



Referral of proposed action

Proposed action title:

Royal Exhibition Building & Carlton Gardens: Tree Planting (south west Carlton Gardens) and Garden Renewal (lower Lake, south west Carlton Gardens)

1 Summary of proposed action

1.1 Short description

The proposed action is for soft landscaping works that include removal of four (4) trees, infill planting of a mix of eleven (11) deciduous and evergreen trees, and the renewal of garden beds situated on the south side and island of the ornamental (lower) lake.

The location of the proposed action is within the World Heritage property and National Heritage place known as the Royal Exhibition Building and Carlton Gardens. The proposed action would occur within a section of the Carlton Gardens (south west side of the South Garden). The location of the Royal Exhibition Building and Carlton Gardens is Nicholson Street, Carlton, and Victoria Street, Rathdowne Street, and Carlton Street, Melbourne, Victoria, Australia.

The location of the proposed action area is shown in the map at Attachment A1.

1.2 Latitude and longitude

| location point | Latitude | | | Longitude | | |
|----------------------|----------|---------|---------|-----------|---------|---------|
| | degrees | minutes | seconds | degrees | minutes | seconds |
| Whole site | S37 | 48 | 22 | E144 | 58 | 13 |
| Proposed action area | | | | | | |
| 1 | S37 | 48 | 18.0 | E144 | 58 | 9.8 |
| 2 | S37 | 48 | 18.2 | E144 | 58 | 11.1 |
| 3 | S37 | 48 | 20.0 | E144 | 58 | 10.8 |
| 4 | S37 | 48 | 21.8 | E144 | 58 | 12.1 |
| 5 | S37 | 48 | 22.5 | E144 | 58 | 13.0 |
| 6 | S37 | 48 | 26.1 | E144 | 58 | 8.3 |

1.3 Locality and property description

The property on which the proposed action would take place is the Royal Exhibition Building and Carlton Gardens. The Royal Exhibition Building and Carlton Gardens is located in the suburb of Carlton, and in the City of Melbourne local government area. The site is bounded by Victoria Street (south), Rathdowne Street (west), Carlton Street (north), and Nicholson Street (east). It consists of three Crown Land Reserves as listed in 1.6

The proposed action would occur within the South Garden of the Carlton Gardens, which corresponds with Crown Allotment 3, one of the two Crown Land Reserves for Public Recreation (Carlton Gardens).

The proposed action will be contained within an approximately triangular-shaped area of 11000m² adjacent to the Rathdowne Street boundary of the Royal Exhibition Building and Carlton Gardens site, at the corner of Rathdowne Street and Victoria Street.

1.4 Size of the development footprint or work area (hectares)

The development footprint within which the proposed action would occur is approximately 11000m² (1.1 ha)

| | | | |
|------|--|--|--|
| 1.5 | Street address of the site | Nicholson Street, Carlton, and Victoria Street, Rathdowne Street, and Carlton Street, Melbourne, Victoria, Australia | |
| 1.6 | Lot description Whole Site: RCG-600/905 (shared with property listed below) – Carlton Gardens North, 1-111 Carlton Street, CARLTON VIC 3053 – ReservedCL 1 M385W – ReservedCL 3 M385W Study area: Crown Allotment 2, Section 19A, Carlton, Parish of Jika Jika (Exhibition Reserve) | | |
| 1.7 | Local Government Area and Council contact (if known) City of Melbourne, Development Planning Contact: Jane Birmingham, Practice Leader, Statutory Planning Phone: (03) 9658 8684 While the project is not subject to local government planning approval, it is anticipated that it will be referred to the local authority for comment. As a registered place on the Victorian Heritage Register, under the <i>Victorian Heritage Act</i> 1995 the proposed works require the approval of the Executive Director, Heritage Victoria, for any works at the site that have not been granted a permit exemption. | | |
| 1.8 | Time frame Commencement: January 2017 Estimated completion date: by December 2017 | | |
| 1.9 | Alternatives to proposed action | <input checked="" type="checkbox"/> | No |
| | | <input type="checkbox"/> | Yes, please also complete section 2.2 |
| 1.10 | Alternative time frames, locations or activities | <input checked="" type="checkbox"/> | No |
| | | <input type="checkbox"/> | Yes, you must also complete Section 2.3. For each alternative, location, time frame, or activity identified, you must also complete details in Sections 1.2-1.9, 2.4-2.7 and 3 and 5 (where relevant). |
| 1.11 | Commonwealth, State or Territory assessment | <input type="checkbox"/> | No |
| | | <input checked="" type="checkbox"/> | Yes, please also complete section 2.5 |
| 1.12 | Component of larger action | <input checked="" type="checkbox"/> | No |
| | | <input type="checkbox"/> | Yes, please also complete section 2.7 |
| 1.13 | Related actions/proposals | <input checked="" type="checkbox"/> | No |
| | | <input type="checkbox"/> | Yes, provide details: |
| 1.14 | Australian Government funding | <input checked="" type="checkbox"/> | No |
| | | <input type="checkbox"/> | Yes, please also complete section 2.8 |
| 1.15 | Great Barrier Reef Marine Park | <input checked="" type="checkbox"/> | No |
| | | <input type="checkbox"/> | Yes, please also complete section 3.1 (h), 3.2 (e) |

2 Detailed description of proposed action

2.1 Description of proposed action

The proposed action is for soft landscaping works that include removal of four (4) trees, infill planting of a mix of eleven (11) deciduous and evergreen trees, and garden renewal on the south side and island bed of the ornamental (lower) lake.

Tree removal

The trees proposed for removal are shown in Drawing LA-02 (see Attachment B). Recent plantings of *Tilia cordata* will be removed at an early stage in the proposed works. These two (2) trees are located on the Rathdowne Street boundary, at the south end. Two (2) oak trees (*Quercus castaneifolia*) located on the island bed of the ornamental lake, believed to be self-sown, are also proposed for removal.

All other deciduous and evergreen trees will be retained.

Infill planting

Details of the infill planting are shown in Drawing LA-04 (see Attachment B). Eleven trees (11) are proposed for infill planting. Trees will be selected from the following mix of deciduous and evergreen species:

- *Agathis robusta*
- *Araucaria heterophylla*
- *Cedrus deodara*
- *Pinus canariensis*
- *Taxodium distichum*
- *Ulmus procera*
- *Quercus robur*
- *Salix babylonica*

A selection of eight (8) deciduous and evergreen trees will be dispersed informally along the Rathdowne Street boundary, in an arrangement consistent with the style of the 1880 tree planting layout. From north to south the infill plantings proposed are: *Araucaria heterophylla*, *Cedrus deodara*, *Agathis robusta*, *Ulmus procera*, *Taxodium distichum*, *Agathis robusta*, *Ulmus procera*, *Pinus canariensis*.

Two (2) *Quercus robur* will be planted on the east side of 'Avenue 3', north of the ornamental lake, to continue the replanting of the formal oak avenue that has been in progress for some years.

One (1) *Salix babylonica* will be planted on the island bed of the ornamental lake.

Garden renewal

The proposed garden renewal works are detailed in Drawings LA-09 to LA-13 (see Attachment B). The proposed garden renewal works are for the garden bed and lawn area south of the ornamental lake (lower lake) and the island bed in the ornamental lake.

