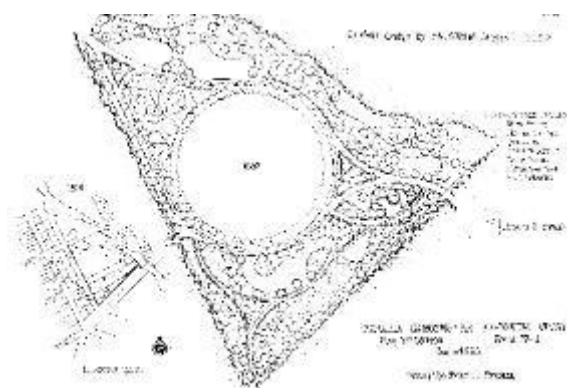


Figure 3: Sangwell's 1897 gardens design redrawn by Peter J. Brennan in *Benalla Gardens: An Historical Study*. The 1861 designated area for the recreation reserve can be seen to the left. Source: Benalla Rural City Council archive.



Figure 5: 1959 plan redrawn by Peter J. Brennan in *Benalla Gardens: An Historical Study*. New pathways and built features including tennis courts, plant nursery (non-extant), workshop (non-extant) and proposed grandstand are noted. Source: Benalla Rural City Council archive.



Figure 6: Looking north across Benalla Botanic Gardens to the post office (non-extant) c. 1922. The existing Monash Bridge and War Memorial Statue can be seen to the right. Planting arrangements along the footpath has since been altered. Source: Benalla Rural City Council archive.

¹ CHMP No. 19916 prepared for Benalla Art Gallery redevelopment by Jo Bell Heritage Services, 2025. Inclusive of references to ethnographical research prepared for CHMP No. 19916 Red Gum Consulting, 2024.

² DELWP Heritage Place Report on Hermes 81322: Benalla Botanic Gardens.



Figure 7: Entrance gate to Benalla Botanic Gardens, constructed in 1922. Source: Benalla Rural City Council archive.



Figure 8: Benalla Gardens, showing oval to the right and oak-lined path to the left. Image by Victorian Railways, November 1947. Source: State Library of Victoria.

A 1967 referendum demonstrated overwhelming local support for the establishment of an Art Gallery, which was temporarily housed in the memorial hall until the present-day gallery was built. In 1972, Laurence Ledger, a local benefactor, donated his collection of Australian art to the City of Benalla and contributed \$75,000 towards the cost of a new building, becoming a key stakeholder in the project. He selected the architects Colin Munro and Philip Sargeant, and his vision for the building was the concept of a dual Gallery; a smaller one in which to display the Ledger Collection, and the larger portion for a more permanent collection.³ Ledger's donation was contingent on the site being in view from his residence, across the present-day Lake Benalla. His recommendation of the Botanical Gardens site to Council was inspired by American and European counterparts, and he expressed a preference for the architect's design to "blend aesthetically into the lake-side fringe and tree-banked backdrop."⁴

Architectural drawings for the 'Gallery on the Lake' were prepared from 1972 by Munro and Sargeant. State Government provided a grant of \$170,000 and Council committed an additional \$85,000 towards construction. The original scheme shows two gallery spaces—one large and one small—flanking a central foyer space, with a stepped down lounge and patio inserted between the two gallery volumes. Staff services and offices, a studio, a storage space and loading bay are shown to the rear. However, when tenders closed in March 1973, the lowest received price was \$100,000 over budget and exceeded funds available to Council. Plans were modified to reduce the size of the main gallery and delete the store and loading bay (Figure 11).⁵ Sketches between 1972-73 show provisions for a 'Future Store' and 'Extensions' to the west. (Figure 12).

During this period, it was proposed for the flood-prone land along Broken River to be formed into a lake to provide the setting for the future gallery. Flyers distributed to the community in the lead up to the ballot vote held for the proposal on 3 February 1973 suggested that the 'Lake Scheme' would not go ahead if the art gallery was not built (Figure 13). The belief was that the Civic Centre, Art Gallery and Lake Scheme Complex was another step towards Benalla achieving 'Regional Capital' status.⁶ A body of water is also represented in scaled models of the gallery proposal, suggesting the design scheme was linked to this feature (Figure 9). The ballot vote was in favour of the formation of the lake, which was constructed later in 1973.

Construction of gallery commenced on 26 November 1973 and was completed on 31 March 1975. On 18 April 1975, Benalla Art Gallery was officially opened by the Victorian Premier, Rupert Hamer. Architects Munro and Sargeant received the Victorian Architecture Award Citation for the Regional Gallery for North-Eastern Victoria that same year.

³ 'Announcing the Benalla Art Gallery – Regional Gallery for the North East,' in *The Ensign*, Wednesday March 1, 1972.

⁴ Ibid.

⁵ 'The Art Gallery Story: Benalla Regional Art Gallery,' opening day booklet, April 18, 1975.

⁶ 'Lake Benalla: The Dream that Became a Reality,' by Jim Wood, 30 June 2020.

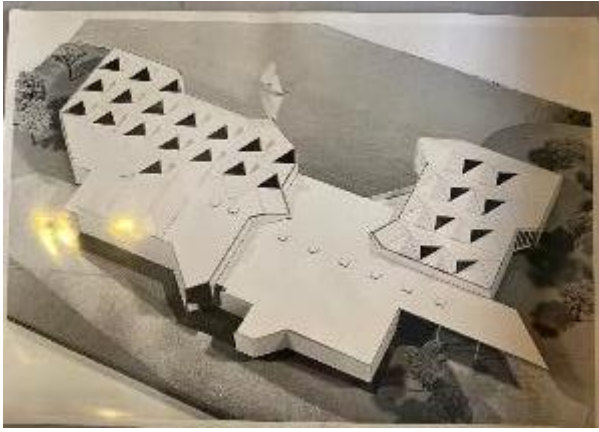


Figure 9: Model for the gallery scheme, c. 1971, prepared by Peter Hatherly. A canopy extension over the public entry way, to the east, is noted. Source: State Library of Victoria.



Figure 10: Perspective drawing of the gallery scheme, c. 1971, from the view of the gardens. A canopy extension to the east over public entryway is noted. Mounded landscaping is also noted to the Botanical Gardens interface. Source: State Library of Victoria.

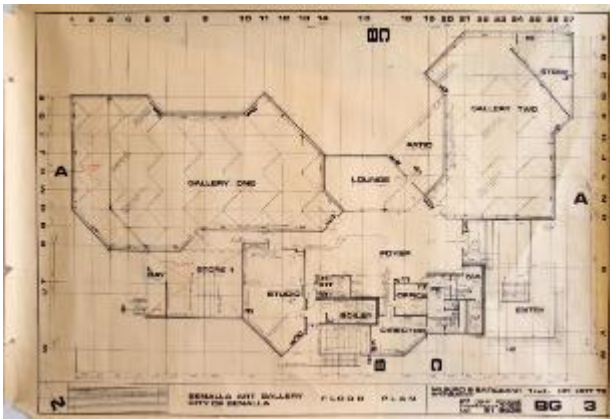


Figure 11: 1972 ground floor plan for the Benalla Art Gallery by Munro and Sargeant. Note red pen markup (c. 1973) indicating deletion of Store and Loading Bay, and reduction of Gallery One. Source: Benalla Rural City Council archive.

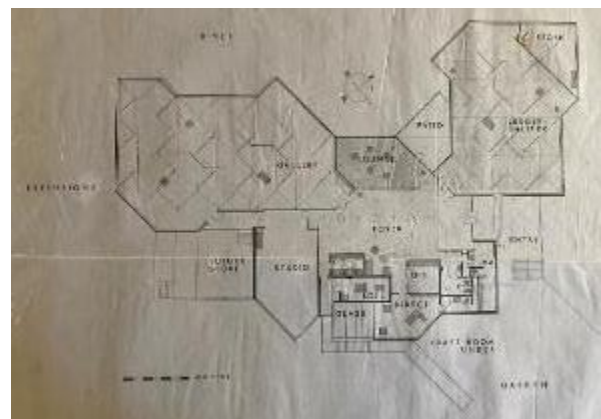


Figure 12: c. 1972-3 floor plan, showing reduced Gallery One, and provisions for 'Future Store' and Extensions to the west. Note public entry and staff entry arrangements have been altered from original floor plan. Source: State Library of Victoria.



Figure 13: Community ballot paper and fliers distributed leading up to the vote for the formation of Lake Benalla, 1973. Source: Benalla Rural City Council archive.



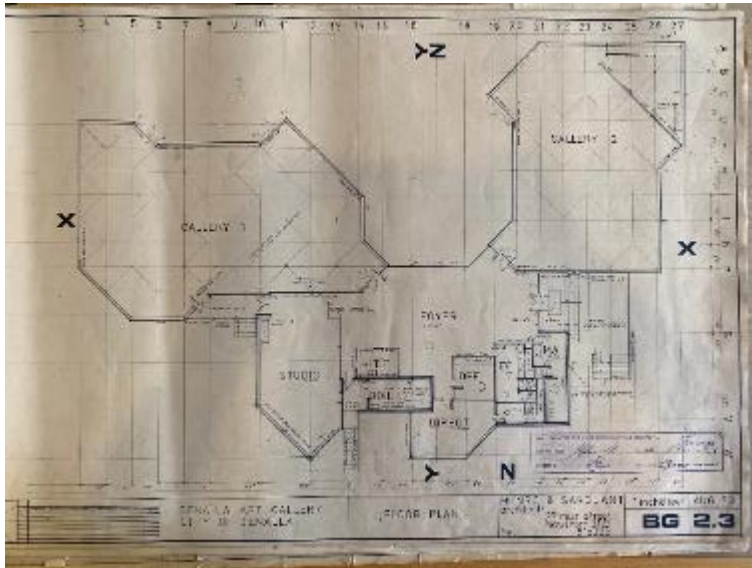


Figure 14: Ground floor plan from stamped contract drawing set, November 1973. Source: State Library of Victoria.

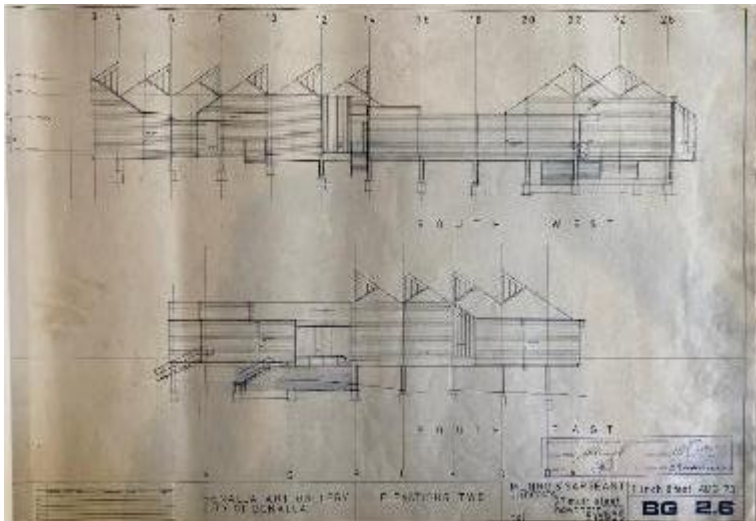


Figure 16: South West and South East elevations from stamped contract drawing set, November 1973. Source: State Library of Victoria.

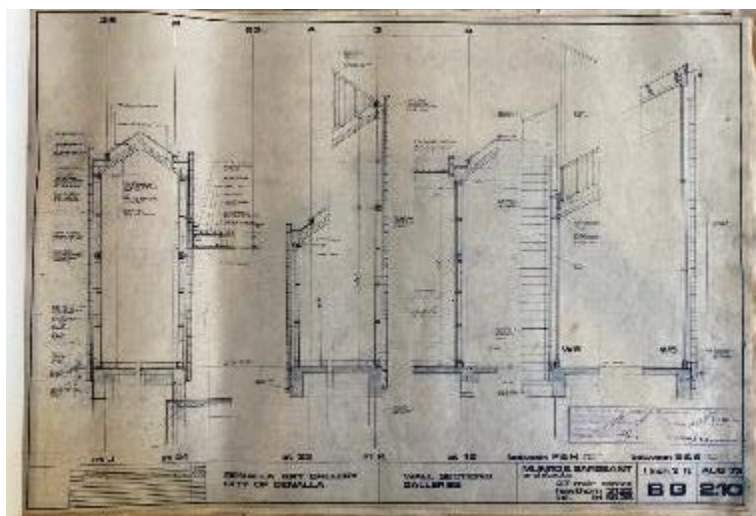


Figure 17: Wall structure sections of the galleries. Source: State Library of Victoria.



Figure 18: The newly constructed Benalla Art Gallery, looking across Lake Benalla, c. 1975. Source: Trove.



Figure 19: Benalla Art Gallery during the 1993 floods. Source: Flickr.

