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HERITAGE IMPACT STATEMENT FOR LARGE SCALE MARQUEES
VHR H14-59: ROYAL BOTANIC GARDENS
PREPARED ON BEHALF OF ROYAL BOTANIC GARDENS VICTORIA



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1. Introduction

This Heritage Impact Statement has been prepared on behalf of the Royal Botanic Gardens Victoria to support the Heritage Victoria permit application for operation of a permit to place a marquee on Dog Flat Lawn for the summer of 2024-2025 and to support future works to Glasshouse Lawn (Nymphaea Lily Lake West Lawn) that will allow the relocation of the marquee to this new site.

The permit to allow a temporary marquee to be placed on Dog Flat Lawn is to allow private events including tented (marquee) events, ceremonies or memorial services to be undertaken within the Royal Botanic Gardens Victoria Melbourne Gardens by their appointed tenants in line with Royal Botanic Gardens contractual obligations and has occurred for a number of decades. The need for a permit has emerged since the revisions to the Heritage Act in 2017, and its additional clarity around the permit process in relation to events. From 2020 to 2024 these events were allowed under permit exemption P33541.

The HIS has been prepared following a pre-application conversation with Jessica Hood of Heritage Victoria on 03/10/24 and is guided by the outcomes of this meeting. The application number for these works is P40304.

In addition to this *permit* application, a *permit exemption* application is being submitted to allow smaller scale events (weddings, ceremonies, etc.) and marquee events within Gardens House to continue as per the remaining portions of P33541. Heritage Victoria have only identified the Dog Flat Marquee and works to Glasshouse Lawn as requiring a permit rather than an exemption.

2. Registration Summary

Address:	Birdwood Avenue, Melbourne, Victoria 3004
Alternative Name:	Royal Botanic Gardens Victoria, Melbourne Gardens
Supporting the Permit application for:	Event: Marquee to Dog Lawn Works to Glasshouse Lawn
Date:	October 2024
VHR Number:	H1459
Prepared by:	Andrea Proctor (PGDipLArch 2008, BHort 2004, <i>University of Melbourne</i>) and andrea proctor landscapes 235 Queens Road Wandin North, 3139 admin@andreaproctor.com.au m: 0411 03 7886
On behalf of:	Royal Botanic Gardens Victoria
World Heritage:	The site is not in a World Heritage Environs area

Melbourne Observatory

Registration	Victorian Heritage Database, National Heritage Listing
VHR Number	H1087
National	Melbourne's Domain Parkland and Memorial Precinct
Impact of Proposal	None. Works do not impact the Melbourne Observatory site.

Adjacent Sites of Significance:

Melbourne Observatory

Registration	Victorian Heritage Database, National Heritage Listing
VHR Number	H1087
National	Melbourne's Domain Parkland and Memorial Precinct
Impact of Proposal	None. Works do not impact the fabric or view lines of the Melbourne Observatory

Melbourne Gardens (Ian Potter Foundation Children's Garden and Surrounds)

Registration	Domain Parklands
VHR Number	H2304
Impact of Proposal	None. Works do not impact the fabric or view lines of the Domain Parklands.

Government House

Registration	Government House Complex
VHR Number	H1620
Impact of Proposal	None. Works do not impact the fabric or view lines of Government House.

Shrine of Remembrance

Registration	Shrine of Remembrance
VHR Number	Ho848
Impact of Proposal	None. Works do not impact the fabric or view lines of the Shrine

In summary, the Marquees and works to Glasshouse Lawn are not considered to have any negative impact on the heritage values of sites surrounding the Melbourne Gardens, and may offer the opportunity to enhance some elements of their significance.

Additional legislation: Marquee operators need to comply with the Building Act 1993 as a Place of Public Entertainment. An Occupancy Permit is held, issued by the City of Melbourne by the promoters (Curtis Stone Events).

The management of the Melbourne Gardens is governed by the Royal Botanic Gardens Act 1991 (amended 2017). The statutory authority under the Act is the Royal Botanic Gardens Board Victoria, who oversee the organisation's following objectives under the Act:

- *to conserve, protect and improve the botanic gardens and managed land and their collections of living plants;*
- *to conserve and enhance the State botanical collection and National Herbarium;*

- to provide for the use of the State botanical collection or plants or plant specimens at the botanic gardens or managed land for scientific or reference purposes, consistent with accepted international practice;
- to increase public knowledge and awareness of plants and plant communities;
- to provide for the use of the botanic gardens for education, public enjoyment and tourism;
- to provide for the carrying out of and contribution to research into biodiversity; and the conservation of biodiversity.

3. The Proposed Works

Proposed Works

The proposed works are to allow Dog Flat Lawn to continue to be used for the summer of 2024 – 2025, and to allow future works to Glasshouse Lawn (Nymphaea Lily Lake West Lawn) that will allow the relocation of the marquee to this new site.