The existing garden bed and part of the lawn area south of the ornamental lake will be reshaped to provide more grassy resting spots south side of lake and to open up sight lines into the lake area. Circulation routes around the lake will be fine-tuned in response to desire lines and existing topography. Planting will be revised to be more consistent with both the original design intent noted by Sangster and present-day site requirements.

This component of the garden renewal will also involve the following:

- removal of camellia and buddleja shrubs (remnants of the Melbourne Peace Garden)
- removal of the concrete kerbing to existing garden bed on south lake mound, and replacement with spade or steel edging as required
- removal of ivy bed covering south lake mound
- modification of the shape of the garden bed on south side of the lake, from a single bed to two mounded beds consisting of planted and mulched areas and divided by lawn (possible lawn division at a lower grade unless restricted by arboricultural sensitivities)
- introduction of one new park seat east of the lake

Species suggested for planting in the revised garden beds south of the lake include a mix of low growing perennials with deep green foliage and a mix of foliage textures, and suited to irrigated part shade. Plants will be selected from the following species:

- | | |
|--------------------------------------|-----------------------|
| – <i>Aspidistra elatior</i> | Cast Iron Plant |
| – <i>Arthropodium cirratum</i> | New Zealand Rock Lily |
| – <i>Bergenia cordifolia</i> | Heart-leaved Bergenia |
| – <i>Colocasia esculenta</i> | Elephants Ears |
| – <i>Acanthus mollis</i> | Oyster Plant |
| – <i>Tradescantia x andersoniana</i> | Spiderwort |

- *Aster novi-belgii* New York Aster
- *Phormium* New Zealand Flax

New plants will be introduced behind the existing iris at the lake's edge. Works will also include fixing leaks from the lake to prevent puddling at the lake edge.

On the lake island bed, works will involve:

- removal of the older pampas grass clumps
- retention and tidying of remaining pampas grass
- removal of the low growing juniper
- lifting of rock edging
- general tidying
- removal of the two *Quercus castaneifolia*, believed to be self-sown (already noted above in relation to tree removal)
- introduction of new understorey planting, *Canna x generalis* (Canna lilies)
- introduction of single specimen of *Salix babylonica* (Weeping Willow) (already noted above in relation to in-fill planting)

Plans, images, and details are shown in the proposal prepared by City of Melbourne, which is appended to this report (refer Attachment B).

Anticipated completion date is December 2017.

2.2 Feasible alternatives to taking the proposed action

N/A

2.3 Alternative locations, time frames or activities that form part of the referred action

N/A

2.4 Context, including any relevant planning framework and state/local government requirements

As a world heritage property and national heritage place, the values of the Royal Exhibition Building and Carlton Gardens are protected and managed through the *Environment Protection and Biodiversity Conservation Act* 1999 (EPBC Act). The EPBC Act requires the preparation of a World Heritage Management Plan (WHMP), which contains comprehensive management arrangements for the site and policy for the integrated protection of its values at World, National, State and local levels. The WHMP for the Royal Exhibition Building and Carlton Gardens (October 2013) addresses specific requirements of the EPBC Act for Management Plans for heritage places included in the National Heritage List (NHL) and World Heritage List (WHL). The WHMP for the Royal Exhibition Building and Carlton Gardens contains a suite of documents, including the Royal Exhibition Building and Carlton Gardens Conservation Management Plan by Lovell Chen (2007–2008) (WHMP Attachment A) and the Carlton Gardens Master Plan by City of Melbourne (2005) (WHMP Attachment B).

Impacts of the proposed action are assessed for their compliance against policy contained within the Conservation Management Plan (CMP) for the Royal Exhibition Building and Carlton Gardens (2007–2008), an integrated CMP that provides policy for managing the values of the whole site, in accordance with the management principles of the EPBC Regulations for places on the NHL and WHL. The proposed action has also been assessed having regard to the Carlton Gardens Master Plan (City of Melbourne 2005).

There is no other applicable Commonwealth or State legislation or policy (other than those related to other environmental impact assessment which are discussed below at section 2.5).

2.5 Environmental impact assessments under Commonwealth, State or Territory legislation

The Victorian *Heritage Act 1995* requires the approval of the Executive Director, Heritage Victoria, for any works to a registered heritage place that have not been granted a permit exemption. When the Executive Director determines a permit application, the extent to which the application, if approved, would affect the cultural heritage significance of the place must be considered, in accordance with s.73 (1)(a) of the Heritage Act 1995. A Heritage Impact Statement assists the Executive Director in making this assessment and decision.

A Heritage Impact Statement has been prepared that explores the extent to which the proposed works would affect the cultural heritage significance of the Royal Exhibition Building and Carlton Gardens, in accordance with s.73(1)(a) of the *Heritage Act* 1995. The Heritage Impact Statement assesses the whole of the proposed action, as detailed in this Referral.

The Heritage Impact Statement has been submitted to Heritage Victoria in tandem with submission of this Referral of proposed action to the Department of Environment.

A copy of the Heritage Impact Statement is attached to this Referral (Attachment C).

2.6 Public consultation (including with Indigenous stakeholders)

Local resident groups and the Friends of the Royal Exhibition Building and Carlton Gardens have been notified of the proposed works. The overall project is consistent with the Carlton Gardens Master Plan, which is the Melbourne City Council plan for the site, and one of the documents that comprise the current World Heritage Management Plan for the site. The Carlton Gardens Master Plan was prepared with extensive involvement of the community.

Action 3 in the Carlton Gardens Master Plan refers to Garden Beds and recommends gardens be reconstructed where public safety issues will not be recreated. At section 3 (iv) the action is:

To renovate the planting on the islands and areas around the lakes. (Carlton Gardens Master Plan, p. 15)

2.7 A staged development or component of a larger action

N/A

2.8 Related actions

N/A

3 Description of environment & likely impacts

3.1 Matters of national environmental significance

3.1 (a) World Heritage Properties

Description

The Royal Exhibition Building and Carlton Gardens are inscribed on the World Heritage List (inscribed 2004; minor modification to inscription 2010; Reference 1131bis) under Criterion (ii) of the Operational Guidelines for the UNESCO World Heritage Convention (1972) as follows:

The Royal Exhibition Building and Carlton Gardens, as the main extant survivors of a Palace of Industry and its setting, together reflect the global influence of the international exhibition movement of the 19th and early 20th centuries. The movement showcased technological innovation and change, which helped promote a rapid increase in industrialisation and international trade through the exchange of knowledge and ideas.

Integrity

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

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

Authenticity:

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

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

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

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

Nature and extent of likely impact

The proposed action—soft landscaping works consisting of tree removal, tree replacement, and garden renewal—would impact upon the Carlton Gardens, specifically the west side of the South Garden, an area central to the values of the World Heritage Property as the largely intact setting to the nineteenth century Palace of Industry.

The proposed action would commence in January 2017 (subject to the relevant approvals). The duration of the works will be approximately one year. The proposed action is a one-off, short-term action.