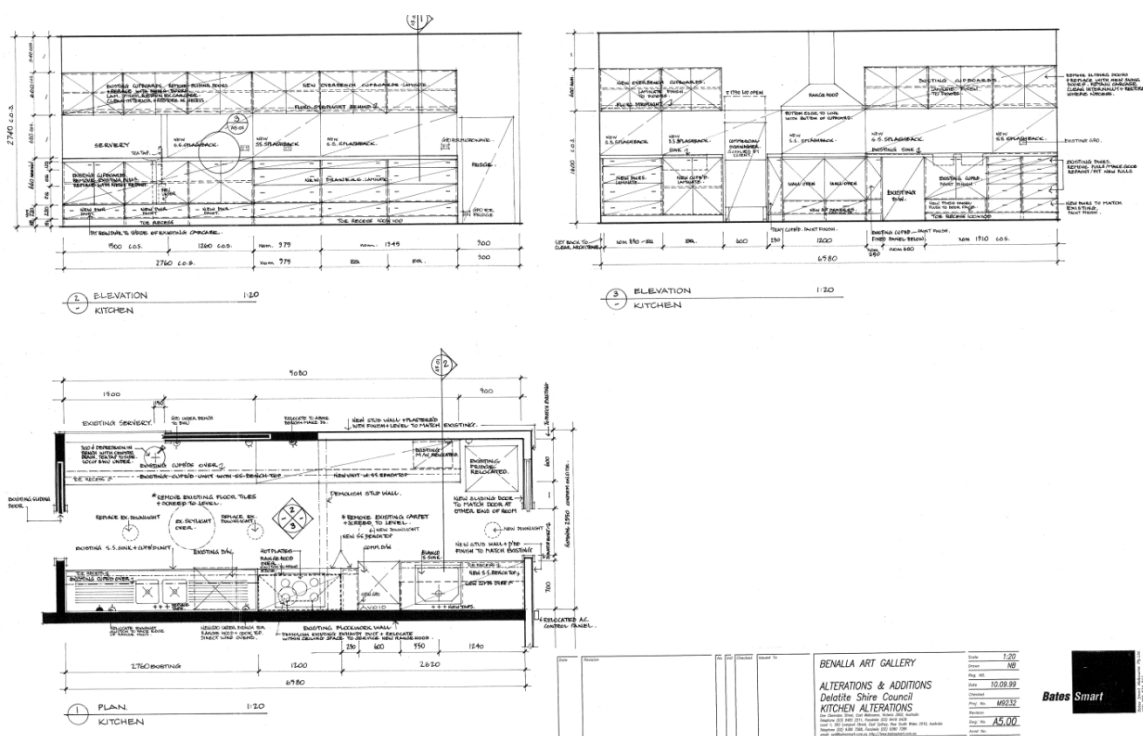
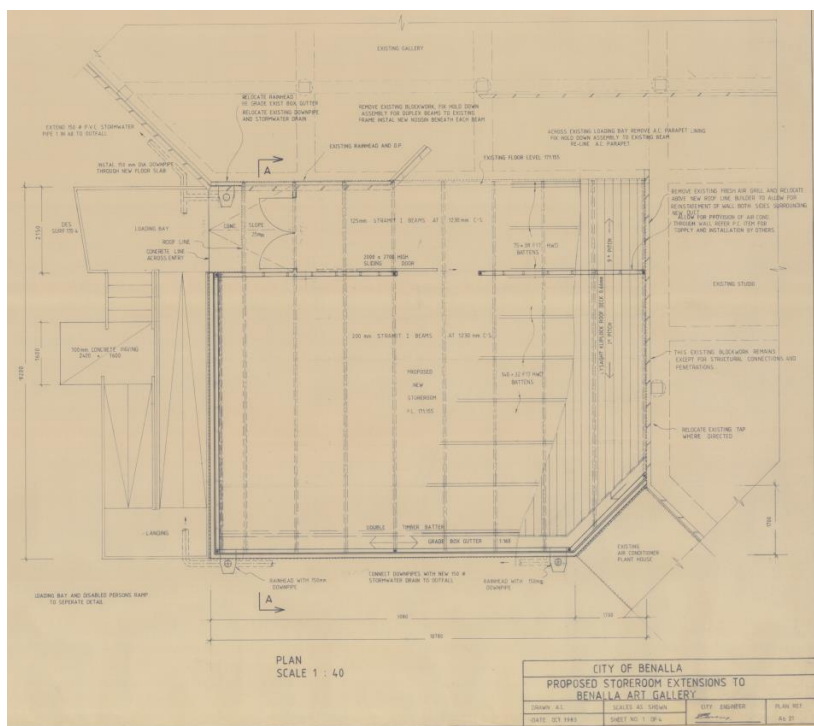


Figure 20: Interior photograph of the Ledger Gallery, c. 1975, taken by Philip Sargeant. Carpet floor finish and custom partition walls for displaying of artworks are noted. Source: State Library of Victoria.



Figure 21: Interior photograph of the foyer/ sunken lounge space, c. 1975, taken by Philip Sargeant. Carpet floor finish is noted to both spaces. Source: State Library of Victoria.

Since its opening, both the gallery and the surrounding Botanical Garden area have undergone several alterations. A 1983 drawing prepared by the City of Benalla, presumably in house, indicates a proposal to add a storage room and loading bay, access stair and ramp as deleted from the original proposal, which remains current to date (Figure 22). The size and arrangement are different to the original Munro and Sargeant proposal. In 1999, *Bates Smart Architects* prepared detailed drawings for expansion of the original small kitchen and a joinery package for the reception desk, retail shop and counter, which remains current to date (Figure 23). Minor alterations to the office areas, including removal of a glazed opening facing the reception desk, and bathroom areas, including the relocation of entries, were also undertaken in this period. A new infill deck to the north, between the Ledger and Bennett Galleries was designed and built at this time. It can be presumed the original entry arrangement to the east was altered to provide an accessible ramp around 2001, when the boardwalk along the lake in front of the north elevation of the existing building, was built. Further drawings prepared by *Bates Smart* in 2001 describe three options for expansion of the gallery at masterplan level only, none of which have been employed. Each take a different approach but do so with significant impact on the original building.



2.2 Description and Current Condition

2.2.1 Benalla Botanical Gardens

The Benalla Botanical Gardens comprises a triangular area of approximately 5 hectares, bound by Bridge Road to the east, Arundel Street to the south, and Benalla Lake to the north.

The Botanical Gardens are home to a number of recreational activities and associated structures, including the cricket oval and grandstand, the tennis courts and clubhouse and the lawn bowls club. Other built features of the gardens include the art gallery, the band rotunda, the war memorial, the Weary Dunlop memorial statue, the rocket playground, public toilet facilities and entrance gates.

The vegetation of the Botanical Gardens features open lawn areas planted with groupings of trees (predominantly mature Elm trees), denser areas of landscaping with shrubberies and ground-covering plants, and ornamental gardens, including the Benalla Rose Garden to the southeast area. To the south of the Art Gallery wall there is a garden bed of New Zealand species that was planted in 2003. It has a well-established bed of Cordylines which provides plenty of visual impact, however much of the lower-level planting in this area are in poor condition.

Gravel pathways with Corten steel edging meander through the garden area, and along the lake foreshore, where it joins to a timber boardwalk. Similar edging treatment is noted to the garden beds across the reserve.



Figure 23: Northeast entry area to the Botanical Gardens off Bridge Road. Source: Trethowan Architecture 2025.



Figure 24: Facing the main oval. Mature elm trees lining the oval fence and gravel garden path are noted. Source: Trethowan Architecture 2025.



Figure 25: 2003 garden bed to the south wall of the gallery. Source: Trethowan Architecture 2025.



Figure 26: Lakeside timber boardwalk along the northern end of the Gardens. Source: Trethowan Architecture 2025.

2.2.2 Benalla Art Gallery: Exterior

The Benalla Art Gallery is located to the north-eastern portion of the Botanical Gardens, on the foreshore of the Benalla Lake. It has two key public facing interfaces; the northern elevation facing the lake and the eastern elevation facing the main entry to the gardens. The original 1975 building and the 1980s addition read as one externally, with matching external 'corduroy' block veneer materiality. The later deck extension and front entry rearrangement including a new accessible entry ramp clearly read as non-original building fabric. The building is a non-rectilinear form, with a series of angled elevations.

The building is a raised structure, sitting on evenly spaced painted concrete columns. There is partial built form infill to the southeast side of the building under-croft, forming storage and art workshop spaces. The external walls of the basement level are an off-white painted concrete to match the columns, except for the southeast (front entry) facing elevation, where the blockwork continues across both levels. The underside of the upper-floor concrete slab and services are left exposed, typical of modernist-style buildings of the time. The slope of the land to the southwestern corner of the building conceals most of the under-croft area from the Botanical Gardens interface. The presence of the building is further concealed at this point by dense landscaping, including a grouping of mature Elm trees that line the main gravel pathway.

Externally, the building is clad in a 390x190mm corduroy patterned block veneer, with areas of full height aluminium framed glazing. All principal elevation walls are expressed as planes of solid materiality separated by areas of transparency. The windows to the northern gallery spaces have operable aluminium louvres, that can be open or closed based on desired lighting conditions for internal spaces. There are provisions for signage to the south-eastern and north-eastern facades, which change periodically to promote current exhibitions. There is also simple block letter signage that read 'Benalla Art Gallery' to the eastern elevation by the entry stairs and 'Art Gallery' to the eastern elevation by the lakeside boardwalk.

The building has a distinct tetrahedral roof form to each gallery space, clad in corrugated metal sheeting. Aluminium framed triangular clerestory windows face to the south, providing desirable lighting to the interior spaces. The remaining building has a flat roof form to the central foyer and rear office and back of house (BOH) spaces. Services are located on the roof, behind a perforated metal screen at the southeast corner. There is a steel post and beam structure with a metal grate infill above the northern deck, with an ancillary tubular steel structure fixed above to provide support to shade sails.

Public entry is through the eastern side of the building, via a staircase or timber ramp that links to one of the main gravel serpentine paths of the Botanical Gardens. Staff access is to the south of the building, and service access is to the west via a small steel loading bay and access stair. Vehicular access to the building for service purposes is via an approximately 200m gravel pathway/road that runs along the lake foreshore and connects to Deas Street to the west of the Botanical Gardens.

The external envelope is in fair to good condition. There are water markings on the front line of columns facing the lake, presumably from previous flooding events. Several of these columns have patches of lighter paint, which may be from previous attempts to repair water markings. The northern elevations have some water markings on the external blockwork from the original gutters. Some minor damage is noted to the concrete beams, where the edges have crumbled away over the years. The front entry ramp and deck extension is currently undergoing maintenance upgrades.



Figure 27: Entry to the gallery (south-east) off the Botanical Gardens. Source: Trethowan Architecture 2025.



Figure 28: View of the gallery (northern elevation) from the Monash Bridge. Source: Trethowan Architecture 2025.



Figure 29: Western facade, with loading bay visible to the south. Source: Trethowan Architecture 2025.



Figure 30: Rear (south) facade, screened by existing landscaping. Source: Trethowan Architecture 2025.



Figure 31: 2001 deck extension to the north. Later sunshade additions can be seen above. Source: Trethowan Architecture 2025.



Figure 32: External aluminium louvres, presently in a 'closed' position. Source: Trethowan Architecture 2025.

2.2.3 Benalla Art Gallery: Interior

Internally, the building's spatial planning is split into two main gallery volumes fronting the lake, flanking a central foyer space with reception, gallery store, and café, with a smaller gallery and services to rear. The original internal arrangement is generally retained, noting the addition of the art store to the rear in the 1980s, and alterations associated with the kitchen/café and reception area upgrades in the late 1990s.

The Ledger Gallery, to the northeast, exhibits the donated Ledger art collection per the original design brief. The Bennett Gallery to the northwest is the largest gallery space. Both galleries largely retain their original arrangement, noting that layout of partition walls has been changed over the decades to accommodate different exhibitions. An additional mechanical services and general storage room has been provided to the Ledger Gallery, with an angled wall similar to the original mechanical storage room, which is still extant. In the Bennett Gallery, infill plasterboard walls have been added to close off the glazed openings. The Simpson Gallery to the southwest is the smallest of the galleries and was noted as a 'Studio' in the original plans by Munro and Sargeant. It is unclear when its use changed, however alterations to remove the original doors off the main foyer and connecting to the BOH corridor are noted. Original wall and floor vents are retained in all the galleries. The Ledger Gallery has timber parquet floors, whilst the Bennett and Simpson galleries have polished concrete floors.

The central foyer space, staff offices and bathrooms have undergone the most alterations to present. The current kitchen replaced the original 1975 one, and connects to a café that is located on the western side of the foyer space. The café seating extends through the main foyer thoroughfare and into the sunken area that faces the lake (originally the 'Lounge'). A reception desk and gallery shop are located to eastern side of the foyer, off the main entry. Public and staff bathrooms are shared, and located to the southwestern corner of the building. The original bathroom interiors are partially retained, including skylight tubes and tile finishes, though alterations to provide an accessible bathroom provision, relocate entries to bathrooms and infill plaster walls are noted. The office spaces generally retain their arrangement, though it is noted the 'Directors Office' and 'Office' allocation has switched since the original building. The original small staff bathroom off the main office space is now used as a kitchen, though the original basin and tile finish is retained. The floor finish is polished concrete through the main foyer and café seating space, noting a change to timber floorboards in the sunken area of the café. The kitchen has vinyl flooring, and the offices have carpet tiles. The bathroom floor finish is tiled. These spaces are in generally good condition, though some missing/damaged tiles are noted in the bathrooms and staff kitchen.

The 1980s addition of the art store and BOH storage room is evident when viewed internally, where the original external vertical block cladding forms part of the interior wall in the storage room. Some water damage is noted to the ceiling plaster board, where it meets the masonry wall finish, with mitigation measures with mortar infill look to have been attempted. The floor finish in this area is painted concrete.



Figure 33: Interior of the Ledger Gallery. Source: Trethowan Architecture 2025.



Figure 34: Interior of the Bennett Gallery, presently being changed over for a new exhibition. Source: Trethowan Architecture 2025.



Figure 35: Interior of the Simpson Gallery. Source: Trethowan Architecture 2025.



Figure 36: Reception area and gallery store off the main public entry. Source: Trethowan Architecture 2025.



Figure 37: Cafe and kitchen through to the rear. Source: Trethowan Architecture 2025.



Figure 38: Sunken cafe seating, connecting to the deck and facing the Benalla Lake. Source: Trethowan Architecture 2025.



