

Heritage Impact Statement

766-772 & 780-282 Elizabeth Street,
and 213-221 & 223 Berkeley Street, Melbourne

Development interface with Royal Parade [H2198]

Permit Application
December 2023

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1.0 Introduction

This assessment of heritage impacts has been prepared on behalf of the University of Melbourne, owners¹ of the subject development site at 766-772 and 780-282 Elizabeth Street, and 213-221 and 223 Berkeley Street, Melbourne.

By way of context, an application has been submitted to the Department of Transport and Planning for the construction of a multi-storey medical research facility on the subject land. Along the western Elizabeth Street site frontage, this will include a canopy above the ground floor, which will in part project over the western site boundary, above the adjacent land which is included in the extent of registration for Royal Parade [H2198]. To create a viable loading dock entrance off Elizabeth Street, it is proposed to remove and replant an English Elm tree slightly further to the south. Another two adjacent English Elm trees to the south within H2198 will be retained and protected during construction.

This report, prepared by Bryce Raworth and Guy Murphy, comments on whether the proposed works are acceptable in terms of their impact upon the significance of the registered place.

¹ Parts of the subject development site not already owned by the University of Melbourne have been acquired by the Victorian State Government for the AIID project under gazettal no. S563.

2.0 Methodology

This Heritage Impact Statement has been prepared with regard to the *Burra Charter* and its guidelines, as amended in 2013, and in general accordance with Heritage Victoria's guidelines for preparing Heritage Impact Statements (September 2020). It seeks to respond to key matters that are set out on page 3 of that document:

- *why a place or object is of cultural heritage significance to the State of Victoria*
- *what options were considered in developing the proposal*
- *what impact (positive and/or negative) the proposed works will have on that significance,*
- *if a negative impact is proposed, why the proposed option was chosen and why other more sympathetic options were not feasible, and*
- *what measures are proposed to minimise and mitigate negative impacts.*

3.0 Sources of Information

The analysis below draws upon multiple site visits and a review of the *Victorian Heritage Register* documentation for the subject site.

- *Victorian Heritage Database*, <https://vhd.heritagecouncil.vic.gov.au>
- *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance (2013)*, Australia ICOMOS Incorporated Internal Council on Monuments and Sites.
- Civica Aborsafe, *The University of Melbourne, Parkville Campus, Arboricultural Impact Assessment*, 9 October 2023.
- Civica Aborsafe, *The University of Melbourne, Parkville Campus, Arboricultural Impact Assessment*, 19 July 2023.
- Civica Aborsafe, *The University of Melbourne, Parkville Campus, Preliminary Arboricultural Report*, 15 March 2023.
- MEL Consultants, *Australian Institutes of Infectious Diseases Development, Melbourne, Environmental Wind Tunnel Modelling Report*, July 2023.
- Historic newspapers (various), accessed via Trove Online, <https://trove.nla.gov.au>
- Historic MMBW Plans, State Library of Victoria, <https://www.slv.vic.gov.au>
- Historic photographs (various) accessed via Trove Online, <https://trove.nla.gov.au>

This HIS should be read in conjunction with the architectural drawings and other documentation prepared by Wardle Architects as part of this application.

4.0 Historical Overview

Elizabeth Street and what is now Royal Parade had been surveyed by 1838, as part of the main route to Sydney known as Sydney Road. The *Victorian Heritage Register* citation includes the following background history of the development of Royal Parade and the area adjacent the subject site.

In 1853 the Central Roads Board began the transformation of the Sydney road bullock track and stock route between the Elizabeth Street/Flemington Road junction and Park Street into a three-chain boulevard and lined its carriageways with pine trees. In 1913, there was much public dismay when the Melbourne City Council began removing the row of pine trees along the roadside and replacing them with the first of today's highly regarded elms. The work to the roadway in the 1910s was a necessary accompaniment to the extension of the tram service to the north from the inner city. Rockeries which separated the elms in the 1913 scheme were later removed as part of the Depression works project in the 1930s.

Housing construction on the boulevard's western side commenced in 1868 after land designated as parkland was sold for development. Building in north-western Royal Parade was tightly controlled by a Crown covenant that regulated the height, material and position of the houses. Development of the south-western aspect of the boulevard was not so controlled, and houses tended to be smaller and less grand. The south-west corner, initially the hay, corn and horse market, was taken over in the early twentieth century by the Royal Melbourne Hospital and University High School. After the 1870 covenant was annulled in 1972, larger residential buildings began to appear on the western side north of The Avenue, including university halls of residence. Development of the boulevard's eastern side has been confined to Princes Park and the University of Melbourne, apart from the Elizabeth Street section.

*The early twentieth century tree-planting of Royal Parade was part of a wide-spread 'city beautiful' movement of the time. Robert Freestone in *Designing Australia's Cities: Culture, Commerce and the City Beautiful 1900-1930*, has pointed out that the idea of a tree-lined boulevard developed out of earlier garden elements such as allees and waterside promenades by the mid nineteenth century. Similarly technical developments in the planning movement world-wide had led to a scientific analysis and justification for landscaped, multi-lane street design, whereby fast and slow traffic should be separated, and motor vehicles from trams, by rows of trees and street gardens to absorb noise and dust. These ideas appealed both to modernist and civic art sensibilities. There was a belief that beautiful streets were not a luxury, but*

absolutely essential to the successful development of the 'city beautiful', and that to obtain the best results utility could not be forgotten.