The extent of the impact will be permanent and localised, limited to the Rathdowne Street boundary of the South Garden. Renewal of the garden beds in the vicinity of the ornamental lake and tree planting will be consistent with the nineteenth century landscape character and will therefore enhance the surrounds which no longer reflect the original nineteenth century design intent.

The likely consequence of the proposed action will be beneficial to the World Heritage values of the Royal Exhibition Building and Carlton Gardens, as they are described in the World Heritage inscription for the place.

3.1 (b) National Heritage Places

Description

The Royal Exhibition Building and Carlton Gardens was included on the National Heritage List in July 2004 (Listed Place Id: 105708) under criteria (a), (b), (d), (e), and (f), as follows:

The Royal Exhibition Building and Carlton Gardens, the venue for the grand opening of the first Australian Parliament in 1901, has outstanding national historic value for its role in the defining event of Federation. It is the place where the nation's first Parliament was commissioned and sworn in, on 9 May 1901 (Criterion a).

The Royal Exhibition Building and Carlton Gardens is a tangible symbol of the country's pride in its technological and cultural achievements in the latter part of the nineteenth century. The Royal Exhibition Building and its garden setting has outstanding historic value as the most significant extant nineteenth century exhibition building in Australia (Criterion a).

The Royal Exhibition Building in its purpose-designed gardens with associated ornamental features has outstanding historic value as the major extant nineteenth century international exhibition building and gardens complex in Australia (Criterion b).

The Royal Exhibition Building in its garden setting is a rare surviving example of an Australian response to the international exhibition movement (Criterion b).

The Royal Exhibition Building is one of the few major nineteenth century exhibition Great Halls to survive substantially intact worldwide, and the only one where the original purpose of the building, as an exhibition hall, is maintained. It represents a rare example of the nineteenth century international exhibition movement's belief in the benefits of industrialisation, the transmission of ideas and social progress, and the development of an extensive international economy (Criterion b).

The Royal Exhibition Building and its garden setting forms one of the major surviving nineteenth century exhibition precincts in the world (Criterion b).

The Carlton Gardens is a significant example of nineteenth century classicism in an Australian public garden, featuring earlier nineteenth century 'Gardenesque' style elements and later more classical features. These more classical features are seen in the south garden. These classical elements include the main north-south tree-lined avenue (Grande Allee), the east-west terrace, the Hochgurtel fountain with surrounding circular garden bed, the eastern forecourt with surrounding circular garden bed and the French fountain, the radial pattern of tree-lined linear pathways converging on the Hochgurtel fountain (patte d'oie), the formal garden beds (parterres), the incorporation of axial views and vistas and the planting of trees in groups or clumps (bosquets). The ponds, the diagonal tree-lined pathways in the north garden and the mature nineteenth century specimen trees, some of which are rare, also contribute to the garden's values (Criterion b).

The Royal Exhibition Building together with its garden setting, the Carlton Gardens, demonstrates an outstanding achievement in design. They are representative of the international exhibition movement style, based on a Beaux-Arts axial scheme with the building as a palace, primarily in the German Rundbogenstil and Italian Renaissance style for which its designer Joseph Reed, won the competition for the building design. The soaring dome, based on the Florence Cathedral dome designed by Brunelleschi, is a landmark on the Melbourne skyline. The gardens to the south of the building were also designed to create a palatial garden setting (Criterion f).

Gardenesque and formal classical garden elements have been used in the design of the Carlton Gardens to create a setting for the Royal Exhibition Building. The main garden elements creating the setting for the Royal Exhibition

Building during the 1880 and 1888 exhibitions are in the south garden. These elements include the main north-south tree-lined avenue (Grande Allee), the east-west terrace, the Hochgurtel fountain with surrounding circular garden bed, the eastern forecourt with surrounding circular garden bed and the French fountain, the radial pattern of tree-lined linear pathways converging on the Hochgurtel fountain (patte d'oie), the formal garden beds (parterres), the incorporation of axial views and vistas, the planting of trees in groups or clumps (bosquets), the ornamental ponds and the mature specimen trees surviving from Bateman's plan and the later trees planted by Sangster in c 1879-1880. These Gardenesque and classical elements are integral to the original 1880 design for the setting of the building and are a major feature of the place's outstanding national values (Criterion f).

The Carlton Gardens, both north and south gardens together, are a notable creative achievement demonstrating a classically modified Gardenesque design and a landscape character with plantings of pines, cedar, araucaria, cypress, gums, figs, pepper trees, elms, planes, oaks, poplars, Canary Island date palms and Washington palms that display contrasting colours and forms which enhances the Carlton Gardens, the Royal Exhibition Building and the adjacent urban area (Criterion f).

The Exhibition Building is an outstanding example demonstrating the principal characteristics of the Victorian Free Classical architectural style to express the form and ideas of the international exhibition movement. As one of the largest and finest nineteenth century buildings in Australia at the time, it represented a temple to industry rather than a palace (Criterion d).

The original Carlton Gardens were developed to create a public park for passive recreation. Later, more classical garden modifications were made forming the setting for the Royal Exhibition Building. The main garden elements include the main north-south tree-lined avenue (Grande Allee), the east-west terrace, the Hochgurtel fountain with surrounding circular garden bed, the eastern forecourt with surrounding circular garden bed and the French fountain, the radial pattern of tree-lined linear pathways converging on the Hochgurtel fountain (patte d'oie), the formal garden beds (parterres), the incorporation of axial views and vistas and the planting of trees in groups or clumps (bosquets). The ornamental ponds, the diagonal tree-lined paths of the north garden and the mature specimen trees surviving from Bateman's plan, the later trees planted by Sangster c1879-1880 and those planted c1890 as part of the north garden restoration are also important garden design features. All of these features are integral design elements of this unique nineteenth century style of public garden (Criterion d).

The Royal Exhibition Building and its garden setting retain continuity of public use and its original purpose of exhibitions and displays has been maintained (Criterion d).

The Carlton Gardens are of outstanding aesthetic significance for their nineteenth century classically modified 'Gardenesque' style (Criterion e).

The Royal Exhibition Building as an architectural/landscape ensemble continues to inspire Melbourne and Victorian communities (Criterion e).

Nature and extent of likely impact

The proposed action—soft landscaping works consisting of tree removal, tree replacement, and garden renewal—would impact upon the Carlton Gardens, specifically the west side of the South Garden, an area central to the values of the National heritage place as the largely intact setting to the Royal Exhibition Building which has outstanding national historic value for its role in the defining event of Federation in 1901, with the Royal Exhibition Building for their outstanding historic value as the most significant extant nineteenth century exhibition building in Australia and as one of the major surviving nineteenth century exhibition precincts in the world, and for its Gardenesque and classical elements that are integral to the original 1880 design for the setting of the building and which are a major feature of the place's outstanding national value.

The proposed action would commence in January 2017 (subject to the relevant approvals). The duration of the works will be approximately one year. The proposed action is a one-off, short-term action.

Renewal of the garden beds in the vicinity of the ornamental lake and tree planting will be consistent with the nineteenth century landscape character and will therefore enhance the surrounds which no longer reflect the original nineteenth century design intent.

The likely consequence of the proposed action will be beneficial to the National Heritage values of the Royal Exhibition Building and Carlton Gardens, as they are described in the National Heritage List citation for the place (reproduced above and available in the Australian Heritage Places Database).