Figure 39: Cafe seating presently located in the foyer area, in front of the doorway to the Bennett Gallery and in the corridor leading to the Simpson Gallery. Source: Trethowan Architecture 2025.



Figure 40: Large office space to the rear (south) of the building. Source: Trethowan Architecture 2025.



Figure 41: Staff kitchen area, noting basin fixture from its previous use as the Director office bathroom. Note missing tiles to back wall. Source: Trethowan Architecture 2025.



Figure 42: Female bathrooms, with plaster infill to previous alterations to change entry door locations. Source: Trethowan Architecture 2025.



Figure 43: Existing back of house storage. Block veneer wall can be seen internally, following the 1980s addition.



Figure 44: Existing storage room to Ledger Gallery

2.2.4 Current Use

The heritage place maintains its original use as Benalla Art Gallery and the Botanical Gardens. Benalla Art Gallery is owned and operated by Benalla Rural City Council. The Gallery program is delivered across four main pillars of activity: Exhibitions, Engagement, Education, and Collection. The Gallery attracts more than 70,000 exhibition visitors each year, who engage with workshops, artist talks, exhibition openings and other Gallery events every year. The Gallery presents an important art education program for students across northeast Victoria. The Benalla Art Gallery Collection spans three centuries of Australian art.

3 Heritage Significance

The heritage place is identified as significant at the local and state levels. It is listed on the Victorian Heritage Register (VHR H2260) and the Benalla Planning Scheme (HO12). Heritage Victoria is the Responsible Authority.

Part of the heritage place is also located within an area of Cultural Heritage Sensitivity, as identified on Aboriginal Cultural Heritage Register and Information System (ACHRIS).

3.1 Victorian Heritage Register (VHR)

The VHR listing includes all buildings, features, paths and land of the Benalla Botanic Gardens and Art Gallery. Buildings listed are inclusive of the Band Rotunda (B1), Grandstand (B2), Art Gallery (B3); and features are inclusive of the Sports oval (F1), Main entrance gates (F2), War memorial (F3), Rose gardens (F4), Tennis courts and club house facilities (F5), Cannon (F6), Weary Dunlop memorial (F7), and Avenue of honour memorial (F8), as marked on Diagram 2260 held by the Executive Director. All of the inclusive paths are marked as P1 and all of the inclusive land is marked as L1 on Diagram 2260 held by the Executive Director (Figure 44).

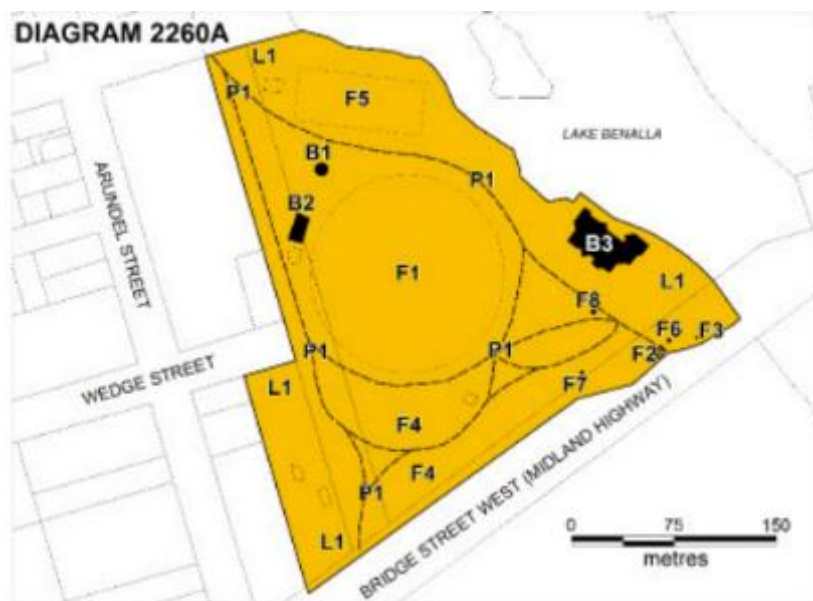


Figure 45: Extent of registration map for VHR H2260, noting Benalla Art Gallery (B3) to the north. Source: Victorian Heritage Database, 2010.

3.1.1 Statement of Significance

The Statement of Significance is reproduced below, with relevant sections underlined.

What is significant?

The Benalla Botanical Gardens occupy a triangular site of approximately 5.1 hectares bounded by the shore of Lake Benalla to the north-east, Bridge Street to the south-east and the row of buildings fronting Arundel Street to the north-west. The Benalla Art Gallery was constructed in the Gardens in 1975, on the shore of Lake Benalla.

In 1859 land was set aside for 'cricketing and other purposes of public recreation' with the cricket ground and recreation reserve temporarily reserved on 6 October 1873. From 1882 the Council started to gradually develop the reserve by constructing footpaths and planting trees, but after community agitation for better facilities, Alfred Sangwell was appointed as the first curator to design and layout the gardens in 1886-7. Sangwell's plan shows a large central oval, separated from ornamental beds on the north-western and south-eastern aspects by serpentine paths, sweeping lawns, shrubs and flower beds typical of the gardenesque style popular at the time.

Some of the planting and path layout has been altered and several elements associated with the early development of the area for recreational purposes such as the croquet lawn and bowling club (1897) have been relocated or removed. Remaining structures include the grandstand (1963, replacing 1896 grandstand), tennis courts (c1880s) and clubhouse occupying the northern area, an octagonal band rotunda (1911), war memorial (1922), entrance gates (1911, with timber gates reconstructed in 1989) on the eastern side. More recent additions include the cannon, a large rose garden (1959) with substantial renovations in 2004 and 2009, the rocket playground (relocated c1962), and the Weary Dunlop Memorial statue (1996), a relocated Avenue of Honour memorial and adjacent Hec Waller Memorial (2010).

Besides the passive recreation normally associated with botanical gardens, sport has been played continuously on the central oval since the 1860s, together with tennis courts, a feature of the gardens since c1880, and the former bowls and croquet clubs. Cultural events have been held at the band rotunda since 1911. Since 1966 the Benalla Botanic Garden's rose beds, established in 1959, have been a major feature of the annual Benalla Rose Festival which attracts many visitors and has led to Benalla being known as the Rose City.

A major landscape feature was created in 1972 with the damming of the flood-prone Broken River to form Lake Benalla which provides the background for the Benalla Art Gallery, constructed in 1975, and a board walk installed in 2001. The location of the Gardens adjacent to Lake Benalla provides significant views from the Gardens across the lake, the 'Monash' Bridge (H1043) and surrounding town streetscape.

After overwhelming local support for its establishment in a referendum in 1967, the Benalla Art Gallery was temporarily housed in the memorial hall, until the present purpose-built gallery was constructed. This was made possible by local resident, Laurence Ledger, who offered to donate his collection of Australian art to Benalla and contribute \$75,000 towards the cost of a new building, contingent on it being built on the present site across Lake Benalla from his residence. Ledger also selected the architects, Munro and Sargeant. The Council agreed to this proposal, committing \$85,000 towards its construction and the State Government provided funding of \$170,000.

Opened in 1975 by the Victorian Premier, Rupert Hamer, the building contains two gallery spaces, one to house the Ledger Collection and another larger, versatile and extensible space. To address the site, the building is designed on north-east and north-west axes with a linking foyer facing the lake and service facilities located to the south. The complex steel framed structure, clad with ribbed concrete block, is raised above the flood line of the lake. Distinctive tetrahedral roof monitors allow the diagonal penetration of desirable southern lighting to the gallery spaces, and non-rectangular planning aids interior circulation and display.

The current Gardens retain some of the original layout and mature plantings such as the avenue of alternating Dutch Elms (*Ulmus x hollandica*), purple-leaved Dutch Elms (*Ulmus x hollandica* 'Purpurascens') and English Elms (*Ulmus procera*) around the oval, with two inner sections of London Plane trees (*Platanus x acerifolia*). Besides the important rose gardens, Benalla Botanical Gardens has a collection of New Zealand plants, salvias and asteraceae. Significant trees include a Crow's Ash (*Flindersia australis*), three rare hybrid elms (*Ulmus* 'Viminalis') the only known examples in Australia, and two Yellow Gums (*Eucalyptus leucoxylon*). A Dutch Elm Disease-resistant elm *Ulmus* 'Urban' was planted by the Hon. Mark Birrell on 29 April 1995. Other significant trees include a Crow's Ash (*Flindersia australis*) one of only three known specimens to be planted in Victoria; three specimens of a rare elm (*Ulmus* 'Viminalis'), the only known examples in Australia; and two Yellow Gums (*Eucalyptus leucoxylon*). Other outstanding trees include a Bunya Bunya Pine (*Araucaria bidwillii*), Turkey Oak (*Quercus cerris*), Tulip Tree (*Liriodendron tulipifera*), Canary Island Date Palm (*Phoenix canariensis*), Canary Island Pine (*Pinus canariensis*) and Mexican Cypress (*Cupressus lusitanica*).

How is it significant?

The Benalla Art Gallery and Botanical Gardens are of historical, aesthetic, scientific (botanical) and architectural significance to the state of Victoria.

- Criterion A – Importance to the course, or pattern, of Victoria's cultural history
- Criterion B – Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
- Criterion D – Importance in demonstrating the principal characteristics of a class of cultural places or objects.
- Criterion E – Importance in exhibiting particular aesthetic characteristics.
- Criterion H – Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

Why is it significant?

Benalla Botanic Gardens are of historical significance as an important example of a regional botanical garden, established in the nineteenth century in response to the increased wealth of Victoria with the discovery of gold and the desire to provide a place for recreation and education in keeping with European trends.

The Benalla Botanical Gardens are of historical significance for the retention of much of the original gardenesque layout designed by Alfred Sangwell in 1886-7, and are the only known example of his work in Victoria. The design is unusual as it successfully combines a recreation oval with a nineteenth century ornamental garden featuring typical characteristics such as a formal entrance and gates, curved paths, open lawns area planted with specimen trees and beds of more intensive horticulture and a band rotunda.

The Benalla Art Gallery is of historical significance as a demonstration of the development of regional galleries in Victoria, particularly in the 1960s and early 1970s when state government funding fuelled growth in new public art galleries. It is of significance as an outstanding display of community support with residents voting overwhelmingly for the establishment of a gallery at Benalla at referendum in 1967, and the resident Laurence Ledger donating his valuable art works and money to fund the building.

The Benalla Botanical Gardens are of aesthetic significance due to their park-like character and vistas across the lake, and for the design elements such as serpentine paths meandering through gardens beds of flowers and shrubberies of various colours and textures set into lawn against a backdrop of trees and built elements. The Art Gallery, on the shores of the lake, adds to the picturesque qualities of the place.

*The Benalla Botanical Gardens are of scientific (botanical) significance for the collection of rare and unusual plants including conifers and palms which provide a contrast to the numerous deciduous species. These include a Crow's Ash (*Flindersia australis*), one of only three known specimens to be planted in Victoria and three specimens of a rare elm (*Ulmus 'Viminalis'*), the only known examples in Australia.*

The Benalla Art Gallery is of architectural significance as an outstanding example of a mid-1970s modernist building, located in regional Victoria. Architects Munro and Sargeant received a Victorian Architecture Award Citation for this Regional Gallery for North Eastern Victoria in 1975 and its unique character continues to provide the region with a distinctive identity.

3.2 Benalla Planning Scheme

The heritage place is protected by the Benalla Planning Scheme under *Heritage Overlay HO12: Benalla Botanical Gardens and Art Gallery, Bridge Street West, Benalla*. Prohibited uses are permitted under Clause 43.01: Schedule to the Heritage Overlay.

3.3 Non-Statutory Heritage Controls

The registered place is subject to non-statutory heritage controls as it is listed on the National Trust of Australia (Victoria) Heritage Register (Property No. G13148). Specifically, the National Trust

listing only relates to the Benalla Botanical Gardens and not the Art Gallery. Several trees within the Botanic Gardens are also listed on the National Trust of Australia (Victoria) Heritage Register. These include one *Flindersia australis* (Property No. T11361), two *Eucalyptus leucoxylon* (Property No. T11362) and two *Ulmus 'Viminalis'* (Property No. T11363).

Such non-statutory listings have no formal or legal weight in the planning scheme but are customarily considered when making planning decisions and are representative of heritage values in the community.

3.4 Cultural Heritage Significance

Part of the heritage place is located within an area of Cultural Heritage Sensitivity, as identified on the ACHRIS. The area of sensitivity is associated with a waterway (Broken River/Lake Benalla), as dealt with in Section 26 of the Aboriginal Heritage Act 2006.

The subject site is also in close proximity to significant Aboriginal historical events and places. The Benalla Art Gallery and surrounding area is situated on a retributive massacre site associated with historical events of 1836.



Figure 46: Cultural Heritage Sensitivity map with the approximate location of the project area is outlined in red. Source: ACHRIS.

3.5 Policies

The heritage place is subject to both general⁷ and place-specific permit exemptions as a result of the VHR listing. Where there is conflict between general and place specific exemptions, specific exemptions prevail.

3.5.1 General Permit Exemptions Policy

General permit exemptions relevant to this proposal and project area include:

- 4.0 Internal fitouts
Internal fitouts are exempt subject to general category conditions and specific exemption conditions.
- 5.0 Testing, survey and exploration
Environmental, fabric and structural assessment activities are exempt subject to general category conditions and specific exemption conditions.
- 6.0 Services

⁷ General Permit Exemptions, published by DELWP, August 2024.

Works or activities to services are exempt subject to general category conditions and specific exemption conditions. Works or activities must be limited to existing services.

- 9.0 Vegetation and landscape management

Maintenance and management works or garden activities are exempt subject to general category conditions and specific exemption conditions.