The change to deciduous tree species for road avenues reflects this concern. Whereas earlier plantations such as the original conifers along the Sydney road, and the line of Blue Gums along St. Kilda Road had served an essentially functional purpose such as providing windbreaks and absorbing dust, the deciduous plantations of the early 20th century reflected the new concern with health and beauty. Deciduous trees provided badly needed shade in summer while allowing light and air during the winter months, and at the same time, providing the natural beauty afforded by the changing seasons. It had taken forty years for such ideas to resurface from the time they were first realised in the Finlay Avenue at Camperdown which was planted on 12 July 1876 by a Western District family, the Finlays, whose ideas derived from 18th century English parks and gardens.

The section of Elizabeth Street from Grattan Street further south to in front of what is now 766-778 Elizabeth Street forms a transitional zone between Royal Parade to the north and the angled relative alignment of Elizabeth Street proper south of the Haymarket roundabout. It was originally named as part of Sydney Road in the late nineteenth century, before being subsequently consolidated as part of Elizabeth Street.

The 1896 MMBW plan (*Figure 1*) shows footpaths laid out on the east side of the street, but no median strips either side of the central tramway. The Horse Market Hotel stood at the approximate location of 780 Elizabeth Street, with a small annotation at the edge of the adjacent road in front marked 'Trees'. This is outside the marked outline of the footpath area. The location, number and types of any trees in this location are not shown. There is no evidence these included elm trees at this time. It is assumed that the program to plant elm trees along Royal Parade further north that commenced in 1913 also included this part of Elizabeth Street at the same time.

An early 1940s aerial image (*Figure 2*) shows median strips along the adjacent part of Elizabeth Street by this time and contained substantial trees plantings (presumably dating from 1913) corresponding in size to those seen in the Royal Parade median strips further north. The footpath in front of the subject site appears to have contained several small sized plantings along its edge, although it is unclear whether these were juvenile trees or small decorative shrubs of a few metres.



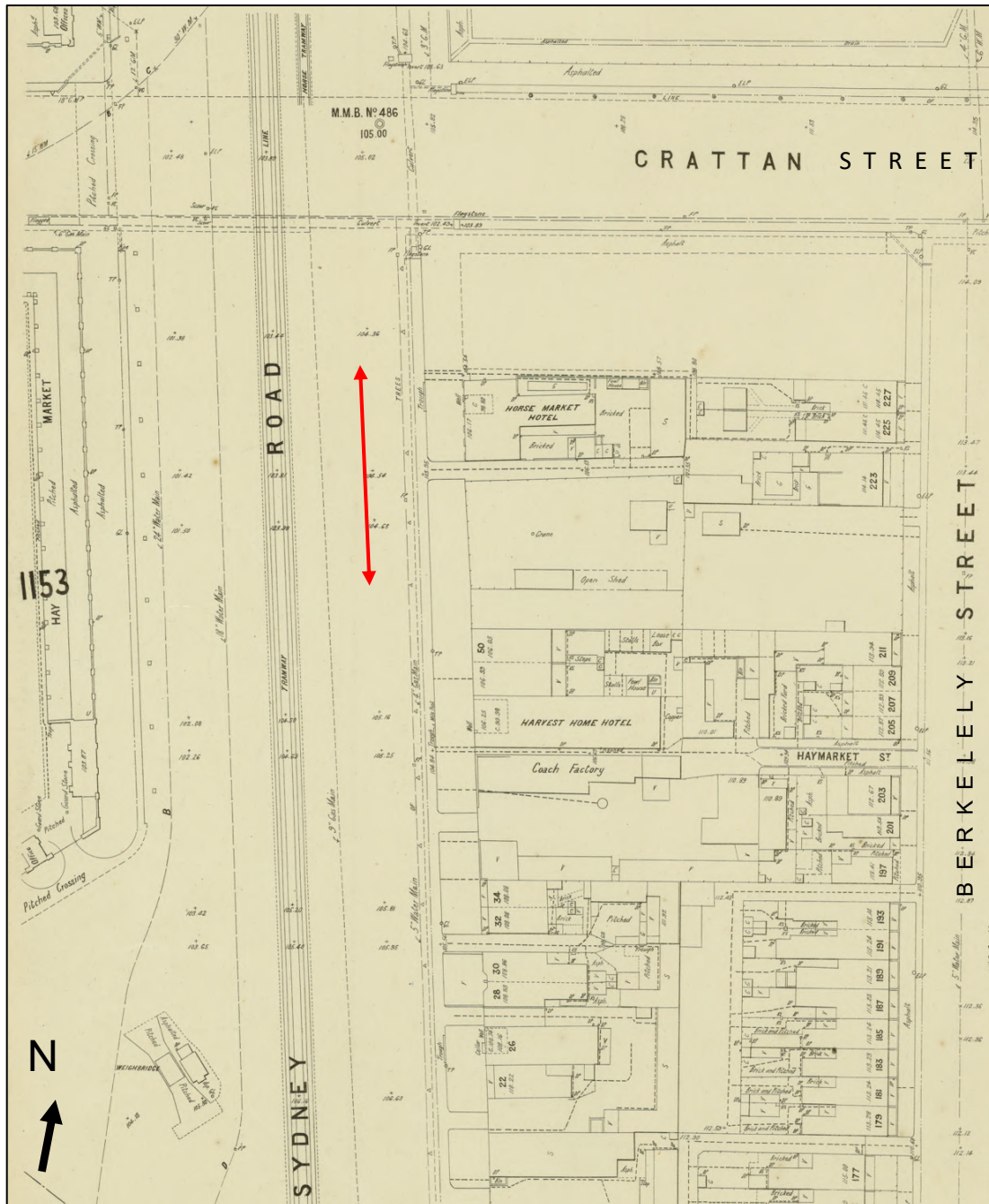


Figure 1 1895 MMBW Plan extract showing the layout of this part of Elizabeth Street (identified as 'Sydney Road') at this time. The existing median strips had not been laid out yet.
Source: State Library of Victoria, <http://handle.slv.vic.gov.au/10381/120585>