3.1 (c) Wetlands of International Importance (declared Ramsar wetlands)

Description

N/A

Nature and extent of likely impact

N/A

3.1 (d) Listed threatened species and ecological communities

Description

N/A

Nature and extent of likely impact

N/A

3.1 (e) Listed migratory species

Description

N/A

Nature and extent of likely impact

N/A

3.1 (f) Commonwealth marine area

(If the action is in the Commonwealth marine area, please complete 3.2(c) instead. This section is for actions taken outside the Commonwealth marine area that may have impacts on that area.)

Description

N/A

Nature and extent of likely impact

N/A

3.1 (g) Commonwealth land

(If the action is on Commonwealth land, please complete 3.2(d) instead. This section is for actions taken outside Commonwealth land that may have impacts on that land).

Description

N/A

Nature and extent of likely impact

N/A

3.1 (h) The Great Barrier Reef Marine Park

Description

N/A

Nature and extent of likely impact

N/A

3.1 (i) A water resource, in relation to coal seam gas development or large coal mining development

Description

N/A

Nature and extent of likely impact

N/A

3.2 Nuclear actions, actions taken by the Commonwealth (or Commonwealth agency), actions taken in a Commonwealth marine area, actions taken on Commonwealth land, or actions taken in the Great Barrier Reef Marine Park

N/A

| | | | |
|---|--|---|-----------------------------|
| 3.2 (a) | Is the proposed action a nuclear action? | X | No |
| | | | Yes (provide details below) |
| If yes, nature & extent of likely impact on the whole environment | | | |
| N/A | | | |
| 3.2 (b) | Is the proposed action to be taken by the Commonwealth or a Commonwealth agency? | X | No |
| | | | Yes (provide details below) |
| If yes, nature & extent of likely impact on the whole environment | | | |
| N/A | | | |
| 3.2 (c) | Is the proposed action to be taken in a Commonwealth marine area? | X | No |
| | | | Yes (provide details below) |
| If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(f)) | | | |
| N/A | | | |
| 3.2 (d) | Is the proposed action to be taken on Commonwealth land? | X | No |
| | | | Yes (provide details below) |
| If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(g)) | | | |
| N/A | | | |
| 3.2 (e) | Is the proposed action to be taken in the Great Barrier Reef Marine Park? | X | No |
| | | | Yes (provide details below) |
| If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(h)) | | | |
| N/A | | | |

3.3 Description of the project area and affected area for the proposed action

3.3 (a) Flora and fauna

N/A

3.3 (b) Hydrology, including water flows

N/A

3.3 (c) Soil and Vegetation characteristics

N/A

3.3 (d) Outstanding natural features

N/A

3.3 (e) Remnant native vegetation

N/A

3.3 (f) Gradient (or depth range if action is to be taken in a marine area)

N/A

3.3 (g) Current state of the environment

The current design and layout of the Carlton Gardens reflects the original layout of the Reserve by Edward La Trobe Bateman and later improvements separately made by Clement Hodgkinson and William Sangster who remodelled the Gardens in preparation for, and to accommodate, the construction of the Exhibition Building and annexes in association with the 1880 Exhibition. The design of the Carlton Gardens is described in the Statement of National Heritage values as

'a significant example of nineteenth century classicism in an Australian public garden, featuring earlier nineteenth century Gardenesque elements and later more classical features. These more classical features are seen in the South Garden. ...'

At the World heritage level, the Carlton Gardens is significant as the original setting for the Royal Exhibition Building, 'as an outstanding surviving manifestation of the international exhibition movement of the nineteenth century and early twentieth century' (WHC criterion ii), and at the National heritage level 'as the major extant nineteenth century international exhibition building and gardens complex in Australia' (NHL criterion b). The main garden elements creating the setting for the Royal Exhibition Building during the 1880 and 1888 exhibitions are in the South Garden.

Condition

A strong policy framework exists for the conservation and management of the Carlton Gardens, at Commonwealth and State levels. As a result, the Carlton Gardens appears overall to be in good condition, well conserved, and well maintained. The South Garden of the Carlton Gardens, in which the study area is located, is substantially intact in form including its treed avenues. The strength of the statutory and policy framework, the condition of the registered place, and its integrity is recognised by the World Heritage convention.

The section of the Carlton Gardens that is the focus of the assessment—including paths, lawn, trees, ornamental lake, and weir—is also generally in good condition and well maintained. It includes a large number of trees (23) that are believed to relate to the 1880s layout.

Notwithstanding the above, there are some parts of the study area not in optimal condition. Furthermore, there are other parts where the landscape character does not powerfully reflect the late nineteenth century landscape character implemented by Sangster (modifying Bateman's 1850s plan) in c.1879–1880. This late nineteenth century period of the Gardens' development is associated with the international exhibition movement. It is recognised as 'integral to the original 1880 design for the setting of the building and ... a major feature of the place's outstanding national values' and its outstanding universal value (WHMP, Att C–CMP, pp. 144–145).

Since 2006, five trees have been removed from the study area that are believed to be related to the 1880s layout due to death or public safety hazard reasons; three *Populus deltoides* and two *Populus alba* (see Attachment B, Drawing LA-03). These trees have not been replaced and their removal has resulted in considerable openings in the lawn planting.

Other parts of the study area where the landscape character does not powerfully reflect the late nineteenth century landscape character include: the Rathdowne Street boundary; the mounded bed at the south edge of the ornamental lake; and the remnants of the Melbourne Peace Garden (set in the lawn south of the lake).

Along the Rathdowne Street boundary is a mix of deciduous and evergreen specimen trees at different levels of maturity set in lawn. Despite these extant trees, the Garden is largely open to Rathdowne Street. This area is lacking in the strength of landscape character that was evidently sought in the late nineteenth century, as revealed in historic photographic evidence. A photograph of the Rathdowne Street boundary planting from 1879 shows a strongly defined boundary consisting of a row of mixed evergreen and deciduous trees densely inter-planted with shrubs (1879 photograph reproduced at LA-05, Attachment B).

At the south end of the Rathdowne Street boundary are two recently planted *Tilia cordata* in poor health.

The mounded bed on the south side of the Lake comprises largely bare ground, in part behind *Iris pseudocorus* at the lake edge, with wear tracks and ivy in parts. On the day the site was inspected much of the ivy had recently been cleared. The bare ground and mono-cultural ivy planting, however, are not strongly characteristic of the style implemented by Sangster, which favoured 'floral and foliage diversity' and 'dense plantings with heavy emphasis on foliage texture...' (WHMP, Att C–CMP, p. 99)

Remnants of the Melbourne Peace Garden remain in the lawn south of the ornamental lake. The Peace Garden was planted in 1992 and is recognised in the CMP as an intrusive element (WHMP, Att C–CMP, p. 154). The original arrangement consisted of a *Ficus religiosa* (Bodhi tree), planted as a commemorative tree by the Dali Lama, surrounded by a ring of camellias. The

commemorative tree is no longer there, and a substitute tree is now some metres from the original location. The surrounding ring of camellia shrubs is now depleted and appears out of scale relative to the other nineteenth century plantings and out of step with the nineteenth century landscape character. It is proposed that an existing plaque which commemorates the Peace Garden be retained within the area.