3.5.2 Place Specific Permit Exemptions Policy

A place specific permit exemption policy is included as part of the VHR listing. The policy includes several general conditions. Place specific permit exemptions relevant to this proposal and project area include:

- Landscape

The process of gardening, mowing, hedge clipping, bedding displays, removal of dead plants and weed control, emergency and safety work and landscaping in accordance with the original concept.

The planting of plant species to conserve the landscape character, rare and unusual species, exotic and native plants, planted in beds, shrubberies and as specimen trees in lawns.

Management and maintenance of trees including formative and remedial pruning, removal of deadwood, pest and disease control, cabling, mowing, weed control and mulching. In the event of loss or removal of trees, replanting with the same species to maintain the landscape character identified in the statement of significance.

Removal of tree seedlings and suckers but excluding herbicide use.

Management of trees in accordance with Australian Standard: Pruning of amenity trees AS 4373.

Management of trees in accordance with Australian Standard: Protection of trees on development sites AS 4970.

Removal of plants listed as Prohibited and Controlled Weeds in the Catchment and Land Protection Act 1994.

Repairs, conservation and maintenance to structures and hard landscape elements, memorial plaques, asphalt and gravel roads and paths, stone and concrete edging, fences and gates. Installation, removal or replacement of garden watering and drainage systems beyond the canopy edge of mature trees.

- Exterior:

Removal of extraneous items such as air conditioners, pipe work, ducting, wiring, antennae, aerials etc, and making good in a sensitive manner.

Minor repairs and maintenance to buildings, structures and services within the registered land.

- Interior Art Gallery:

Painting of previously painted walls and ceilings provided that preparation or painting does not remove evidence of any original paint or other decorative scheme.

Installation, removal or replacement of hooks, nails and other devices for the hanging of paintings and other wall mounted art.

Installation, removal or replacement of electrical wiring.

Installation of new fire hydrant services including sprinklers, fire doors and elements affixed to plaster surfaces.

Removal or replacement of electric clocks, detectors, alarms, emergency lights, exit signs, luminaires and the like on plaster surfaces.

- General

Maintenance, repair and replacement of public infrastructure for recreation, seating, refuse and amenity providing that such works are reversible and consistent with AS4970.

The lakeside walking path is exempt from permit requirements providing that the location of the path is not changed and that like for like surface materials are used.

3.6 Analysis of the Significance

The heritage place is of historical, aesthetic, scientific (botanical) and architectural significance to the State of Victoria. This significance is embodied in the retention of much of the original gardenesque layout of the Benalla Botanic Gardens, the presence of rare and unusual plant species, and the overall park-like character of the reserve with views and vistas across the lake. The Benalla Art Gallery further adds to the significance of the heritage place as a contribution to the picturesque qualities of the Gardens, its demonstration of the development of regional galleries in Victoria and the retention of much of its original form and fabric as an example of a mid-1970s modernist building.

In the absence of a Conservation Management Plan (CMP), the significance of fabric within the registered place affected by the proposed works has been reviewed and assessed as part of this application. The following definitions have been developed to assist:

- *Areas of Primary Significance*

Fabric or spaces that have a high degree of intactness and integrity that relates to the original 1975 building and can demonstrate original built form, fabric, location and/or decorative elements. They include any retained fabric of the original building, internally and externally, such as the ribbed 'corduroy' patterned concrete block veneer, full height aluminium framed glazing, operable vertical aluminium window louvres, tetrahedral roof forms, and the largely intact and original non-rectilinear interior layout.

Landscaping features that have a high degree of intactness and integrity that relates to the original 1887 plan. This includes the original serpentine gravel paths and original mature plantings that have separately been identified as rare and/or of significance.

The relationship between the external elevations of the Benalla Art Gallery and the Botanical Gardens and surrounds, particularly the northern elevation as viewed from across Lake Benalla and the eastern elevation as viewed from the entry to the gardens and Monash Bridge.

- *Areas of contributory significance*

Altered fabric or spaces that relate to the original 1975 building but retain a significant degree of intactness and integrity to demonstrate original built form and fabric. They include the existing bathrooms, office spaces, and sunken café seating.

Fabric or spaces that are not original/early but have undergone sympathetic works that relate to original architectural intent i.e., 1980s art-store addition.


Landscaping features that are not original/early but relate to the original design intent of the gardens. They include the lakeside gravel walking path and smaller pathways that provide access to the gallery building.

Landscaping features that contribute to the 'park-like' character of the gardens, including the avenue grouping and layout of mature alternating Dutch Elms, purple-leaved Dutch Elms and English Elms.

- *Areas of little or no significance*

Fabric or spaces within the original 1975 building that have undergone complete alteration and retains no ability to demonstrate original built form or fabric. This includes the 1999 kitchen/café and reception/gallery shop, and the 2001 deck extension and front entry ramp and steps.

Fabric or spaces of the 1980s addition not listed above, including the loading bay and external plant.



Landscaping features or plantings that are not original to the 1887 design, including the garden beds to the southern interface of the existing art gallery building.

Cultural Heritage

Whilst not acknowledged in the VHR listing, the heritage place is also of cultural heritage significance to the Yorta Yorta People. It is an area in close proximity to historical events surrounding the Faithfull Massacre.

The results of a desktop assessment by Jo Bell Heritage Services and onsite investigations (including extraction, sieving and assessment) with YYNAC monitors in 2025 indicates that topographically, the activity area lies on 'alluvial fans and aprons' associated with the Broken River and its floodplain, and adjacent to the modern, constructed Lake Benalla. Historical research indicates that the Broken River was well-utilised by First Nation peoples in the past and the western bank was the location of a massacre site that took place in April 1836 taking the lives of many First Nation people and shepherds in the employ of George Faithfull.⁸

3.7 Constraints and Opportunities

Some constraints of this proposal include:

- The north and east elevations of the Benalla Art Gallery are key sightlines within the heritage place and are prominent public interfaces from the entry to the gardens and across Monash Bridge and Lake Benalla. Proposed additions should be careful to sit subordinate to the original building.
- The project area is located in close proximity to an area of Cultural Heritage Sensitivity. Proposed works should be sensitive to the history of the site, and thorough investigation and consultation should be carried out to ensure the works do not harm Aboriginal ancestral remains.

Some opportunities of this proposal include:

- The gallery is an integral part of the north-east region's tourism precinct as a destination for art and culture. Providing upgrades to the original building and proposing a new extension sees an opportunity for the building to leverage its distinctive identity and expand its reach to strengthen Benalla's reputation as a vibrant cultural destination.
- The original 1970s building is approaching the end of its life in terms of technical, fire safety and practical performance. Building services have been provided over the years on an as-needs basis. There is opportunity to rationalise these existing services and improve energy efficiency standards and incorporate current best gallery / museum practice techniques for climate control by upgrading mechanical services.
- The proposed envelope upgrades provide opportunity to improve functionality of the interior gallery spaces by upgrading wall hanging surfaces.

⁸ CHMP No. 19916 prepared for Benalla Art Gallery redevelopment by Jo Bell Heritage Services, 2025.

4 Proposal

4.1 The Proposed Works to both the building and gardens

The proposed works will be carried out in two stages, with scope as follows:

- **Stage 1A – Stage 1A – Café Enhancement and New Collection Storage**

Stage 1A scope will comprise the construction of an extension to the existing building, facilitating the relocation of the café and separation of gallery and café operations. New public and staff amenities, art store and back of house services, and loading bay are proposed.

- **Stage 1B – Envelope and Environmental Upgrade**

Stage 1B scope provides upgrades to the gallery to bring the climate control and gallery infrastructure to sector standards, and environmentally sustainable design upgrades to the entire building.

The following subsections outline the proposed demolition, alterations and new works that relate to both Stage 1A and Stage 1B

4.1.1 Demolition Works

The extent of demolition is largely contained to the removal of later internal fit out, including the late 1990s kitchen/café and reception area. All existing joinery and fixtures related to the kitchen and café space, and reception desk and gallery shop, are proposed to be removed.

Other minor demolition works internally include the removal of plasterboard infill to the existing window openings in the Bennett Gallery. Externally, the existing steel loading bay and access stair will be removed. The steel tubular framework support structure for the sunshades above the deck will also be removed.

All existing out-dated services are proposed to be removed and upgraded/consolidated where feasible. This includes services located within the mechanical/storage room in the Ledger Gallery, which will be retained as mechanical services but upgraded; the gas boiler located within the Boiler Room; and services located within the External Plant area.

Landscape works include the removal of a mature Dutch Elm tree to the rear (south) of the building and a small portion of the New Zealand garden bed to allow for the addition. Other minor landscape demolition works include the removal of the gravel service driveway to the west of the existing building.

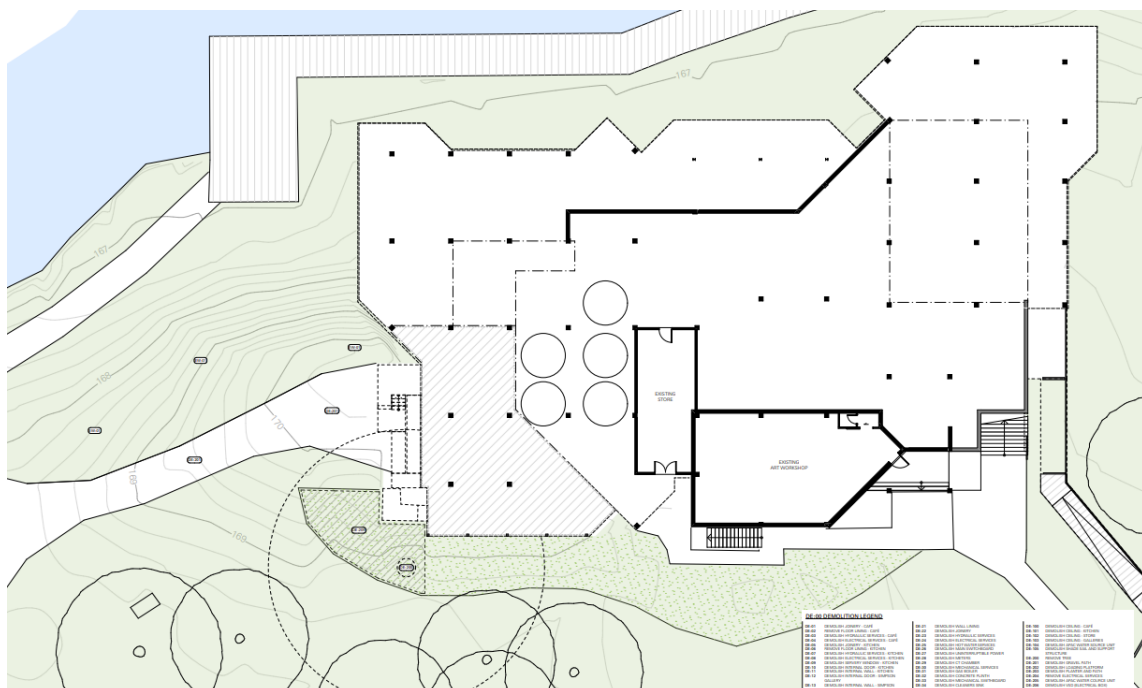


Figure 47: Basement existing and demolition plan (shown dashed). Source: WBa, April 2025.

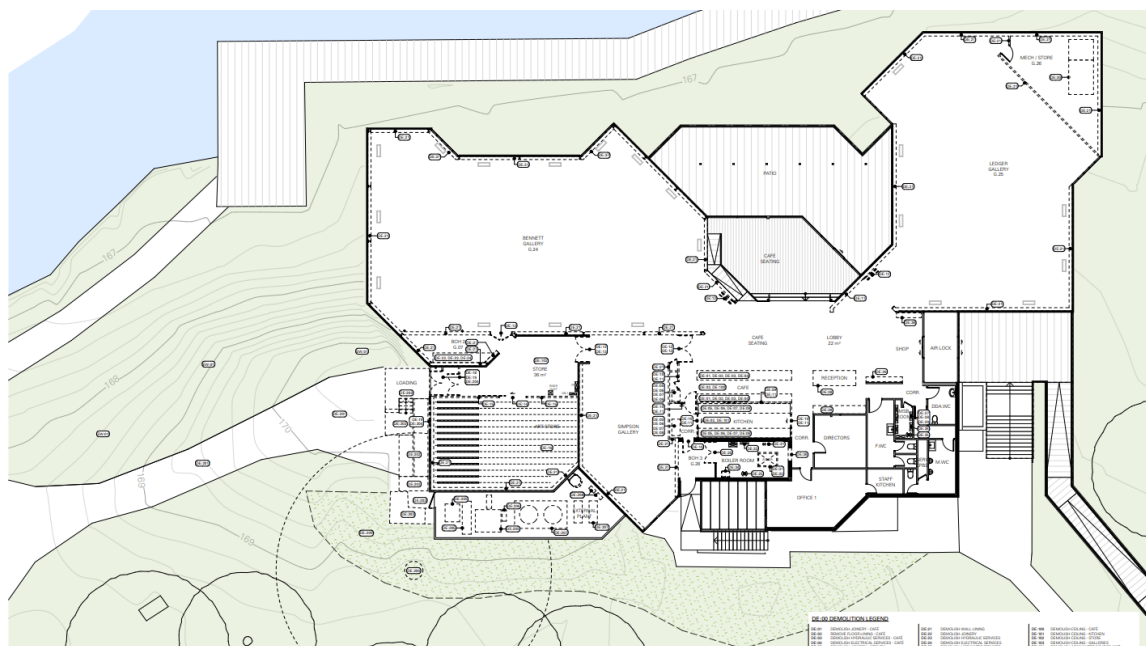


Figure 48: Ground floor existing and demolition plan (shown dashed). Source: WBa, April 2025.