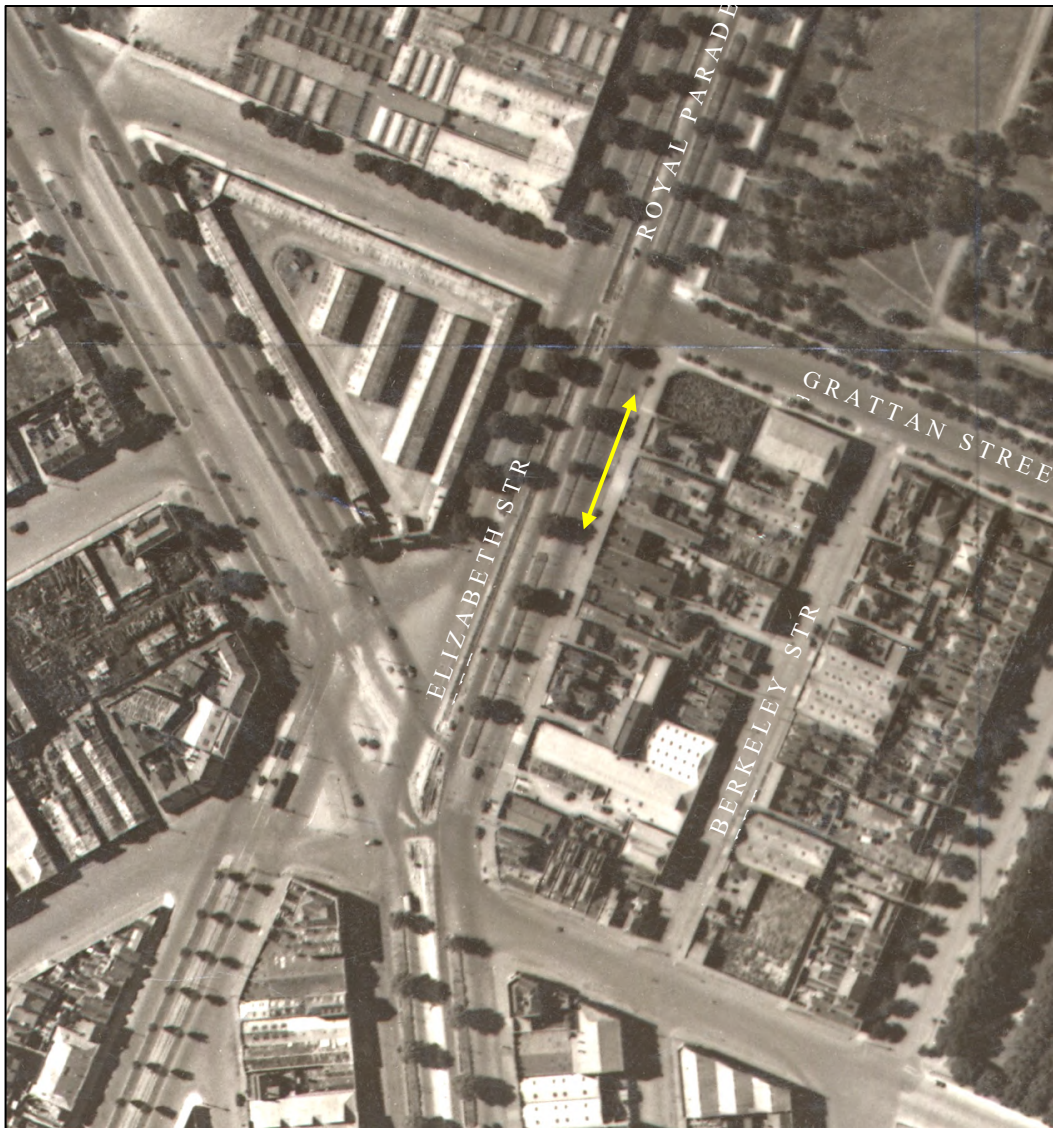


Figure 2 *Early 1940s aerial view of subject site (marked with the yellow arrow), showing trees with shadows in the median strip along the adjacent part of Elizabeth Street. While trees are visible along the footpaths adjacent to the University along Royal Parade further north, no mature trees are in evidence in front of the subject site.*