The planting on the lake island consists of overgrown mature pampas clumps and two self-sown oak trees growing alongside a low growing juniper, as well as *Iris pseudocorus* (a yellow aquatic iris). The late nineteenth century style, implemented by Sangster, sought an effect of diversified floral and foliage plants of semi-tropical latitude. The overgrown pampas is currently visually dominant, inhibiting the late nineteenth century desired aesthetic of diversity. Likewise, the juniper is not consistent with sub-tropical themes or bold foliated taxa favoured by Sangster.

3.3 (h) Commonwealth Heritage Places or other places recognised as having heritage values

N/A

3.3 (i) Indigenous heritage values

N/A

3.3 (j) Other important or unique values of the environment

N/A

3.3 (k) Tenure of the action area (e.g. freehold, leasehold)

Crown Land (Crown Land Reserve)

3.3 (l) Existing uses of area of proposed action

The Carlton Gardens, including the south west of the Gardens, is used as a public park, predominantly for unstructured passive recreation. The Gardens have been reserved for public use since 1873.

The South Garden of the Carlton Gardens is used annually (late March–early April) by the Melbourne International Flower and Garden Show for exhibition purposes.

3.3 (m) Any proposed uses of area of proposed action

N/A

4 Environmental outcomes

Environmental outcomes of the proposed action have been assessed having regard to the World and National heritage values of the Royal Exhibition Building and Carlton Gardens as set out above, and against the policy for conserving the values of the Royal Exhibition Building and Carlton Gardens as a whole, and the separate policy for conserving the values of the Carlton Gardens, as set out in the Conservation Management Plan component of the World Heritage Management Plan for the place.

Tree removal

Two of the trees proposed for removal have been assessed by an arborist as being in poor health (recent plantings of *Tilia cordata* x 2 located on the Rathdowne Street boundary) and recommended for removal. These trees are young stock and, because of their condition, do not contribute positively to the landscape character of the Carlton Gardens which is recognised at the National level (under criterion f) as a notable creative achievement demonstrating a classically modified Gardenesque design. Neither *Tilia* (the genus) nor *Tilia cordata* (the species) are separately identified as trees that contribute to the display of contrasting colours and forms which enhance the Carlton Gardens. Removal would therefore be consistent with the Policy guideline for Vegetation & Soft Landscape, to

Progressively remove or replace trees which are of low or no significance and are intrusive or inappropriately situated. (WHMP, Att A–CMP Policy 8.6.3, guideline)

Their removal would also create opportunities for improving the depleted Rathdowne Street boundary area. It would allow for a co-ordinated approach to restoring the strength of character to this part of the Gardens (the Rathdowne Street boundary), which is evident in the 1879 historic photograph and an integral part of the historic landscape character of the Carlton Gardens and its period of primary significance at World and National levels.

Considered in conjunction with the tree plantings proposed along and adjacent to the Rathdowne Street boundary—which also forms part of the proposed action assessed in this referral (see below)—the impact of these tree removals would not result in a negative environmental outcome, but rather contribute to a positive environmental outcome as a preliminary step towards reconstruction of the historic landscape character of the Rathdowne Street boundary.

This component of the proposed action is consistent with the Policy objective for Landscape Character & Management of Tree Stock (especially the second part):

To conserve the form, structure and landscape experience of the tree plantings as an integral part of the historic landscape character of the Carlton Gardens, and improve these factors in degraded areas and where there are declining trees. (WHMP, Att A–CMP Policy 8.6.2)

Removal of the two *Quercus castaneifolia* from the island bed in the ornamental lake would have a positive environmental outcome on the heritage values of the Royal Exhibition Building and Carlton Gardens. The ornamental lake was an integral part of the design of the Carlton Gardens for the 1880 exhibition, and is therefore of primary significance at World and National levels. The oak trees however are not identified as significant, and are believed to be self-sown. From their size and from historic records they are unlikely to date from the late-nineteenth century period of the Gardens' primary significance at World and National levels. Their removal from the island bed in the ornamental lake is part of a larger plan for enhancing this garden bed to more closely resemble its original appearance, which is currently compromised by overgrown pampas grass. Removal of the two oak trees is therefore consistent with the Policy objective for the Ornamental Lakes, to

Conserve the ornamental lakes as an integral part of the garden design of the 1880 Exhibition. (WHMP, Att C–CMP Policy 8.5.8)

Their removal is also consistent with the Policy guideline to:

Progressively remove or replace trees which are of low or no significance and are intrusive or inappropriately situated. (WHMP, Att A–CMP Policy 8.6.3, guideline)

As part of the co-ordinated garden renewal of the island bed, removal of the two oak trees would provide an opportunity for reconstructing the aesthetic of the original nineteenth century planting in accordance with the design intent noted by Sangster and in other historic evidence. This is consistent with the general policy objective for Carlton Gardens,

To reconstruct individual landscape vegetation components and plantings in accordance with the original nineteenth century design intent and fabric... (WHMP, Att C–CMP 8.3 General Policy)

The remnants of the Melbourne Peace Garden have been assessed as being intrusive on the World and National heritage values of the Royal Exhibition Building and Carlton Gardens. By removing the remnants of the Peace Garden (camellia and buddleja shrubs), which were introduced in 1992, this aspect of the proposed action is consistent with policy for the Carlton Gardens,

To progressively remove vegetation that detracts from the cultural significance of the Carlton Gardens (CMP 8.3 General Policy)

Removal will help to reveal significance and, as such, positive environmental outcomes for the cultural heritage significance of the purpose-designed Carlton Gardens as setting to the Royal Exhibition Building would be a consequence. Local connection to the former planting will be acknowledged through retention of the existing plaque.

Tree planting

The tree planting component of the proposed action would result in positive environmental outcomes for the World and National heritage values of the place.

The proposed mix of deciduous and evergreen trees to be dispersed along the Rathdowne Street boundary as in-fill planting will strengthen the landscape character of this depleted part of the Gardens. This in-fill planting will also contribute to restoration of the boundary consistent with the historic landscape character of this part of the Gardens that is evident in the 1879 photograph and directly related to the design of the Gardens associated with the 1880 Exhibition.

This component of the proposed works is therefore consistent with the General Policy objective for Vegetation and Soft Landscape:

To reconstruct individual landscape vegetation components and plantings where these will enhance the cultural significance of the Gardens (part of WHMP Att C–CMP Policy 8.6.1)

This component of the proposed works is therefore also consistent with the Policy objective for Landscape Character & Management of Tree Stock:

To conserve the form, structure and landscape experience of the tree plantings as an integral part of the historic landscape character of the Carlton Gardens, and improve these factors in degraded areas and where there are declining trees (WHMP Att C–CMP Policy 8.6.2)

Species proposed for infill planting have been selected and placed in the landscape in accordance with CMP policy for Tree Species Selection:

To base tree plantings, where possible, on reliable evidence including that provided by historic photographs (WHMP Att C–CMP Policy 8.6.3)

With the exception of the *Araucaria heterophylla* and *Salix babylonica*, the species selected are consistent with the existing planting palette found in this part of the South Garden. The *Araucaria heterophylla* and *Salix babylonica* and their proposed locations have been selected on the basis of historic photographic evidence (see Drawing Nos LA-05–LA-07, Attachment B).