4.1.2 Alterations

Alteration works predominantly relate to the proposed envelope and environmental upgrades. Existing internal walls to all the galleries will be upgraded to incorporate better insulation and structural integrity in the wall make-up, meeting AAA gallery standards. Specifically, this involves the demolition of the existing plasterboard lining, with new stud framing and insulation, new ply backing and new plasterboard lining proposed to the internal face of the wall. An additional fireproof membrane is proposed to the internal face of the western wall of the Bennett Gallery, the corridor and the eastern wall of the Simpson Gallery, to divide the building into two fire compartments required to meet building standards. The walls will be painted to match extant conditions and existing picture rails, and mechanical grills/vents will be reinstated.

At ceiling level, similar upgrades are proposed. Specifically, it involves the removal of the existing suspended plasterboard ceiling, with new insulation and airtight membrane layers and new plasterboard lining proposed to the internal face of the roof structure. The ceilings will be painted to match existing conditions and existing suspended gallery track lighting will be reinstated.

The existing ductwork to the under-croft of the building is retained and to be upgraded with increased insulation to meet climate control requirements. Mechanical units servicing the gallery are also to be replaced/upgraded, however existing wall and floor grills are to be retained.

A removable panel system will be provided to the inside face of all windows in each gallery to allow flexible exhibition curation by varying ingress of natural light or excluding it altogether. Likewise, at ceiling level on the inside face of each of the triangular clerestory windows a channel to take lightweight panels to control the extent of natural light will be installed. The panel system will be used by curators to discretely exclude light as required in various shows. When light exclusion is not required the lightweight panels will be stored. The system is fixed to the existing window frames with an aluminium U-channel in a matching colour to the framing, where panels can be manually lifted in place as required. A removable 35mm thick wall panel is also proposed for flexible art hanging requirements, to be fixed to the floor with concealed castors,

A glazed opening on the existing art store is proposed to allow public viewing of the art stored. Other minor alteration works include joinery upgrades to the existing reception area and partial relocation of the existing gallery shop (further outlined below under new work.)

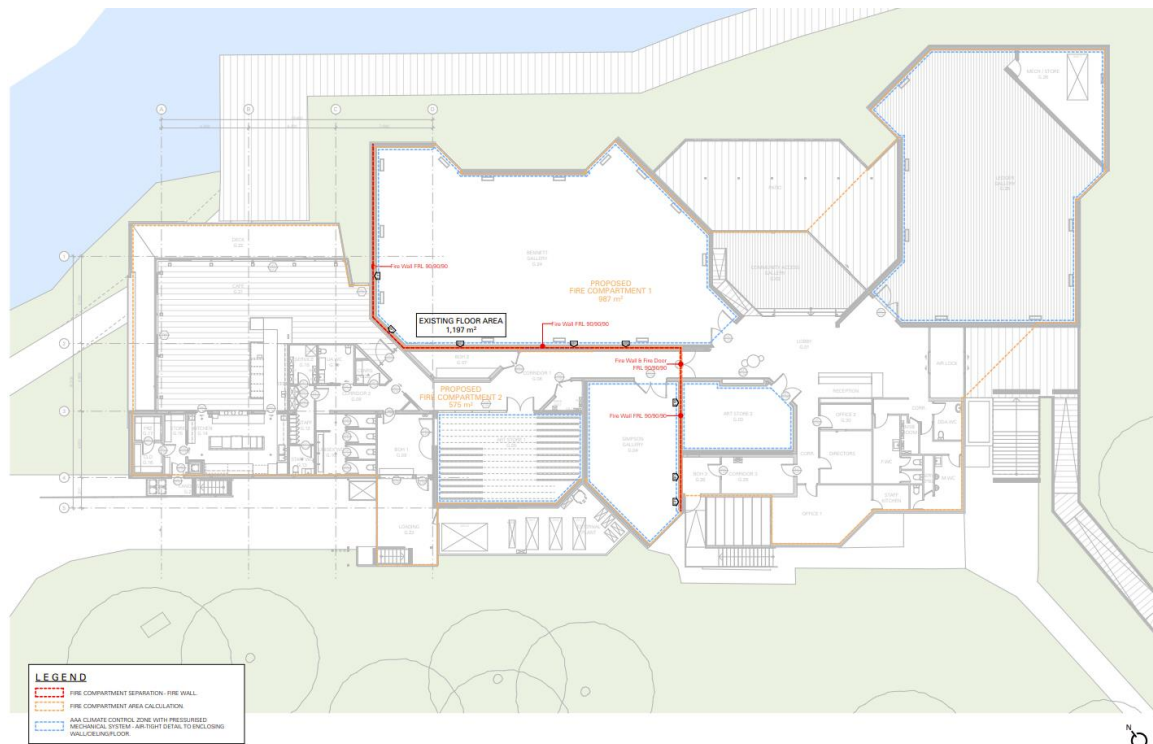


Figure 49: Proposed interior compartmentalisation plan. The blue dash shows AAA climate control zones, and the red dash shows the fire wall providing fire compartment separation. Source: WBa, 2025.

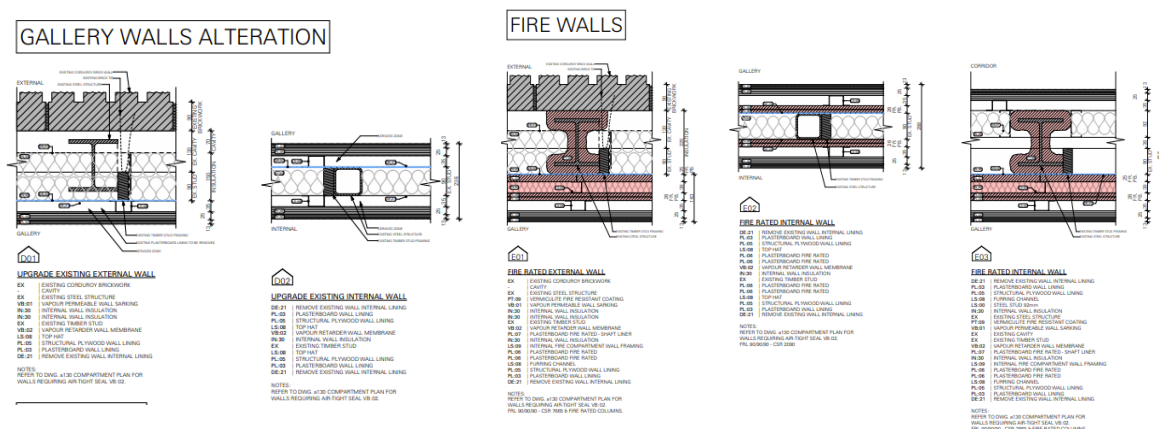


Figure 50: Extract from construction plans show wall alterations. Source: WBa, 2025.

4.1.3 New Work

Addition

A cube-like addition of approximately 455sqm is proposed to the west side of the existing gallery building, distributed over the basement level (100sqm) and ground floor level (355sqm). The extension comprises a plant room on the basement level and glazed café space, balcony, commercial kitchen and associated storage rooms for the café space, public toilets (including an accessible provision), and dedicated staff amenities on the ground floor. The ground floor is elevated to the height of the existing building. The basement plant is sited to sit in the under-croft of the extension, set back approximately one column line from the south. A new loading platform, driveway and access stair extends along the southern boundary of the addition, with new landscaping proposed to soften the interface to the Botanical Gardens.

A return balcony is proposed to the north and west end of the addition, with a return canopy following the line of the balcony under. The canopy folds into an architectural sculpted fascia element with corner triangular cutout. A steel framed glass balustrade sits directly behind the line of the folded canopy/fascia. The north and west walls are predominantly glazed, open to views to the Benalla Lake. Externally, a neutral palette with subtle textures is proposed. The general façade

areas are proposed to be vertical fibre cement sheeting in 'Limestone' or similar, and the canopy/fascia is proposed to be solid aluminium in 'Cream' or similar.

Internally, the existing external west block wall becomes a defining interior feature running the length of the corridor to the new café addition. The café will seat 100+ patrons, with additional spill off furniture located on the adjacent deck. Interior finishes are proposed to be neutral and in keeping with existing palettes and materials, including a polished concrete floor and white painted walls. Subject to the effective salvage, drying and dressing, the timber yielded from the felled Elm tree will be featured within the new building café fit out. It is proposed to be located along the return balcony as a timber balustrade.



Figure 51: External render of proposed addition as viewed across Lake Benalla. Source: WBa, 2025.



Figure 52: External render of proposed addition viewed from southwest (from the Botanic Gardens). Source: WBa, 2025.

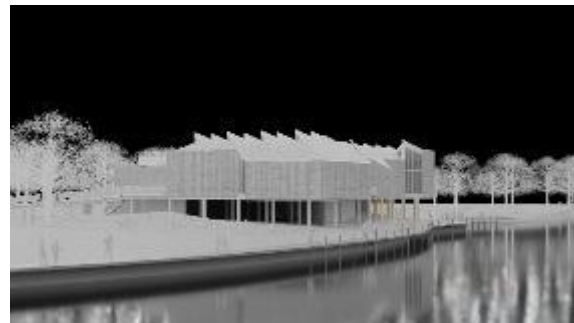


Figure 53: External render of proposed addition viewed from northeast (from the Monash Bridge). Source: WBa, 2025.



Figure 54: Proposed external material swatches (left and middle), next to the existing corduroy block veneer (right).

Landscape and Earthworks

Earthworks associated with the addition include the removal of existing fill at the loading dock to enable construction of basement plant room and retaining walls, which will be backfilled to construct new loading ramp. The lawn will be rehabilitated as per existing conditions.

Landscape works associated with the addition include new garden beds to the north, south and western interfaces. These landscape areas are proposed to soften the addition with the Botanical Gardens interface and will include a mix of shrubs, ground covers, grasses and climbers. A combination of Australian natives and European species are proposed.

Internal Works

Internal works arising from the relocation of the existing non-original kitchen and café include a new art storage and renovation works to the existing reception and gallery store area. The new art store is proposed to be located to the west of the lobby space, replacing the existing kitchen. Display shelving for the relocated gallery shop is partially integrated into the northern wall of the new art store.

Renovation works proposed to the reception area include a new office behind the reception desk, with display shelving integrated into the northern wall of the office. The gallery shop will be partially relocated to sit in a display cabinet in front of the new art store, with a freestanding mobile display unit in the lobby area.

New lockable doors are proposed to the three galleries, as well as to the main corridor. These doors will allow the individual spaces to be closed securely when not in use.

As a part of the recognition of the cultural heritage of the site area, a memorial plaque and/or display is proposed to be erected in the entrance way in recognition of the massacre of First Nation People in the vicinity. The design of the plaque and wording is still to be discussed with and approved by the Yorta Yorta Nation Aboriginal Corporation.

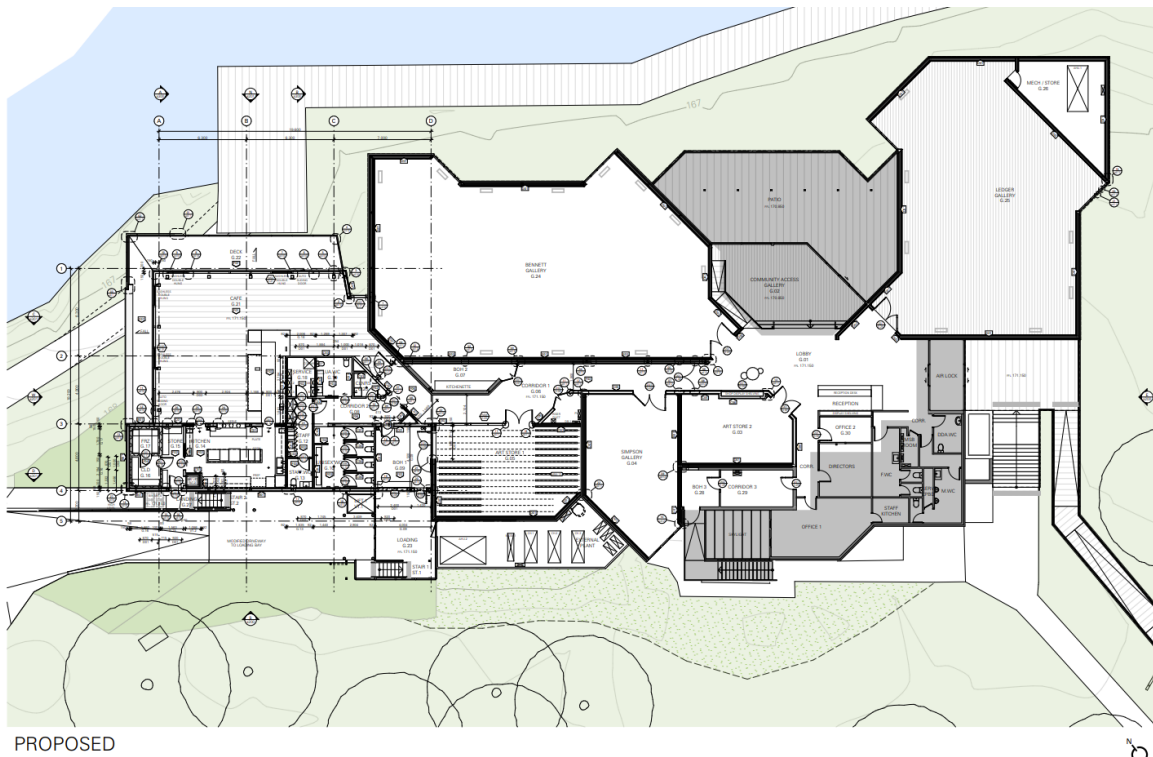


Figure 55: Proposed ground floor plan, including addition to the north-west and internal alterations. Hatched in grey is not affected by the proposed works. Source: WBa, April 2025.