Source: State Library of Victoria, <http://handle.slv.vic.gov.au/10381/462840>

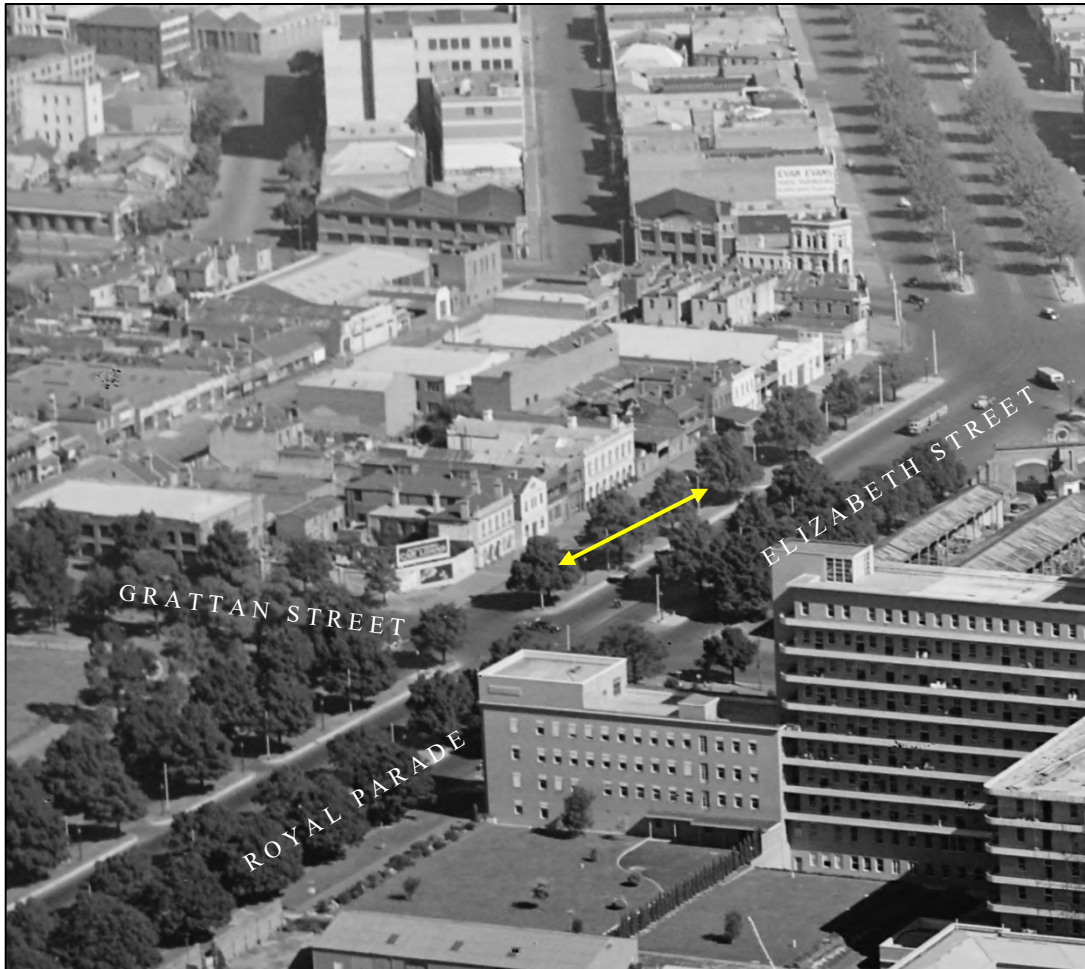


Figure 3 *c.1948 Pratt aerial photograph showing substantial tree plantings along the median strip in front of the subject site (see yellow arrow), but none along the adjacent footpath. An additional row of Elm trees along the nature strip adjacent the footpath is visible along the east side of Royal Parade (bottom left).*

Source: State Library of Victoria, <http://handle.slv.vic.gov.au/10381/20666>

A c.1948 aerial image (Figure 3) including the subject site does not show any visible tree plantings in the adjacent footpath, although mature trees are evident in the median strips.

In conclusion, the available historical and physical evidence indicates the existing three Elm trees in front of 766-778 and 780-782 Elizabeth Street date from more recent landscaping works undertaken after the 1960s and are not part of the historical extent of the c.1913 Royal Parade plantings.

5.0 Description

The subject development site comprises portions of adjacent land known as 766-772 Elizabeth Street, 780-782 Elizabeth Street, 213-221 Berkeley Street and 223 Berkeley Street. The site and its immediate surroundings are relatively flat in topography. This land contains a series of buildings dating from the early 1950s to recent times, including a 13 storey c.1960s-70s office building with a concrete façade at 766-772 Elizabeth Street and a four-storey structure of a similar character dating from the same period at 780 Elizabeth Street.

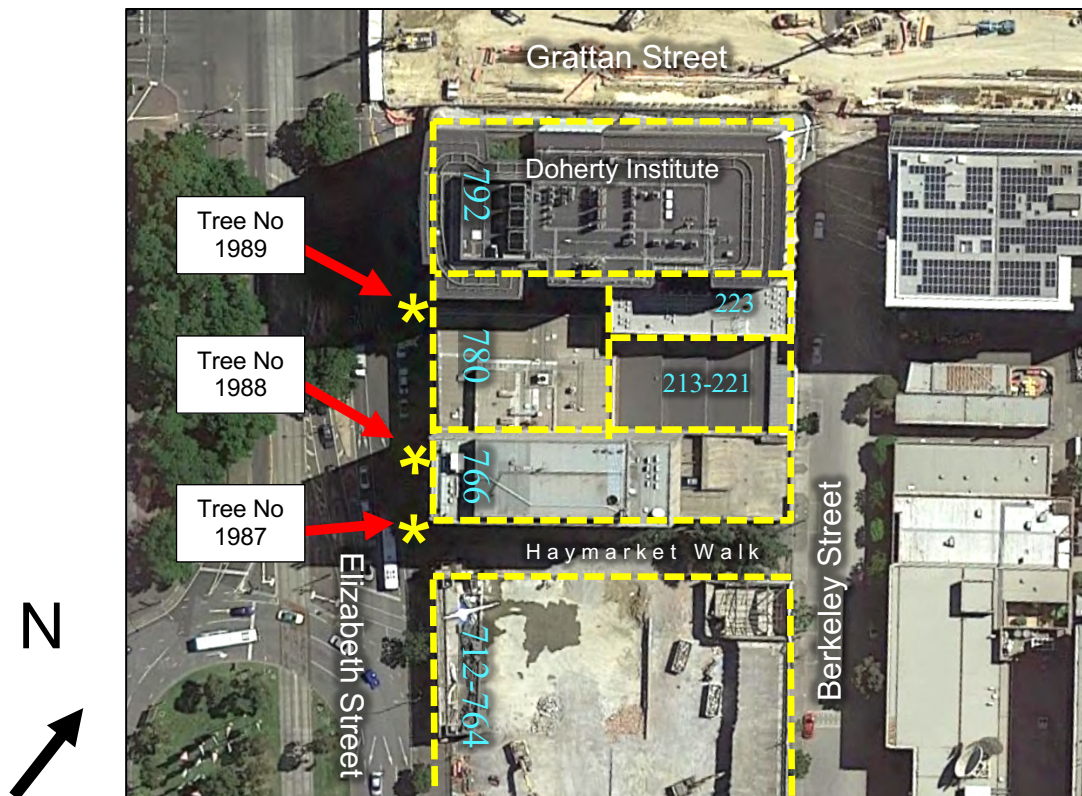


Figure 4 Annotated aerial view showing the approximate location of the three subject English Elm trees marked by a yellow asterisk, and each parcel of land comprising the wider development site as identified by its current street address. Source: Google Maps.