Historic photographic evidence from 1879 shows an *Araucaria heterophylla* in the same location as the proposed *Araucaria heterophylla*. Historic photographic evidence from 1875 and 1888 reveals a willow species (*Salix* sp.) in the approximate location as proposed: in 1875, before the lake was introduced; and, in 1888 retained at the edge of the constructed lake.

The two *Quercus robur* to be planted on the east side of 'Avenue 3', north of the ornamental lake, will continue the replacement of the trees along this formal avenue.

The proposed infill planting along the Rathdowne Street boundary, and of *Quercus robur* to enhance the avenue experience of the north-south serpentine pathway, are consistent with the CMP policy guideline for Landscape Character & Management of Tree Stock, to:

Commence in-fill or 'gaps' planting to avenues and lawn areas where possible, particularly where this will support avenue replanting (WHMP Att C–CMP Policy 8.6.2, guideline)

In accordance with Policy 8.4 Views and Vistas, the significant view from the lawn area east of the two proposed *Quercus robur* (north of the ornamental lake) to the dome of the Royal Exhibition Building will be maintained.

Garden bed renewal

Garden south of the ornamental lake: As noted above, the mounded bed on the south side of the ornamental lake comprises largely bare ground, in part behind *Iris pseudocorus* at the lake edge, with ivy elsewhere and crossed by wear tracks. As it exists, this garden bed is undistinguished and degraded. Furthermore, the bare ground and mono-cultural ivy plantings are not strongly characteristic of the more extensive ornamental displays favoured during the primary period of significance and by Sangster, which sought to achieve 'floral and foliage diversity' and 'dense plantings with heavy emphasis on foliage texture...' (WHMP Att C–CMP, p. 99)

The renewal of this garden bed as proposed is consistent with the general policy objectives for Vegetation and Soft Landscaping in the CMP:

To reconstruct individual landscape vegetation components and plantings where these will enhance the cultural significance of the Gardens (WHMP Att C–CMP Policy 8.6.1)

The renewal of this garden bed as proposed would also be consistent with Policy objectives for Planting Beds and Shrubberies in the CMP:

To restore and reconstruct the historically significant planting beds and shrubs... (part of WHMP Att C–CMP Policy 8.6.6)

It is also consistent with policy objectives for the Ornamental Lakes in the CMP:

Retain restore or remove island and perimeter plantings based on 1879–80 records and a detailed audit determining the significance and condition of plantings. ... All inappropriate or weedy plants should be removed ... (part of WHMP Att C–CMP Policy 8.5.8)

Species suggested for planting in the revised garden beds south of the lake are consistent with the original design intent for the lake-edge garden bed, by including some sub-tropical vegetation, some New Zealand plants, and plants with bold and diverse

foliage and forms. To this end, their overall aesthetic effect would result in a positive environmental outcome for the World and National heritage values of the Carlton Gardens.

Sangster described the ornamental lake as:

'a tasteful piece of work, partly surrounded by well arranged rockwork, nicely diversified with plants which suggest a semi-tropical latitude—yuccas, dragon trees from New Zealand, palms, agaves, the pampas grass, not yet developed to any extent, and bamboos.' (reproduced in *Carlton Gardens Shrub and Floral Plantings*, 2004, p. 21)

Complete recreation of Sangster's listed plants has not been attempted in species selection, to take account of practical management and site considerations, such as current standards for public safety. Plants selected for the reshaped beds south of the lake will be lower growing than some of the plants mentioned by Sangster, in order to improve sight lines into the lake area for reasons of public safety and to discourage antisocial behaviour.

Only two of the proposed species are consistent with the recommended species listed in the Carlton Gardens Shrub and Floral Plantings report (Gould, p. 22); *Tradescantia x andersoniana* (Spiderwort) and *Aster novi-belgii* (New York Aster). The reason for diverging from Gould's (2004) recommendations has been explained as follows: the species recommended by Gould were thought more appropriate to a cottage garden than consistent with the aesthetic evoked by Sangster's description. The preferencing of bold and diverse foliage plants over a cottage garden aesthetic in the suggested plant list for both the garden bed south of the lake and the lake island is supported. The aesthetic effect created by the suggested plants is consistent with the design intent expressed in historic evidence, and be suited to the current micro-climate (low light) and other practical site considerations.

Lake island bed: As noted in the discussion of existing condition above (section 2.2.1), the planting bed on the lake island appears overgrown and under-maintained. The two *Quercus castaneifolia* (proposed for removal) are believed to be self-seeded and have been allowed to mature. The overgrown pampas (to be partially removed and tidied) is currently visually dominant, inhibiting the effect of 'diversified floral and foliage plants of semi-tropical latitude' of the late nineteenth century style described by Sangster. The juniper (to be removed) is not consistent with sub-tropical themes or bold foliaged taxa favoured by Sangster. The pampas and *Iris pseudocorus* (a yellow aquatic iris) are consistent with the historic landscape character as noted by Sangster, and will be retained.

The renewal of this garden bed as proposed would therefore be consistent with Policy objectives for Planting Beds and Shrubberies in the CMP:

To restore and reconstruct the historically significant planting beds and shrubs... (WHMP Att C—CMP Policy 8.6.6)

It is also consistent with policy objectives for the Ornamental Lakes in the CMP:

Retain restore or remove island and perimeter plantings based on 1879–80 records and a detailed audit determining the significance and condition of plantings. ... All inappropriate or weedy plants should be removed ... (part of CMP Policy 8.5.8)

Species suggested for retention, tidying, and new planting in the revised island bed are consistent with the original design intent for the lake-edge garden beds. In combination, the overall aesthetic effect of the proposed planting palette—pampas (reduced and tidied), *Iris pseudocorus*, *Canna x generalis*, and a single specimen of *Salix babylonica* (discussed above)—and improved maintenance would result in positive environmental outcomes for the identified World and National heritage values and visual appearance of the Carlton Gardens.

Other factors considered—Use: No change in use would result as a consequence of the proposed works; although during works public access to parts of the study area will be restricted. The works would need to be scheduled outside of the period the South Garden is occupied by the Melbourne International Flower and Garden Show.

5 Measures to avoid or reduce impacts

The following measures would ensure potential adverse impacts of the proposed action are avoided:

The proposal identifies two components of the proposed action where careful design detailing at the design documentation stage will be required so as to avoid detrimental impacts to existing mature and individually significant trees. These components of the proposal are:

1. The reshaping of garden bed on the south side of the ornamental lake

The proposal states that the possibility of smoothing and lowering the mounded area between the existing *Ficus macrophylla* and *Cedrus deodara* will be explored after the tree root locations have been determined.

2. The design of the same garden bed and associated irrigation

The proposal states that this aspect of the proposed works will be carefully 'designed in a way as not to cause any damage to the existing mature trees.'