4.2 Options Considered

Master planning was undertaken in the early phases of the project to assess options for the upgrade and develop a design that enhanced the operation of the gallery and celebrated the cultural significance of the place, within the funding objectives, scope, and budget.

Early proposals sought to amend the existing amenities; however this scope was removed as new amenities are available within the extension and there are significant complexities and costs associated with renovation of the existing area. An option was also considered for off-site collection storage, however costs received during the tender phase indicated a minimal value for money in this approach. The design therefore incorporated the collection storage into Stage 1 of the Redevelopment.

Following a cost estimate in 2023, the following scope was removed from the design: external staircase access to the café; solar panels; Uninterruptible Power Supply (UPS); works to the reception and lobby area, water pressure upgrade to existing fire suppression supply, and the external decking to the cafe. Based on advice from Council's heritage advisor, the deck was reinstated within the design, which is currently undergoing maintenance upgrades. To meet funding requirements, upgrades to the reception, gallery shop, and staff offices were reinstated.

5 Assessment

5.1 Impacts, Options Considered and Mitigation

Visual and physical impacts to the heritage place related to the proposal are identified. These impacts are outlined as follows, with details, options considered, and mitigation strategies also discussed as relevant.

5.1.1 Demolition

Demolition of the non-original kitchen, café, reception desk and gallery gift shop will have no impact to the significance of the heritage place. The kitchen, café and interior spaces of the foyer reception area have undergone alterations since the original building was opened in 1975. Demolition of the kitchen and café proposes removal of the non-original vinyl floor finish and to “make-good” polished concrete floors in these areas.

The demolition of the plasterboard infill to the windows in the Bennett Gallery is of no significance as it is related to later fabric and will reinstate the original arrangement of floor to ceiling glazing in the gallery spaces. Likewise, the loading bay and access stair to the west and the ‘ad-hoc’ steel tubular framework structure and sunshades to the deck are later additions, and their removal will have no impact on the significance of the heritage place. Particularly, the removal of the shade sail and tubular supports are proposed as an opportunity to reduce external clutter associated with the 1980s deck extension, and is intended to lessen visual and physical impact on the heritage place.

The removal and rationalisation of existing out-dated mechanical services to allow for upgrades has negligible impact on the significance of the heritage place as these services have been adjusted and expanded on an as-needs basis over the years. Visual impacts of these upgrades are mitigated externally through reinstatement of the original ductwork as visible in the under croft of the building, and internally through connecting all original floor and wall vents/grills to new services.

Associated landscape works that arise from the proposal include the removal of a portion of the existing gravel path, which forms the service driveway approaching the building’s west. This pathway is not identified as one of the significant original serpentine paths of the Botanical Gardens, and its removal is negligible, especially when it will be reconstructed to match existing. Associated pruning of trees and other garden maintenance works that may arise from the proposal are exempt under Specific Permit Exemption Policy.

It is acknowledged the removal of the existing Dutch Elm tree to the south (rear) of the building will have a physical and visual impact on the significance of the Botanical Gardens. However, this impact is mitigated as it does not result in the loss of the whole group of Elm trees, where much of the significance of the trees is related to the grouped canopy and ‘park-like character’ they provide en masse. Further, the tree proposed for removal is not identified to be individually significant and is recommended for removal within the accompanying arborist report. Removal of a portion of the New Zealand garden bed to allow for the addition has negligible impact, as the gardens are non-original and non-contributory to the significance of the Botanical Gardens.

5.1.2 Alterations

Stage 1B works involve alterations relating to the structural and environmental upgrade of the original building. The demolition of internal plasterboard lining to the gallery and art store spaces will result in the loss of existing, and in some cases, original internal walls, which will have a physical impact on the integrity of the original built form. It is also noted there will be a minimal visual variation where internal walls will be made slightly thicker due to the proposed increase in the wall structure. These physical and visual impacts are mitigated through the reinstatement of the internal appearance to extant conditions, including the same paint finish and reinstatement of picture rails. These works will bring the gallery and storage spaces up to current museum and gallery standards, ensuring the heritage place’s ongoing functional use.

Alterations are also proposed at the ceiling level to remove existing plasterboard and provide new insulation and airtight membrane layers. The physical and visual impacts of these works are similarly mitigated through reinstatement of the ceiling to extant conditions, including the same paint finish and reinstatement of suspended gallery track lighting.

Whilst physical and visual impacts are noted with these works, they are positive changes that will bring the building up to today's standards in terms of environmental performance and climatic control spaces. Additionally, the structural works to gallery walls will provide greater flexibility and efficiency to the curation and setting up of gallery exhibitions, where current processes to hang artworks include using a stud-finder to ensure the artwork can be structurally supported.

It was considered to upgrade water pressure systems to meet fire protection requirements for the new gallery, however this is a costly exercise. The proposed structural and climatic control upgrades to the walls and ceilings also presented an opportunity to provide fire-rating upgrades simultaneously.

A removable panel system will be provided in each gallery to allow ultimate flexible exhibition curation by varying ingress of natural light or excluding it altogether. Whilst the original design employed south-facing triangular windows in its roof design to allow for naturally-lit spaces that didn't cast light directly on walls/artworks, ongoing use of the gallery over the years has found greater control of light is needed for some exhibitions. The ability to control light sources to the gallery space will provide greater flexibility to the spaces and the types of artwork they can display. The proposed system is in line with Article 15.2 of the Burra Charter which states *changes which reduce cultural significance should be reversible, and be reversed when circumstances permit*. The panel system is designed to be manually lifted in place, fixed to face fixed U-channel brackets, allowing for complete reversibility without significant impact to original fabric should future gallery and artwork display requirements change.

The reconfiguration of the existing art store to include a glazed wall for public viewing has negligible visual and physical impact as this space is not original fabric.

5.1.3 New Works

Addition

The proposed addition to the west comprises new works that separate the existing café and gallery functions. Whilst visual and physical impacts are proposed, the extension will provide greater independence of internal spaces, increasing Benalla Art Gallery's offerings and providing potential to attract different groups of visitors, ultimately supporting the ongoing use and long-term conservation of the heritage place.

The location of the addition was chosen to have minimal visual impact on key sightlines in the heritage place, particularly when viewed from the entry to Botanic Gardens and the Monash Bridge, where it appears to sit behind the original building. Separation between the original and the extension allows it to be read as clearly new works, with the addition setback from the lake frontage, behind the line of the original building. The addition is elevated to the height of the existing and its overall height aligns to the existing parapet line, naturally extending the horizontality, scale and form of the original.

Externally, the addition is responsive to significant features of the original building. The sculptural fascia element that wraps around the north and west side of the addition features a triangular cut out that references the geometry of the original distinctive clerestory windows. A neutral material and colour palette is proposed that is harmonious with the existing colour scheme. The subtle textured fibre cement cladding proposed is complimentary to the strong verticality of the original corduroy block veneer.

Internally, the external west wall of the existing building becomes a defining internal wall of the new café addition, linking the new space with the original fabric and clearly marking a transition between original and new. Proposed cleaning of the wall prior to it becoming an internal feature will improve its visual appearance. The angled internal corridor leading to the café space references the non-rectangular spatial planning of the original scheme. The polished concrete floor finish proposed seamlessly links the addition to the existing corridor, and other internal finishes are complementary to the existing interior material palette.

The loading bay and access platform/stair are located in a similar location to the existing back of house facilities, and service access will be via the existing lakeside gravel pathway, which will have negligible physical impact as it is a continuation of existing circumstances. Visual impacts of the new loading bay are mitigated in a similar manner to current measures noted on site; landscaping

will provide screening and soften the Botanical Gardens interface. New services and solar panels located on the addition roof will be screened from view behind a raised parapet, mitigating visual impact.

Landscape and Earthworks

The proposed garden beds to the interfaces of the new addition act to soften the visual impacts of the works. Whilst it is acknowledged that non-original landscaping features will have an impact on the physical and visual integrity of the Botanical Gardens, it is noted that previous alterations and additions to landscaping have occurred at the Gallery with the intention of better highlighting and connecting the Gallery to the Gardens. A similar approach is employed with the proposed landscaping works and feature a varied schedule of planting that links the garden beds with the existing New Zealand landscaping against the south wall of the gallery, and other species seen more widely in the Botanical Gardens.

The proposed earthworks to facilitate the construction of the basement plant, including new fill for the construction of the loading ramp, are acknowledged to have negligible impact on the physical and visual integrity of the Botanical Gardens. The works are centralised to the western side of the Gallery and proposed addition, and will have a minimal impact on the overall layout and character of the Botanical Gardens. The landscaping and earthworks are further minimised through an approach that is aligned with the extant conditions, where the loading ramp is integrated into a hill that slopes down towards the Gardens and the lawn is reinstated to existing conditions.

Internal Works

Internal works that arise from the relocation of the kitchen and café include a new art store and renovation works to the reception area.

The proposed art store to the existing kitchen/café location has visual impacts as it closes off a space that is currently visually open and was designated as an open Foyer space per the original design. Options considered included relocating the art store off-site but was determined to be too costly and impractical. The provision of an on-site art storage meets functional needs of the gallery to ensure its ongoing operation, and allows for the consolidation/removal of non-original ad-hoc storage solutions that have been used over the years. Whilst the visual impacts are noted, it is a change that can be absorbed given the later non-original alterations that have already occurred in this space, and its contribution to the ongoing functionality of the heritage place.

A designated reception and foyer space remains to the east of the lobby, off the main public entry, as per the original design scheme. Likewise, the renovation works proposed to the non-original reception area has negligible physical or visual impact, as this space has undergone previous iterations of development, and has the ability to absorb further change. The relocation of the gallery store to be further west in the lobby space has no visual or physical impacts to the significance of the heritage place.

The proposed memorial plaque to the lobby/entrance area contributes to a holistic understanding of the history of the place, and provides an opportunity to acknowledge the site's complex history that has not previously occurred on site.

5.2 Why the Proposal Should Be Supported

The proposal should be supported because it provides much-needed structural and thermal upgrades that bring the heritage place up to modern-day gallery standards. It provides additional space for storage and day-to-day functioning that ultimately support the building's ongoing use and long-term viability.

To date, administrative facilities and storage spaces of the Gallery are constrained and cramped for space. They are also inadequate facilities, including no cooling room and an undercover loading dock of limited capacity to receive and maintain artworks. Practical operation of the gallery is improved through the provision of new back of house and storage areas, washdown and chemical storage for paint, and adaptable features to block windows as required for each exhibition. Receiving operations are now entirely undercover, with back of house storage and receiving areas, seamlessly integrated with collection stores.

A key intention of the proposal has been to further enhance the gallery's relationship to the Botanical Gardens and lake setting. It is acknowledged the relationship between these spaces is integral to the significance of the heritage space, and principally, the proposal has been designed to minimise or avoid visual and physical impacts, and where they are identified, efforts have been made to mitigate them.

5.2.1 Matters which the Executive Director is to consider under s101(2)

S102(2)(a) the extent to which the application, if approved, would affect the cultural heritage significance of the registered place or registered object:

Additions and alterations have been made to the original building fabric over its 50 years of use, many of which that have occurred in an ad-hoc and as-needs basis, and do not contribute to the understanding of the original architecture of Munro and Sargeant. The proposal seeks to consolidate many of these unnecessary additions, which will contribute to reinstating the architectural and aesthetic significance of the original building.

The proposed design is complementary to the original architecture, maintaining significant sightlines, and using materials appropriate but distinguishable to the existing building fabric. The relocation of the café removes a significant distraction from the appreciation of the internal gallery aspect of architecture and exhibitions. Removal of elements of intrusive additions is proposed, including panelling over existing windows and tubing supports for shade over the existing deck.

Visual and physical impacts to the building's relationship with the Botanical Gardens are noted. However, the impact on the cultural heritage significance of the heritage place is largely mitigated through ensuring that key sightlines are not compromised, and that the gallery addition is recessive in form, scale and materiality. There is minimal disruption to existing significant features of the Botanical Gardens, such as original serpentine pathways and significant trees. Where landscaping works are to occur, such as the removal of an existing Dutch Elm, mitigation measures such as the reuse of timber yielded in the café interior fit out are proposed.

The scope of works also includes a proposed plaque/memorial in acknowledgement of the retributive massacre that took place in the area in 1836. Such acknowledgement does not currently exist within the heritage place, and if the works are approved, there is opportunity to create a holistic understanding of the complex histories of the site and its broader context.

S102(2)(b) the extent to which the application, if refused, would affect the reasonable or economic use of the registered place or registered object;

The Benalla Art Gallery commissioned a feasibility study and concept plan prepared by Urban Enterprise in 2020, and a business case for the future operation and development of the gallery prepared by SVA Consulting in November 2023. The feasibility study identified the *'Gallery faces a number of physical and operational constraints limiting its ability to curate a high-quality visitor experiences, which is aligned to contemporary visitor behaviours and expectations.'* This proposal addresses key limiting factors for the ongoing reasonable and economic use of the building identified in the study, including:

Reasonable Use

- Limited spaces to appropriately showcase the permanent collection: *The Benalla Art Gallery collection is comparatively a very valuable collection, however, the gallery spaces are too small to display the significance of the collection and to host major exhibitions.*

Removal of the sunken café seating area increases the available exhibition space for local contributions such as school or community artworks. The galleries are to be upgraded to meet sector standards allowing exhibitions hosting high quality artworks. Wall space is maximised through the design, with wall lining upgrades allowing far greater flexibility and structural support for the hanging of artworks.