The subject site is located within a wider medical research precinct associated with the University of Melbourne. Adjacent to the north at 786 Elizabeth Street and 257 Berkeley Street is the substantial contemporary multi-storey Doherty Institute building. A large site further south at 712-764 Elizabeth Street which is understood to be soon receiving intensive multi-storey development. Part of the Melbourne Metro tunnel (under construction) runs beneath Grattan Street, with the new Parkville Railway Station to be located beneath Grattan Street adjacent the Doherty Institute.

Elizabeth Street to the west is a major entry route into central Melbourne, comprising multiple lanes of traffic on either side of a central tramway and median strips. Adjacent the subject site, it is edged by a broad asphalted footpath edged with bluestone kerbing and gutters, and inset with three English Elm (*Ulmus procera*) trees (see Figure 5). These trees are numbered 1987, 1988 and 1989 in the University of Melbourne’s ArborPlan tree survey, and these reference numbers have been adopted for the purposes of this analysis. The trees, their condition and significance are described in the Arboricultural Impact Assessment prepared by Civica Aborsafe (dated 9 October 2023) submitted as part of this application.

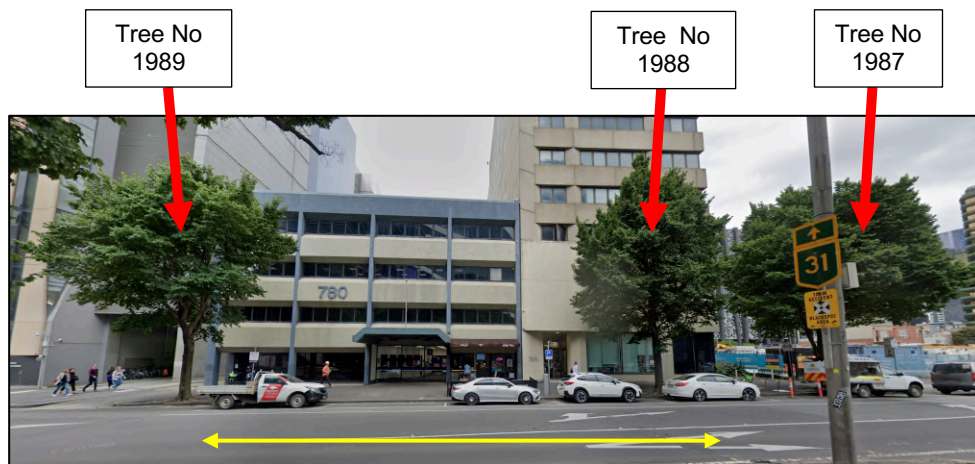


Figure 5 View east towards the Elizabeth Street frontage of the subject site (marked by the yellow arrow), with the three English Elms in front indicated by the red arrows.
Source: Google Street View.



Figure 6 Tree No 1987 (centre) as viewed from the south. The existing building on the development site at 766-778 Elizabeth Street is at right, with Elizabeth Street at left.



Figure 7 Tree No 1987.



Figure 8 Tree No 1989.



Figure 9 View of the Doherty Institute from the north-west along Elizabeth Street/Royal Parade, with the western street frontage of the wider development site to the right.

6.0 Heritage Listings

Victorian Heritage Register

Royal Parade (including the adjacent footpaths) is included on the *Victorian Heritage Register*, H2198. Heritage Victoria's citation in the *Victorian Heritage Database* includes the following text and associated extent of registration diagram.

Extent of Registration

1. All the land marked L1 on Diagram 2198 held by the Executive Director being Royal Parade road reserve and the small section of the Elizabeth Street road reserve between Flemington Road and Park Street. This includes the four grassed medians, concrete curbing, elm trees and footpaths but excludes all the road surfaces and tram tracks, poles and fences.