The foreshadowed need for attention to design detailing, which demonstrates acute awareness of potential for detrimental impacts to significant trees, and the proposed sequencing of works—identifying root locations prior to developing and finalising the extent of the reshaping works—are considered appropriate and adequate measures for avoiding detrimental impacts on the significant trees.

6 Conclusion on the likelihood of significant impacts

6.1 Do you THINK your proposed action is a controlled action?

| | |
|-------------------------------------|---------------------------|
| <input checked="" type="checkbox"/> | No, complete section 6.2 |
| <input type="checkbox"/> | Yes, complete section 6.3 |

6.2 Proposed action IS NOT a controlled action.

The proposed action would have a positive impact on the outstanding universal and outstanding national heritage values of the Carlton Gardens, the overall effect of the proposed action being to retain and help to reveal and enhance significance. No significant original fabric will be removed as a consequence of the proposed works.

The key reasons why the proposed action is not likely to have significant impacts on the world and national heritage values of the Royal Exhibition Building and Carlton Gardens are summarised as follows:

The part of the Carlton Gardens that is subject to the proposed action—including paths, lawn, trees, ornamental lake, and weir—is generally in good condition and well maintained. The area includes a large number of trees (23) that are believed to relate to the 1880s layout.

Notwithstanding the above, the garden beds in the vicinity the ornamental lake are degraded and not in optimal condition. The remnants of the Peace Garden south of the ornamental lake are identified in the WHMP (Att A–CMP) as intrusive. There are open areas in the lawn where the canopy cover historically provided by specimen trees is depleted. Along the Rathdowne Street boundary, the landscape character does not powerfully reflect the late nineteenth century landscape aesthetic sought by Sangster (modifying Bateman’s 1850s plan) in c.1879–1880. This late nineteenth century period of the Gardens’ development is recognised as integral to the original nineteenth century design for the setting of the building and a major feature of the place’s outstanding national values, outstanding historic value, and its cultural heritage significance at the State level.

The proposed action that forms the focus of this Referral consists of soft landscaping works, including removal of four (4) trees, infill planting of a mix of eleven (11) deciduous and evergreen trees, and the renewal of the garden and garden beds situated on the south side and island of the ornamental (lower) lake.

All aspects of the proposed action have considered the significance of the place (at all levels) and are consistent with the conservation objectives and guidelines in the policy for conserving the world and national heritage values of the place, and the recommendations for garden bed renewal in the Carlton Gardens Master Plan (Action 3 (iv)).

The proposed works are not a re-instatement of previous works, although a *Salix babylonica* and an *Araucaria heterophylla* will be re-introduced. Elsewhere the selection and placement in the landscape of deciduous and evergreen tree species will be consistent with the original nineteenth century design intent, and work with the existing tree locations and canopies on site to enable the new trees to develop well. The suggested smaller plant species and their combinations in the garden beds would result in an overall aesthetic that is sympathetic to the original nineteenth century design intent.

The proposal as detailed also demonstrates acute awareness of the need to proceed cautiously with some aspects of the proposal. It appropriately foreshadows the need for attention to design detailing associated with the design of garden bed on the south side of the ornamental lake (including reshaping and installation of irrigation). Demonstrated awareness of the potential for detrimental impacts to the significant tree in this location (the *Cedrus deodara*) and its roots, and the proposed sequencing of works to take account of arboricultural sensitivities, are considered appropriate and adequate measures for avoiding detrimental impacts to significant trees.

The advice of Heritage Victoria (John Hawker) was sought in the development of the proposal, and the recommendations were implemented.

No known or potential archaeological deposits will be disturbed by the proposed landscape works. No advice has been sought from a consultant archaeologist.

The proposed works would retain important internal views and foci in the South Garden of the Carlton Gardens. In particular, the significant view of the Royal Exhibition Building dome from the lawn area north of the ornamental lake will be retained. The importance of axial views and vistas is recognised at the National level (under Criterion b), as part of the significant nineteenth century example of classicism in an Australian public garden.

None of the trees to be removed have been individually identified as contributing to the World and National heritage values of the place, nor do they date from the Carlton Gardens' period of primary significance (c.1879–1901) at World, National, and State levels. The reasons provided for the removal of the different trees include poor health and unplanned specimens (self-sown). An arborist assessed the condition of the two *Tilia cordata* and recommended their removal.

Other elements proposed for removal (remnants of the Melbourne Peace Garden and the concrete kerb to the garden bed south of the ornamental lake) have been identified as being intrusive on the World, National, and State heritage values of the Carlton Gardens.

The selection of replacement species and their placement in the landscape has been soundly based on evidence provided by historic records (photographic and documentary), respect for the cultural heritage significance of the place, understanding of the original nineteenth century design intent, and current site requirements.

In conclusion, the proposal demonstrates careful consideration of the elements and factors identified as being of cultural heritage significance in a manner consistent with the requirements of the *EPBC Act 1999*, the Victorian *Heritage Act 1995*, and Burra Charter principles. The proposed works are consistent with the objectives of both general and specific conservation policy for the Royal Exhibition Building and Carlton Gardens, as set out in the World Heritage Management Plan October 2013 (Attachments A CMP and B Masterplan) for the place.

6.3 Proposed action IS a controlled action

N/A

Matters likely to be significantly impacted

| | |
|--------------------------|---|
| <input type="checkbox"/> | World Heritage values (sections 12 and 15A) |
| <input type="checkbox"/> | National Heritage places (sections 15B and 15C) |
| <input type="checkbox"/> | Wetlands of international importance (sections 16 and 17B) |
| <input type="checkbox"/> | Listed threatened species and communities (sections 18 and 18A) |
| <input type="checkbox"/> | Listed migratory species (sections 20 and 20A) |
| <input type="checkbox"/> | Protection of the environment from nuclear actions (sections 21 and 22A) |
| <input type="checkbox"/> | Commonwealth marine environment (sections 23 and 24A) |
| <input type="checkbox"/> | Great Barrier Reef Marine Park (sections 24B and 24C) |
| <input type="checkbox"/> | A water resource, in relation to coal seam gas development and large coal mining development (sections 24D and 24E) |
| <input type="checkbox"/> | Protection of the environment from actions involving Commonwealth land (sections 26 and 27A) |
| <input type="checkbox"/> | Protection of the environment from Commonwealth actions (section 28) |
| <input type="checkbox"/> | Commonwealth Heritage places overseas (sections 27B and 27C) |

7 Environmental record of the person proposing to take the action

| | Yes | No |
|---|-----|----|
| <p>7.1 Does the party taking the action have a satisfactory record of responsible environmental management? Yes</p> <p>Provide details As Committee of Management for Carlton Gardens, the City of Melbourne works closely with the other management groups for the site and with our parks maintenance contractor to ensure the Gardens are well managed. The City of Melbourne Carlton Gardens Master Plan, which sets out the projects and direction for the Gardens, is one of the documents that comprises the World Heritage Management Plan.</p> <p>Specifically on EPBC matters City of Melbourne received a Commonwealth heritage grant and implemented a project to re-create garden beds and a missing curved pathway at the south west entrance to the Gardens (Rathdowne and Victoria Street) in 2012.</p> | X | |
| <p>7.2 Provide details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against: (a) the person proposing to take the action, or (b) if a permit has been applied for in relation to the action - the person making the application.</p> <p>If yes, provide details</p> | | X |
| <p>7.3 If the person taking the action is a corporation, please provide details of the corporation's environmental policy and planning framework and if and how the framework applies to the action.</p> | | X |
| <p>7.4 Has the party taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?</p> <p>City of Melbourne received a Commonwealth heritage grant and implemented a project to re-create garden beds and a missing curved pathway at the south west entrance to the Gardens (Rathdowne and Victoria Street) in 2012.</p> <p>Provide name of proposal and EPBC reference number (if known) Unknown</p> | X | |