- Storage, preparation, and conservation areas: *Storage and art preparation areas are inadequate for the management of the valuable collection. Further, the lack of exhibition*

space for the permanent collection puts increased pressure on the already limited storage space and further compromises the Gallery's ability to store and conserve its valuable collection to standards aligned to industry best practice.

Art storage is doubled through the introduction of a new art store. All collections storage areas are designed to meet the Triple AAA climate control requirements. Additional back of house, server, plant, and washdown areas increase sundry storage and operational areas utilised for exhibition transitions.

- *Operational conflicts between the gallery and café: The café is located within the heart of the gallery, creating a negative impact on the visitor experience by creating noise which permeates to the adjoining gallery spaces. The position and operating hours of the café also prevents the Gallery from hosting after hours events without risking the security of artworks. The café also has limited autonomy to open, unless the Gallery is open and staffed.*

The gallery operation will be greatly enhanced through the separation from the café, addition of ample open space and contemplative seating areas for visitors, and the ability to host exhibitions from the National and State galleries through sector standard climate control. Separating the two functions also increases the facility offerings, which increases revenue to maintain the building. Impacts on the gallery from the café including crowding, noise, and odour are all addressed with the relocation of the café.

Economic Use

- *Resourcing: The Benalla Art Gallery is classified as a small regional Gallery, however, benchmarking shows that the Gallery performs more like a medium sized regional gallery when assessed against the key metrics of visitation, public programs and the value of the collection. This is despite current staffing resources and exhibition spaces aligned to that of a small gallery. Performing at the level of a medium sized regional gallery means there are existing issues faced by the Gallery in regard to staffing level deficiencies. When compared to a medium sized regional gallery, Benalla has approximately three less EFT staff.*


Rationalisation and renovation of the reception area and office spaces allows room for additional workstations for future resources to support gallery operation.

- *Limited space for retail: There is insufficient space available for the retail space, which limits opportunities for the stocking of products and display of the product in an environment that would encourage increased expenditure on retail goods, which would support operations.*

Removal of the café from the gallery lobby allows the existing gallery shop shelving to be expanded upon and the entrance to the gallery to be reconfigured to allow additional retail space as required. Additional storage for the gallery shop is considered to reduce interference between the staff offices and gallery shop operations. Also provides greater opportunity for revenue raising through the sale of stock.

In the early phases of master planning for the Benalla Art Gallery Redevelopment project, three options were considered for economic analysis within the study. While the scope of work has changed since the report was prepared, the proposal is most aligned with Option 1 of the feasibility study—a smaller level of investment to address critical operational and infrastructure needs—with the notable addition of relocating the café and upgrades to HVAC works.

The business case demonstrates that while the benefit cost ratio of Stage 1 works is minimal, it establishes a foundation for the gallery to be well positioned into the future. A newly redeveloped gallery would be expected to bring in additional visitation (up to potentially 150k visitors a year). It also provides opportunities for the Gallery to be modern and responsive, and relevant in comparison to other regional art galleries through architecture, design and functionality.



S102(2)(d) if the applicant is a public authority, the extent to which the application, if refused, would unreasonably detrimentally affect the ability of the public authority to perform a statutory duty specified in the application.

Significant investment in time, expenditure of Council budget, public consultation and Council process have been undertaken to get the project to this point. This investment would be wasted if a permit was not issued.

Planning Permit No. P0018-24 was issued on 8 April 2025 for alterations and addition to the existing art gallery including the extension for the café to the north of the existing building. If the application were to be refused this planning permit could not be actioned.

This application is subject to grant funding from state/federal governments. Should the application be refused the statutory duties to fulfil the requirements of this funding would be compromised.

6 Summary of Impacts and Conclusion

In summary, the proposal comprises of works to extend the Benalla Art Gallery and provide structural and environmental upgrades to the existing building. The proposed works will revitalise the Gallery; bringing it up to sector standards and establishing a strong foundation for its future.

More broadly, the proposal has been designed to limit any visual and physical impacts on the Benalla Botanical Gardens, retaining key sightlines across the Gardens, and integrating into the buildings' setting on the foreshore of Lake Benalla in a sympathetic and complementary manner. Where adverse impacts have been identified, efforts have been made to mitigate them. The proposal also presents opportunities to address the complexities of the site's cultural heritage in manners which have not previously occurred on site, contributing to a holistic understanding of the history of the place.

Since the Gallery opened in 1975, alterations and additions have been made on an ad-hoc and as needs basis. The proposed works provide opportunities to consolidate and upgrade services, remove unsympathetic alterations to allow for a stronger understanding of the original design, and provide a greater degree of control and flexibility for gallery curation. Most critically, the proposal addresses current limitations on storage, gallery infrastructure, and climate control standards that are impacting the long-term viability of the place in its original use as an art gallery.

The proposed addition provides greater independence of spaces within the building. Separation of the café and kitchen from the foyer area will increase facility offerings and eliminate the impacts of crowding, noise and odour on the gallery spaces. In terms of built form, siting, and materiality, the addition is well-considered and sympathetic to the original building.

It is noted that the Gallery in its current condition faces a number of physical and operational constraints that limit its ability to curate a high-quality visitor experience. The proposal addresses limiting factors on the Gallery's long-term use, in particular the limited gallery space to appropriately showcase permanent and hosted collections; inadequate storage and conservation areas; and operational conflicts between the gallery and café. From an economic use perspective, the proposal to renovate the current reception and gallery shop area also provides resourcing for additional staff, and expansion of the retail space which will encourage increased expenditure on retail goods.

Overall, the proposal will have no adverse impact on the significance of the heritage place and is supportable from a heritage perspective. The redevelopment works will provide the Gallery with facilities to support its growth and relevance in comparison to other regional galleries, increasing its capabilities and offerings and ultimately contributing to the long-term conservation and protection of the place's heritage significance.

Appendix A

BENALLA BOTANICAL GARDENS AND ART GALLERY



Benalla Botanical Gardens and Art Gallery



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Benalla Art Gallery Aug 08_1.jpg



Benalla Art Gallery Aug 08_11.jpg



Benalla Art Gallery Aug 08_4.jpg



Benalla Art Gallery Aug 08_5.jpg



Benalla Art Gallery Aug 08_6.jpg



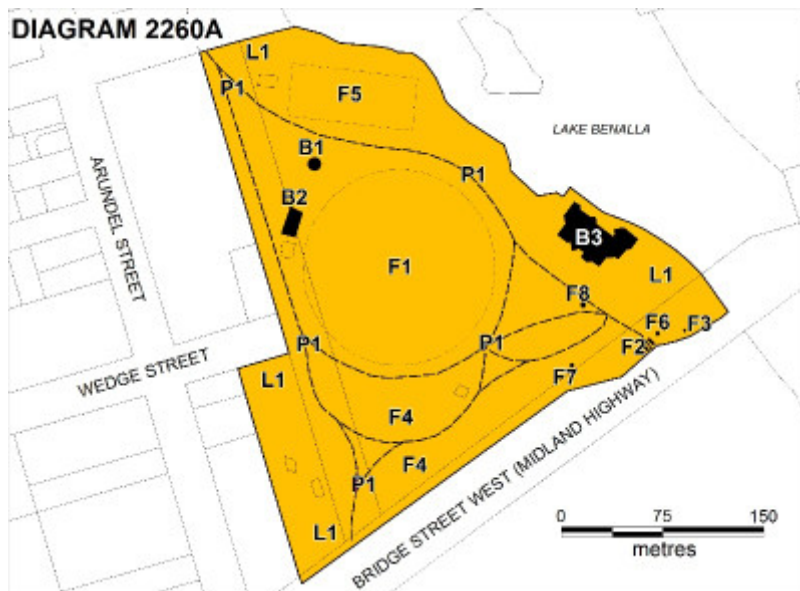
Benalla Art Gallery Aug 08_9.jpg



Benalla Art Gallery Interior May 2012.JPG



Benalla Art Gallery Interior May 2012.JPG



benalla botanic gardens revised plan.jpg

Location

BRIDGE STREET WEST BENALLA, BENALLA RURAL CITY

Municipality

BENALLA RURAL CITY

Level of significance

Registered

Victorian Heritage Register (VHR) Number

H2260

Heritage Overlay Numbers

HO12

VHR Registration

December 9, 2010

Amendment to Registration

September 13, 2012

Heritage Listing

Victorian Heritage Register

Statement of Significance

Last updated on - August 25, 2010

What is significant?

The Benalla Botanical Gardens occupy a triangular site of approximately 5.1 hectares bounded by the shore of Lake Benalla to the north-east, Bridge Street to the south-east and the row of buildings fronting Arundel Street to the north-west. The Benalla Art Gallery was constructed in the Gardens in 1975, on the shore of Lake Benalla.

In 1859 land was set aside for 'cricketing and other purposes of public recreation' with the cricket ground and recreation reserve temporarily reserved on 6 October 1873. From 1882 the Council started to gradually develop the reserve by constructing footpaths and planting trees, but after community agitation for better facilities, Alfred Sangwell was appointed as the first curator to design and layout the gardens in 1886-7. Sangwell's plan shows a large central oval, separated from ornamental beds on the north western and south-eastern aspects by serpentine paths, sweeping lawns, shrubs and flower beds typical of the gardensque style popular at the time.

Some of the planting and path layout has been altered and several elements associated with the early development of the area for recreational purposes such as the croquet lawn and bowling club (1897) have been relocated or removed. Remaining structures include the grandstand (1963, replacing 1896 grandstand), tennis courts (c1880s) and clubhouse occupying the northern area, an octagonal band rotunda (1911), war memorial (1922), entrance gates (1911, with timber gates reconstructed in 1989) on the eastern side. More recent additions include the cannon, a large rose garden (1959) with substantial renovations in 2004 and 2009, the rocket playground (relocated c1962), and the Weary Dunlop Memorial statue (1996), a relocated Avenue of Honour memorial and adjacent Hec Waller Memorial (2010).

Besides the passive recreation normally associated with botanical gardens, sport has been played continuously on the central oval since the 1860s, together with tennis courts, a feature of the gardens since c1880, and the former bowls and croquet clubs. Cultural events have been held at the band rotunda since 1911. Since 1966 the Benalla Botanic Garden's rose beds, established in 1959, have been a major feature of the annual Benalla Rose Festival which attracts many visitors and has led to Benalla being known as the Rose City.

A major landscape feature was created in 1972 with the damming of the flood-prone Broken River to form Lake Benalla which provides the background for the Benalla Art Gallery, constructed in 1975, and a board walk installed in 2001. The location of the Gardens adjacent to Lake Benalla provides significant views from the Gardens across the lake, the 'Monash' Bridge (H1043) and surrounding town streetscape.

After overwhelming local support for its establishment in a referendum in 1967, the Benalla Art Gallery was temporarily housed in the memorial hall, until the present purpose-built gallery was constructed. This was made possible by local resident, Laurence Ledger, who offered to donate his collection of Australian art to Benalla and contribute \$75,000 towards the cost of a new building, contingent on it being built on the present site across Lake Benalla from his residence. Ledger also selected the architects, Munro and Sargeant. The Council agreed to this proposal, committing \$85,000 towards its construction and the State Government provided funding of \$170,000.

Opened in 1975 by the Victorian Premier, Rupert Hamer, the building contains two gallery spaces, one to house the Ledger Collection and another larger, versatile and extensible space. To address the site, the building is designed on north-east and north-west axes with a linking foyer facing the lake and service facilities located to the south. The complex steel framed structure, clad with ribbed concrete block, is raised above the flood line of the lake. Distinctive tetrahedral roof monitors allow the diagonal penetration of desirable southern lighting to the gallery spaces, and non-rectangular planning aids interior circulation and display.

The current Gardens retain some of the original layout and mature plantings such as the avenue of alternating Dutch Elms (*Ulmus x hollandica*), purple-leaved Dutch Elms (*Ulmus x hollandica* 'Purpurascens') and English Elms (*Ulmus procera*) around the oval, with two inner sections of London Plane trees (*Platanus x acerifolia*). Besides the important rose gardens, Benalla Botanical Gardens has a collection of New Zealand plants, salvias and asteraceae. Significant trees include a Crow's Ash (*Flindersia australis*), three rare hybrid elms (*Ulmus* 'Viminalis') the only known examples in Australia, and two Yellow Gums (*Eucalyptus leucoxylon*). A Dutch Elm Disease-resistant elm *Ulmus* 'Urban' was planted by the Hon. Mark Birrell on 29 April 1995. Other significant trees include a Crow's Ash (*Flindersia australis*) one of only three known specimens to be planted in Victoria;

three specimens of a rare elm (*Ulmus 'Viminalis'*), the only known examples in Australia; and two Yellow Gums (*Eucalyptus leucoxylon*). Other outstanding trees include a Bunya Bunya Pine (*Araucaria bidwillii*), Turkey Oak (*Quercus cerris*), Tulip Tree (*Liriodendron tulipifera*), Canary Island Date Palm (*Phoenix canariensis*), Canary Island Pine (*Pinus canariensis*) and Mexican Cypress (*Cupressus lusitanica*).

This site is part of the traditional land of the Yorta Yorta people.

How is it significant?

The Benalla Art Gallery and Botanical Gardens are of historical, aesthetic, scientific (botanical) and architectural significance to the state of Victoria.

Why is it significant?

Benalla Botanic Gardens are of historical significance as an important example of a regional botanical garden, established in the nineteenth century in response to the increased wealth of Victoria with the discovery of gold and the desire to provide a place for recreation and education in keeping with European trends.

The Benalla Botanical Gardens are of historical significance for the retention of much of the original gardenesque layout designed by Alfred Sangwell in 1886-7, and are the only known example of his work in Victoria. The design is unusual as it successfully combines a recreation oval with a nineteenth century ornamental garden featuring typical characteristics such as a formal entrance and gates, curved paths, open lawns area planted with specimen trees and beds of more intensive horticulture and a band rotunda.