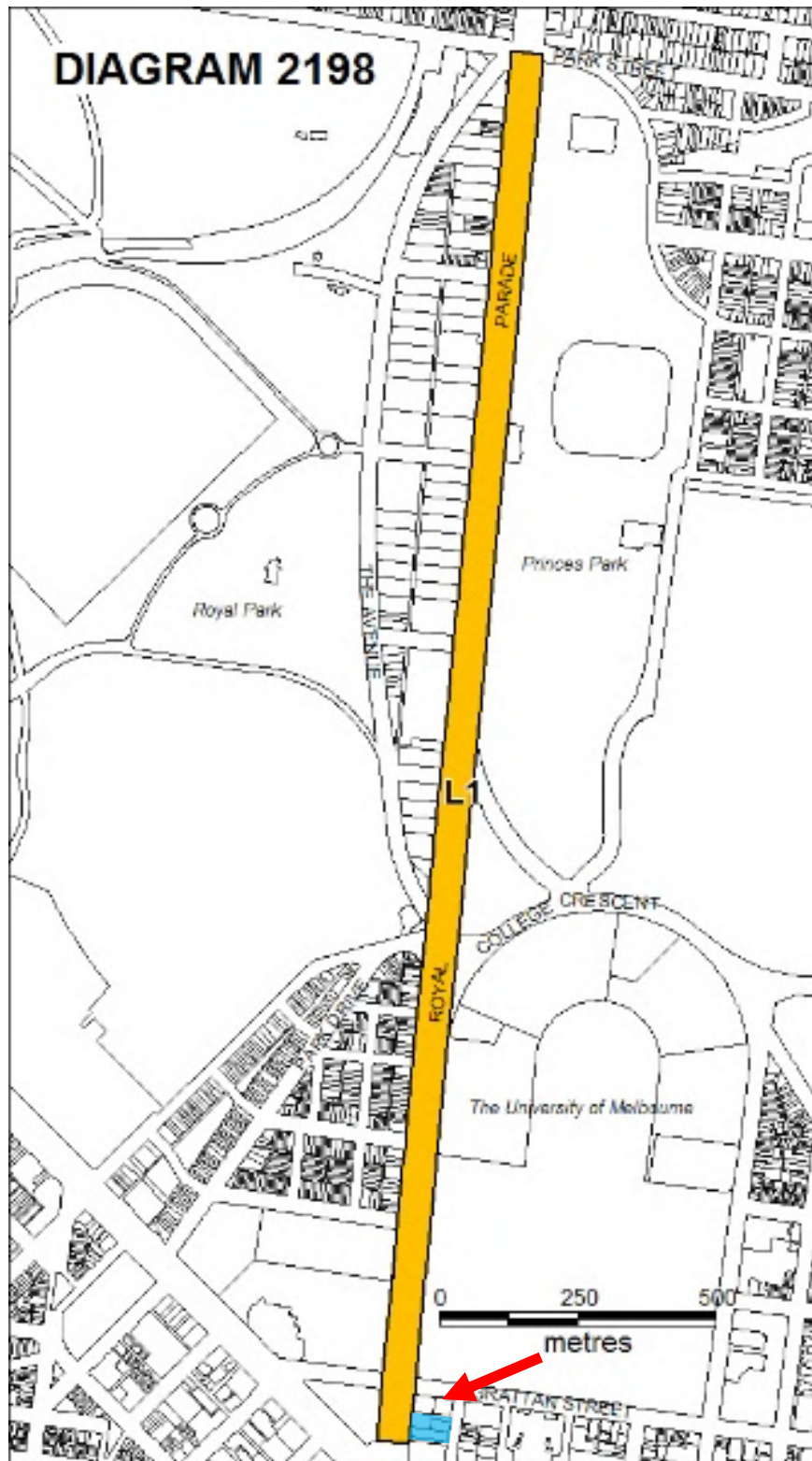


Figure 10 Extent of Registration Diagram 2198 for the subject site showing the area of registration of H2198 shaded yellow. The subject development site is shaded blue (indicated by red arrow).

City of Melbourne

Royal Parade is also subject to a Heritage Overlay HO977 in the *Melbourne Planning Scheme*, which corresponds to the same boundaries as the Heritage Victoria's extent of registration.

Heritage Victoria is the relevant permit authority (not the City of Melbourne).

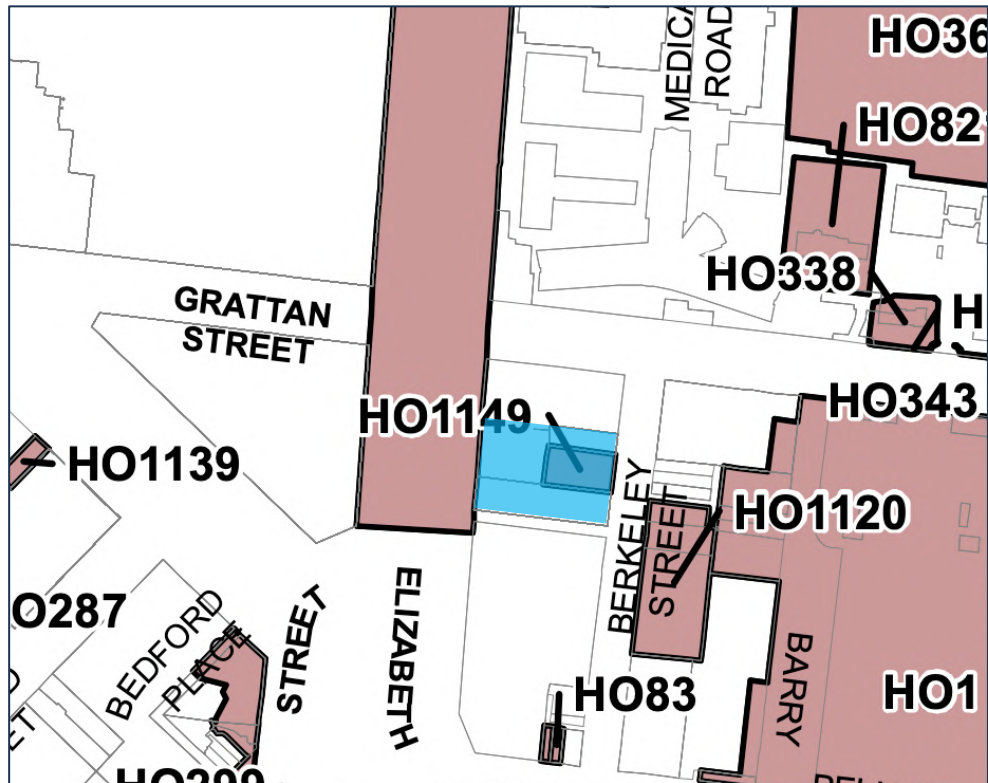


Figure 11 Heritage Overlay plan extract showing the Heritage Overlay (HO977) applying to the registered extent of Royal Parade, with the wider development site shaded blue. 213-221 Berkeley Street in the wider development area is subject to an individual Heritage Overlay (HO1149), but does not interface with Royal Parade.