8 Information sources and attachments

(For the information provided above)

8.1 References

- Carlton Gardens South West Renewal Plan (Dwgs LA-02–LA-014) prepared by City Design Studio, City of Melbourne, October 2016
- Victorian Heritage Database report for Royal Exhibition Building and Carlton Gardens (World Heritage Place), VHR No. H1501 [web]
- World Heritage inscription for the Royal Exhibition Building and Carlton Gardens, (Ref: 1131bis) [web]
- National Heritage List citation for Royal Exhibition Building and Carlton Gardens, Victoria Street, Carlton, Vic., Australia (Listed Place Id: 105708) [web]
- Royal Exhibition and Carlton Gardens World Heritage Management Plan (WHMP), October 2013 [web]
- Royal Exhibition and Carlton Gardens, Carlton, Conservation Management Plan (CMP), prepared by Lovell Chen for Heritage Victoria, October 2007, updated June 2008 (Attachment A, WHMP) [web]
- Carlton Gardens Master Plan, prepared by the City of Melbourne, May 2005 (Attachment B, WHMP) [web]
- Carlton Gardens Shrub and Floral Plantings (1880 Melbourne International Exhibition): A review of the implemented design and recommendations for future development, prepared by Meredith Gould Architects Pty Ltd, June 2004
- Sections of the Carlton Gardens Tree Conservation Strategy, prepared by Meredith Gould Architects Pty Ltd, 2006 (reproduced in the CMP) [web]

8.2 Reliability and date of information

Mapping required by Section 1 (shown at Attachment A1) used base mapping data provided through the interactive mapping feature of the State Government of Victoria's Land Channel (source: Land.vic.gov.au). These maps were prepared in September 2016.

GIS mapping required by Section 1 (shown at Attachment A2) uses a mix of true orthophoto imagery, feature survey drawings, and data plotted from aerial photos or collected with GPS units. Where true orthophoto imagery and feature survey drawings have been used, spatial accuracy is high (within .02m or less). Where aerial photos and GPS units have been used, spatial accuracy is medium (within 1-3m). The GIS data was prepared by City of Melbourne in October 2016.

Information provided in Section 3 is based on a site visit on 26 August 2016, review of relevant planning documentation, details of the existing site conditions, historical analysis, and the proposal contained the City of Melbourne submission (October 2016), and discussions held in August 2016 with Council staff. Analysis was undertaken in September 2016.

Reliability of the information provided in the concept prepared by City of Melbourne was tested during a site inspection in August 2016. The archival documentation on which species selection and placement in the landscape was based is included in the proposal documentation, thus allowing straightforward verification of the historical data.

8.3 Attachments

| | | ✓ attached | Title of attachment(s) |
|----------------------------|--|---------------|--|
| You must attach | figures, maps or aerial photographs showing the locality of the proposed action (section 1) | ✓ | Attachment A1_Location maps.pdf |
| | GIS file delineating the boundary of the referral area (section 1) | ✓ | Attachment A2_CarltonGardensSouthAss etData_20161027.zip |
| | figures, maps or aerial photographs showing the location of the proposed action in respect to any matters of national environmental significance or important features of the environments (section 3) | ✓ | Attachment B_Proposed Action_Heritage Submission_Oct_16-1.pdf |
| If relevant, attach | copies of any state or local government approvals and consent conditions (section 2.5) | | |
| | copies of any completed assessments to meet state or local government approvals and outcomes of public consultations, if available (section 2.6) | ✓ | Attachment C_HIS for HV_Carlton_Gardens_Tree_P lanting_and_pond_landscape _works (oct2016).pdf |
| | copies of any flora and fauna investigations | | |

| | | |
|---|--|--|
| and surveys (section 3) | | |
| technical reports relevant to the assessment of impacts on protected matters that support the arguments and conclusions in the referral (section 3) conclusions in the referral (section 3 and 4) | | |
| report(s) on any public consultations undertaken, including with Indigenous stakeholders (section 3) | | |

9 Contacts, signatures and declarations

Proposed action title:

Royal Exhibition Building & Carlton Gardens: Tree Planting (south west Carlton Gardens) and Garden Renewal (lower Lake, south west Carlton Gardens)

9.1 Person proposing to take action

Name and Title: Ian Shears, Manager, Urban Sustainability

Organisation: City of Melbourne

Trust deed: ☐ attached; OR
☐ not applicable

ACN / ABN: 55370219287

Postal address: GPO Box 1603 Melbourne 3001

Telephone: (03) 9658 8516

Email: Ian.shears@melbourne.vic.gov.au

I qualify for exemption from fees under section 520(4C)(e)(v) of the EPBC Act because I am: ☐ an individual; OR
☐ a small business entity (within the meaning given by section 328-110 (other than subsection 328-119(4)) of the *Income Tax Assessment Act 1997*); OR
☐ not applicable.


If you are small business entity you must provide the Date/Income Year that you became a small business entity:

[The Minister will consider the application within 20 business days.](#)

I would like to apply for a waiver of full or partial fees under regulation 5.21A of the [EPBC Regulations](#). Under regulation 5.21A(5), you must include information about the applicant (if not you) the grounds on which the waiver is sought and the reasons why it should be made:

☐ not applicable

Declaration: I declare that to the best of my knowledge the information I have given on, or attached to this form is complete, current and correct.
I understand that giving false or misleading information is a serious offence.
I declare that I am not taking the action on behalf of or for the benefit of any other person or entity.

Signature: 

Date: 28/10/2016

9.2 Designated proponent

Name of proposed proponent: As at 9.1

ACN / ABN:

Postal address:

Telephone:

Email:

Declaration by the proposed proponent: I, the proposed proponent, consent to the proposed designation of myself as the proponent for the purposes of the action described in this referral.

Signature:

Date:

Declaration by the person proposing to take the action: I, the person proposing to take the action, consent to the proposed designation of..... as proponent for the purposes of the action described in this referral.

Signature:

Date:

9.3 Person preparing the referral information (if different from section 9.1)

Name: Dr Christina Dyson

Title: Senior Heritage Consultant

Organisation: Context Pty Ltd

ACN / ABN: 50006982190

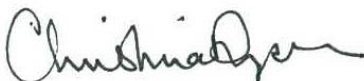
Postal address: 22 Merri Street, Brunswick, Vic., 3056

Telephone: (03) 9380 6933

Email: christina.dyson@contextpl.com.au

Declaration: I declare that to the best of my knowledge the information I have given on, or attached to this form is complete, current and correct.
I understand that giving false or misleading information is a serious offence.

Signature:



Date: 27 October 2016