The Benalla Art Gallery is of historical significance as a demonstration of the development of regional galleries in Victoria, particularly in the 1960s and early 1970s when state government funding fuelled growth in new public art galleries. It is of significance as an outstanding display of community support with residents voting overwhelmingly for the establishment of a gallery at Benalla at referendum in 1967, and the resident Laurence Ledger donating his valuable art works and money to fund the building.

The Benalla Botanical Gardens are of aesthetic significance due to their park-like character and vistas across the lake, and for the design elements such as serpentine paths meandering through gardens beds of flowers and shrubberies of various colours and textures set into lawn against a backdrop of trees and built elements. The Art Gallery, on the shores of the lake, adds to the picturesque qualities of the place.

The Benalla Botanical Gardens are of scientific (botanical) significance for the collection of rare and unusual plants including conifers and palms which provide a contrast to the numerous deciduous species. These include a Crow's Ash (*Flindersia australis*), one of only three known specimens to be planted in Victoria and three specimens of a rare elm (*Ulmus 'Viminalis'*), the only known examples in Australia.

The Benalla Art Gallery is of architectural significance as an outstanding example of a mid-1970s modernist building, located in regional Victoria. Architects Munro and Sargeant received a Victorian Architecture Award Citation for this Regional Gallery for North Eastern Victoria in 1975 and its unique character continues to provide the region with a distinctive identity.

Permit Exemptions

General Exemptions:

General exemptions apply to all places and objects included in the Victorian Heritage Register (VHR). General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which don't harm its cultural heritage significance, to proceed without the need to obtain approvals under the Heritage Act 2017.

Places of worship: In some circumstances, you can alter a place of worship to accommodate religious practices without a permit, but you must **notify** the Executive Director of Heritage Victoria before you start the works or activities at least 20 business days before the works or activities are to commence.

Subdivision/consolidation: Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act*

1987 and the application for the planning permit was referred to the Executive Director of Heritage Victoria as a determining referral authority, a permit is not required.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Find out more about heritage permit exemptions [here](#).

Specific Exemptions:

1. All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object.
2. Should it become apparent during further inspection or the carrying out of works that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such works shall cease and Heritage Victoria shall be notified as soon as possible.
3. If there is a conservation policy and plan all works shall be in accordance with it. Note: a Conservation Management Plan or a Heritage Action Plan provides guidance for the management of the heritage values associated with the site. It may not be necessary to obtain a heritage permit for certain works specified in the management plan.
4. Nothing in this determination prevents the Executive Director from amending or rescinding all or any of the permit exemptions.
5. Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits from the responsible authorities where applicable.

Minor Works:

Note: Any Minor Works that in the opinion of the Executive Director will not adversely affect the heritage significance of the place may be exempt from the permit requirements of the Heritage Act. A person proposing to undertake minor works must submit a proposal to the Executive Director. If the Executive Director is satisfied that the proposed works will not adversely affect the heritage values of the site, the applicant may be exempted from the requirement to obtain a heritage permit. If an applicant is uncertain whether a heritage permit is required, it is recommended that the permits co-ordinator be contacted.

Landscape:

The process of gardening, mowing, hedge clipping, bedding displays, removal of dead plants and weed control, emergency and safety work and landscaping in accordance with the original concept.

The planting of plant species to conserve the landscape character, rare and unusual species, exotic and native plants, planted in beds, shrubberies and as specimen trees in lawns.

Management and maintenance of trees including formative and remedial pruning, removal of deadwood, pest and disease control, cabling, mowing, weed control and mulching.

In the event of loss or removal of trees, replanting with the same species to maintain the landscape character identified in the statement of significance. Removal of tree seedlings and suckers but excluding herbicide use.

Management of trees in accordance with Australian Standard: Pruning of amenity trees AS 4373.

Management of trees in accordance with Australian Standard: Protection of trees on development sites AS 4970.

Removal of plants listed as Prohibited and Controlled Weeds in the Catchment and Land Protection Act 1994.

Repairs, conservation and maintenance to structures and hard landscape elements, memorial plaques, asphalt and gravel roads and paths, stone and concrete edging, fences and gates.

Installation, removal or replacement of garden watering and drainage systems beyond the canopy edge of mature trees.

Exterior:

*Removal of extraneous items such as air conditioners, pipe work, ducting, wiring, antennae, aerials etc, and making good in a sensitive manner.

*Minor repairs and maintenance to buildings, structures and services within the registered land.

Interior of Art Gallery:

*Painting of previously painted walls and ceilings provided that preparation or painting does not remove evidence of any original paint or other decorative scheme.

*Installation, removal or replacement of hooks, nails and other devices for the hanging of paintings and other wall mounted art.

*Installation, removal or replacement of electrical wiring.

*Installation of new fire hydrant services including sprinklers, fire doors and elements affixed to plaster surfaces.

*Removal or replacement of electric clocks, detectors, alarms, emergency lights, exit signs, luminaires and the like on plaster surfaces.

General:

Maintenance, repair and replacement of public infrastructure for recreation, seating, refuse and amenity providing that such works are reversible and consistent with AS4970. The lakeside walking path is exempt from permit requirements providing that the location of the path is not changed and that like for like surface materials are used.

Provision of temporary (no more than seven (7) calendar days in duration) facilities, infrastructure or works to promote public safety, education and cultural activities.

Theme

6. Building towns cities and the garden state 9. Shaping cultural and creative life

Construction dates 1874,

Architect/Designer Public Works Department,

Heritage Act
Categories Registered place,

Other Names BENALLA ART GALLERY, BENALLA BOTANIC GARDENS, BENALLA GARDENS,

Hermes Number 1772

Property Number

History

HISTORY:

Detailed Histories can be found in the following references:

The Benalla Gardens, Benalla Art Gallery 1988

Benalla Gardens Strategy Plan, City of Benalla, 1993

Benalla Botanical Gardens Conservation Plan, Delatite Shire Council, 2001

Benalla Gardens Australian Heritage Database (former Register of the National Estate)

DSE Heritage Place Report on Hermes - Benalla Botanic Gardens

CONTEXTUAL HISTORY

From the mid nineteenth century, fuelled by the gold rush and colonial government policies, Victoria developed a tradition of regional botanic gardens in many country towns of any size. This resulted in Victoria having the finest

collection of regional botanical gardens of all Australian states. The earliest was Melbourne Botanic Gardens established in 1846

Most of the regional botanic gardens developed as landscaped gardens, although there was a sharp contrast between these sites and the various municipal parks and gardens where an emphasis on floral displays and ornamentation tended to dominate, especially in the twentieth century.

HISTORY OF PLACE

Taken from: DSE Heritage Place Report on Hermes 81322 - Benalla Botanic Gardens

Land was set aside for public recreation near the Broken River from as early as 1859, and gazetted for, cricketing and other purposes of public recreation. The cricket ground and recreation reserve were temporarily reserved on 6 October 1873 as a site for recreation purposes and in 1882 the reserve was gradually developed by the Council. Improvements included footpaths and tree-planting. However, the community agitated for better facilities.

In 1886 the Council gazetted about twenty acres for the gardens and sixty acres along Broken River and appointed Alfred Sangwell, a landscape gardener, to prepare plans for the reserve. Sangwell's plans emphasised facilities for sports and also included ornamental features with walkways. By 1889, 270 trees had been planted and agricultural and pastoral shows were held on the site. Later additions included fencing, well-developed paths, lawns and borders (including plantings featuring mesembryanthemums, marguerites, lilacs and camellias), date palms, a bowling green, tennis courts and croquet ground. A band rotunda, designed by Mr Jeffrey the Shire Engineer and Charles Summers, was officially opened on 14 March 1911. Other features to be added were two statues erected in 1914, representing the Arts and Sciences and Music, new entrance gates and a soldiers' memorial constructed in 1922.

The rose garden was funded by the Apex Club in 1959. Substantial alterations to the gardens occurred in 1972-73, when flood-prone land along Broken River was formed into a lake to provide the setting for the Benalla Art Gallery, built in 1975.

The Major Mitchell Memorial was raised as a memorial to the explorers Sturt and Major Mitchell by Sir James Barrett . Official opening on 9 January 1930. (Graham Jones On this Day in th North East.p.7)

Band rotunda March 14 1911. (Graham Jones On this Day in th North East. p. 55)

Avenue of Honour Memorial : The Avenue of Honour Monument was relocated to the Gardens c. 1996 because the former Avenue of Honour was destroyed during the redevelopment of the Dunlop Campus of Benalla College.

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http://www.nma.gov.au/research/understanding-museums/MRich_2011.html

Assessment Against Criteria

ASSESSMENT AGAINST CRITERIA

a. Importance to the course, or pattern, of Victoria's cultural history

Benalla Botanic Gardens are an important example of a regional botanical garden, established in the nineteenth century in response to the increased wealth of Victoria with the discovery of gold and the desire to provide a place for recreation and education in keeping with European trends.

b. Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

Benalla Botanic Gardens are important for the rare collection of plants and trees characteristic of late nineteenth century gardens including several uncommon species only found in historic gardens. The gardens are also significant for remnant original plantings of Dutch elm and London plane which encircled the cricket oval from 1887.

c. Potential to yield information that will contribute to an understanding of Victoria's cultural history.

d. Importance in demonstrating the principal characteristics of a class of cultural places or objects.

Benalla Botanic Gardens display the typical characteristics of the regional botanic gardens with design elements such as serpentine paths meandering through gardens beds of flowers and shrubberies of various colours and textures set into lawn against a backdrop of specimen trees and built elements.

e. Importance in exhibiting particular aesthetic characteristics.

The Benalla Botanic Gardens are of aesthetic significance due to the largely intact pathway design which includes the unusual avenue of elms and plane trees surrounding the sports oval, other mature and significant trees which contrast with open lawn areas and elliptical and triangular ornamental beds. The location of the Gardens adjacent to Lake Benalla provides significant views from the Gardens across the lake and the surrounding town streetscape

f. Importance in demonstrating a high degree of creative or technical achievement at a particular period.

g. Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions.

h. Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

The Benalla Botanical Gardens are of historical significance for the retention of much of the original gardenesque layout designed by Alfred Sangwell in 1886-7, and are the only known example of his work in Victoria.

a. Importance to the course, or pattern, of Victoria's cultural history

Benalla Botanic Gardens are an important example of a regional botanical garden, established in the nineteenth century in response to the increased wealth of Victoria with the discovery of gold and the desire to provide a place for recreation and education in keeping with European trends.

Benalla Art Gallery is significant as an important demonstration of the development of regional galleries in Victoria, particularly in the 1960s and early 1970s when state government funding fuelled immense growth in new public art galleries. It is of significance as an outstanding display of community support with residents voting overwhelmingly for the establishment of a gallery at Benalla at referendum in 1967, and the resident Laurence Ledger donating his valuable art works and money to fund the building

b. Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

Benalla Botanic Gardens are important for the rare collection of plants and trees characteristic of late nineteenth century gardens including several uncommon species only found in historic gardens. The gardens are also significant for remnant original plantings of Dutch elm and London plane which encircled the cricket oval from 1887.

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Benalla Botanic Gardens display the typical characteristics of the regional botanic gardens with design elements such as serpentine paths meandering through gardens beds of flowers and shrubberies of various colours and textures set into lawn against a backdrop of specimen trees and built elements.

Benalla Art Gallery is an outstanding example of a mid-1970s modernist building, located in regional Victoria. Architects Munro and Sargeant received a Victorian Architecture Award Citation for this Regional Gallery for North Eastern Victoria in 1975 and its unique character continues to provide the region with a distinctive identity.

e. Importance in exhibiting particular aesthetic characteristics.

The Benalla Botanic Gardens are of aesthetic significance due to the largely intact pathway design which includes the unusual avenue of elms and plane trees surrounding the sports oval, other mature and significant trees which contrast with open lawn areas and elliptical and triangular ornamental beds. The location of the Gardens adjacent to Lake Benalla provides significant views from the Gardens across the lake and the surrounding town streetscape. The Art Gallery, on the shores of the lake, adds to the picturesque qualities of the place.

f. Importance in demonstrating a high degree of creative or technical achievement at a particular period.

g. Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions.

h. Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

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Plaque Citation

Alfred Sangwell was appointed as the first curator to design and lay out the site in 1886-7, combining a recreation oval with an ornamental garden featuring a formal entrance, curved paths, open lawns and specimen trees.

Designed and laid out by Alfred Sangwell in 1886-67, the site combined an oval and ornamental garden. A distinctive modern gallery, designed by Sargeant & Munro, was added to the gardens in 1975.

Extent of Registration

1. All the buildings marked as follows on Diagram 2260 held by the Executive Director.

B1 Band Rotunda
B2 Grandstand
B3 Art Gallery

2. All the features marked as follows on Diagram 2260 held by the Executive Director.

F1 Sports oval
F2 Main entrance gates
F3 War memorial
F4 Rose gardens
F5 Tennis courts and club house facilities
F6 Cannon
F7 Weary Dunlop memorial
F8 Avenue of honour memorial

3. All the paths marked P1 on Diagram 2260 held by the Executive Director.

4. All of the land marked L1 on Diagram 2260 held by the Executive Director being part of Crown Allotment 14 and all of Crown Allotment 15, Section 7A, Township of Benalla, and all of Crown Allotments 4, 5 & 6, Section K1,

Township of Benalla and part of the road reserve of the Midland Highway

This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 2017. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place source.

For further details about Heritage Overlay places, contact the relevant local council or go to Planning Schemes Online <http://planningschemes.dpcd.vic.gov.au/>