7.0 Significance

The *Victorian Heritage Register* Statement of Significance for Royal Parade (H2198) is reproduced as follows:

WHAT IS SIGNIFICANT?

Royal Parade, the boulevard leading north out of Melbourne, runs between Park Street and Grattan Street in Parkville. A small section of Elizabeth Street from Grattan Street to the roundabout at Flemington Road is included as it completes the boulevard. The full width of carriageway and footpaths, comprising three roadway sections separated by four plantations with wide footpaths on either side make up the boulevard. The

*roadway accommodates a wide, two-way road and central two-way tramway with one-way service roads on either side. The two inner plantations comprise concrete-curbed, grassed medians planted with mature elms and two outer plantations consist of lines of mature elms planted in 1913 in the grass verges between the footpaths and road. The predominant species is English Elm (*Ulmus procera*) with approximately four hundred trees contributing to the park-like setting.*

HOW IS IT SIGNIFICANT?

Royal Parade is of historical, aesthetic and social significance to the state of Victoria.

WHY IS IT SIGNIFICANT?

Royal Parade is historically significant as "the road to Sydney" from the mid-nineteenth century and as Melbourne's traditional entrance from the north, re-emphasised in the early twentieth century by the introduction of the multiple elm avenue planted in 1913. It is also historically significant as the multiple avenues demonstrate technical developments in the planning movement world-wide that led to the separation of fast and slow traffic, and different traffic types (motor vehicles and trams) by plantations that were both functional and beautiful.

Royal Parade is aesthetically significant as one of Victoria's finest boulevards. As Melbourne's main route to Sydney and northern Victoria, it was re-created in the early twentieth century as a major example of 'city beautiful' planning fashionable at the time. This was characterised by the multi-lane layout and the introduction of the four lines of English Elms. The profile, scale and seasonal change of the deciduous, multiple English Elm avenues provide shade in summer, autumn colour and sunlight penetration in winter.

The registration for Royal Parade (H2198) includes the following 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.

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:

General Conditions: 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.

General Conditions: 2. Should it become apparent during further inspection or the carrying out of alterations 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 alteration shall cease and the Executive Director shall be notified as soon as possible.

General Conditions: 3. If there is a conservation policy and plan approved by the Executive Director, all works shall be in accordance with it

General Conditions: 4. Nothing in this declaration prevents the Executive Director from amending or rescinding all or any of the permit exemptions.

General Conditions: 5. Nothing in this declaration exempts owners or their agents from the responsibility to seek relevant planning or building permits from the responsible authority where applicable.

Landscape:

- The process of gardening, mowing, hedge clipping, bedding displays, removal of dead plants, disease and weed control, emergency and safety works and landscaping in accordance with the original concept.*
- In the event of loss or removal of trees, replanting with English Elms (*Ulmus procera*) to maintain the landscape character identified in the statement of significance.*
- Management of trees in accordance with Australian Standard; Pruning of amenity trees AS 4373.*
- Vegetation protection and management of the possum population.*
- Removal of plants listed as Prohibited and Controlled Weeds in the Catchment and Land Protection Act 1994.*
- Repairs, conservation and maintenance to hard landscape elements, memorial plaques, asphalt and gravel paths and roadways, stone and concrete edging, fences and gates.*
- Installation, removal or replacement of garden watering and drainage systems beyond the canopy edge of listed trees.*

8.0 Proposed Works

It is proposed to demolish all the existing built form at 766-772 Elizabeth Street, 780-782 Elizabeth Street, 213-221 Berkeley Street and 223 Berkeley Street and construct a medical research facility comprising up to 19 above ground levels and up to three additional basement levels. Massed into a single, broadly rectilinear building envelope, the new structure is anticipated to occupy most of the combined wider site, with only minor setback on the north and south sides. It will interface with the adjacent Doherty Institute building to the north in plan.

The ground floor will be partially recessed in an undulating manner along its Elizabeth Street, Haymarket Walk and Berkeley Street frontages where it provides pedestrian interfaces. These frontages will be visually permeable and include a projecting canopy. The corners of the building will be slightly rounded in plan, with slight insets to the corners of alternating bands creating corner shadow lines that provide further articulation.

The proposed works that impact the extent of registration of Royal Parade relate (1) to those that will occur to trees 1987, 1988 and 1989 during construction, and (2) the proposed new canopy above the ground floor level of the new Elizabeth Street frontage.

- Trees

The provision of functional loading bay access to the new medical research facility from Elizabeth Street requires the removal of Tree 1989. It is proposed to replace this planting with another English Elm located in the footpath a short distance to the south to provide extra curtilage between the new tree and the vehicle entry point into the site.

Trees 1987 and 1988 will be retained and protected during the construction process. They will undergo some pruning under the guidance of an arborist. (It is suggested that the full detail of the tree protection and management strategy could be provided as a condition of permit, with reference to the recommendations provided by Civica Aborsafe in their Arboricultural Impact Assessment dated 9 October 2023 [Section 8]).

- New Canopy

The new canopy to the Elizabeth Street frontage will comprise two curved sections, each curved in plan. These will modestly project out across the western site boundary over the footpath within the land included in H2198. The smaller southern section over the main pedestrian entry to the building will be approximately 6.6 metres wide and 7.5 metres high (as measured to the underside), with the overhang commencing approximately 6.8 metres from the south-west corner site boundary. The maximum overhanging projection will be approximately 1.2 metres. The longer north section will be approximately 27.4 metres wide, set back 2.7 metres from the north-west corner site boundary and be 6.8 metres in height

(as measured to the underside). The maximum overhanging projection of this part of the canopy will be 2.0 metres.

9.0 Heritage Impacts

As noted, this Heritage Impact Statement has been prepared in general accordance with Heritage Victoria's guidelines for such assessments. With respect to the permit amendment application works, it seeks to respond to the key questions previously set out in Section 3.0.

What options were considered in developing the proposal?

Both the construction approach and the canopy treatment have sought to minimise potential impacts on the streetscape in front of the development site, including the footpath area and trees located in the registered area.

Input from Heritage Victoria was sought during the design process by means of a preapplication consultation meeting.

What impact (positive and/or negative) will the proposed works have on [the] significance?

Positive heritage impacts of the proposed scheme include the following.

- Two of the three existing tree plantings in the footpath in front of the subject site (Trees No 1987 and 1988) will be retained.
- The tree that it is proposed to remove (Tree No. 1989) will be replaced with a new tree planting further to the south, that will be at the same space from Tree No. 1988 as the latter is from Tree No. 1987, thus reinforcing a pattern of regularly tree spacing.

Potentially negative heritage impacts of the scheme are summarised as follows.

- One established (though not fully mature) tree is being removed from within the extent of registration of Royal Parade, though as noted above, this is being replaced.
- The new canopy will project slightly into the volume of Trees no. 1987 and 1988.
- There will be disruption to the setting of trees during construction of the new medical research facility.

If a negative impact is proposed, why the proposed option was chosen and why other more sympathetic options were not feasible?

The removal of Tree No 1989 is necessary to allow for the functional operation of the loading dock entrance in the new development. The location of the proposed loading dock entrance reflects the very constrained nature of the site and its existing context. Other possible positions for this access point were considered, but given the extensive and specific functional requirements of the new building as established in the State Government project brief, alternative locations were not found to be viable.

The removal of this tree is also required for logistic reasons to allow for the construction of the new medical research building, and to provide improved access to the new loading bay entry in future. Alternative options were investigated in preparing this application, but given the nature of the proposed works and the constrained nature of the site, removing and replanting the tree further south was considered the optimal outcome. Were it to be retained, the tree would be at risk of accident collision from construction vehicles given its location. It would also be at a vulnerable corner location relative to vehicle entry to the internal loading bay area in the new development and would be at elevated risk of vehicle collision in future.

The canopy is required to address environmental window condition requirements in keeping with objectives of the *Melbourne Planning Scheme*, recognising the particular issues associated with street level wind management around tall buildings.

Introducing a setback to the building along this frontage so that the canopy did not project over the footpath would negatively affect the amenity and available workspace on the west side of the building and is not considered a viable option given the functional brief for the development as defined by the State Government.

The Schematic Design Report prepared by Wardle Architects (October 2023) includes the following additional commentary as to the purpose of the canopy [p.46].

The canopies that overhang each street and lane frontage are important elements to provide protection from wind shear and weather to pedestrians below. They are also an intermediary element between the tower façade system and the street façades.

The outer edges of the canopies reflect the curved geometry of the Haymarket glazing and the rounded corners of the tower above. The canopies' leading edges are gently radiused and are also stepped at key moments to highlight entry points or to respond to the fall of Haymarket Walk.

The height and undulating form of the canopy has been determined with the intent of minimising impacts on the retained trees.

What measures are proposed to minimise and mitigate negative impacts?

The key measures taken to mitigate the potential for negative impacts upon the significance of Royal Parade are as follows:

- Specialist arborist advice has been sought in order to minimise the extent of tree removal and the impacts on the retained trees during the construction works.
- A tree management strategy or plan could be provided as a condition of permit.
- A minimalist design approach has been taken with proposed canopy, so that it addresses amenity requirements while otherwise projecting to a minimum extent.
- Where the removal of one tree is required, it is proposed to replant another tree along the same street frontage, albeit slightly further to the south, thus not resulting in the diminution in the overall number of English Elms along this part of Elizabeth Street.

More generally, the proposed works are located at an edge location within the extent of registration where there were no Elm plantings associated with the c.1910s establishment of Royal Parade, as described in Heritage Victoria's citation, with the three subject trees dating from the c.1960s or later. The subject trees are more recent plantings and not fully mature.

It is noted that the proposal will need to be considered within the broad ambit of considerations under the *Heritage Act*, which are intended to support the sustainability of places and also take into account economic impacts. As noted, under the *Heritage Act* the Executive Director must consider economic impacts and the impact associated with the refusal of any such proposal:

101 Determination of permit applications

[..]

(2) *In determining whether to approve an application for a permit, the Executive Director must consider the following— [..]*

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

[..]

In effect, there are no heritage matters arising from the Heritage Overlay policy that are not also relevant to the considerations under the *Heritage Act*, and the application has had appropriate regard for all such matters.

10.0 Conclusion

The proposed replacement of one English Elm and the retention and protection of another two located in the footpath in front of 766-772 and 780-282 Elizabeth Street is considered acceptable with respect to heritage impacts on Royal Parade, H2198. These trees do not date from the key historic phases of development of Royal Parade, with plantings in this location only made from the c.1960s onwards. The tree-lined character of this part of Elizabeth Street will be retained and upheld. The proposed canopy along part of the street frontage of the new development is shallow in depth and will have no discernible impact on the significance of heritage place.

Having regard for the above, the works has been developed with due consideration for the provisions of the *Heritage Act*. The proposal also responds appropriately to the purposes and design guidelines of the Heritage Overlay, as set out in *Clause 43.01* of the *Melbourne Planning Scheme* and with the associated local heritage policy at *Clause 15.03-1S*.