In line with the previous permit exemption P33541 and amendments, the Dog Flat Lawn event site is proposed to include the following

- Marquees of a maximum size of 17m x 38m with a maximum 7m x 24m deck
- Supporting 8 x 12m catering tent and 3x3m storage tent (both placed on lawn or path adjacent to main marquee)
- Marquees are to be neutrally coloured, tented structures with a suspended solid floor. Traditionally marquees have white tented sides, but open sided marquees are also appropriate
- Installation, bump-in, bump-out and site management in accordance with Royal Botanic Gardens Victoria *Heritage Management Guidelines for Tenant Events v8* (andrea proctor landscapers, October 20204)
- The maximum duration of marquee installation and required break times for turf repair and replacement is to be in line with Table 1 of the above document

The proposed works are for the summer of 2024-25, extending the current approved occupation period (28 Oct – 23 Dec 2024) to 25 March 2025. As with the 2023-24 summer, this would be a single, long term occupancy rather than two periods with a break in between.

In addition to the Dog Flat Marquee, the application is for conditional approval for works to Glasshouse lawn to make it suitable for use for tenanted marquee events in line with the *Melbourne Gardens Mater Plan 2020 – 2040* (relevant sections attached at Appendix 3). These are anticipated to include the following works:

1. Power: Provision of power to the site, likely to be possible through an underground conduit from the works yard and provision of a new distribution board in a location to be confirmed (likely, western side of the area, near the existing toilets).
2. Underground fuel tank rectification: Works to address the disused fuel tank, believed to be located under Glasshouse Lawn. The nature of these works is to be determined following further investigations to identify the location via geo-scan, condition and load-bearing capacity and if any contamination has occurred. Options for rectification could include either removal or reinforcing / capping.

3. Reduce site raking: Resculpting of the lawn to reduce the current longitudinal fall from 2.1m to 1.6m. This will be subject to detailed design, but likely involve reduction at the higher end and mounding at the lower end, with gentle reshaping to meet surrounding pathways and garden bed areas. Feasibility investigations will consider cost, visitor amenity and aesthetic implications. Works would include establishment of suitable soil profile and reinstatement of turf and irrigation systems.
4. Landscape design: Based on outcome of the points above and further work with the tenant on their preferred marquee, reworking of garden beds may be required. Works would be undertaken to minimise the impact on the gardens, trees and Living Collections with the total amount of garden bed to remain the same, although redesign may be needed to best fit marquee operations and ensure safety and access compliance. Landscape works will also include softening of the Glasshouse interface to reduce impact of aging building on the area.

Purpose of Works

The permit to allow a temporary marquee to be placed on Dog Flat Lawn is to allow private events including tented (marquee) events, ceremonies or memorial services to be undertaken within the Royal Botanic Gardens Victoria Melbourne Gardens by their appointed tenants in line with Royal Botanic Gardens contractual obligations and has occurred for a number of decades. The need for a permit has emerged since the revisions to the Heritage Act in 2017, and its additional clarity around the permit process in relation to events.

As was noted in the previous permit exemption application (P33541) in August 2020, RBGV has a long-standing intention of moving tented marquee events away from Dog Flat to an area with less visual impact on the landscape and easier serviceability. The Melbourne Gardens Master Plan 2020 – 2040 identified four possible sites for these events.

- Dog Flat Lawn: To continue to c. 2025 to allow transition
- Hopetoun Lawn: Since determined to be unsuitable. Use of this lawn was contingent on the eventual failure of a large *Hesperocyparis macrocarpa*, which is still being managed successfully within the landscape. The site is also too close to Gardens House, another event site, leading to unacceptable noise interference between the two
- Eastern Lawn: Available to current lessee, however its proximity to Moonlight Cinema and resulting sound interference means it can only be used outside the cinema season
- Glasshouse Lawn: Preferred alternative site

The Glasshouse Lawn site is preferred for its accessibility, proximity to toilets, services and a site entrance and its relative isolation from other sites. However recontouring works, the introduction of power supply and rectification of underground fuel tanker works are required before it can be used for tented events. These works are planned (see below), but cannot be undertaken in time for Royal Botanic Gardens Victoria to fulfill their contractual obligations for the 2024 – 2025 season.

Timing of Works

The Dog Flat Marquee application is for the 2024-25 season only, extending the current approved period (from 28 October to 23 December 2024) to 25 March 2025. This is inclusive of bump-in and bump-out.

Anticipated timeframe for works to Glasshouse lawn are as follows:

1. Connection of power to the site: Planning Oct-Nov 2024, installation works: Jan-Apr 2025
2. Underground fuel tank rectifications: Feasibility works Dec 2024 -Mar 2025

3. Reduce raking of site: Feasibility Jan-Mar 2025, if feasible, works will take place in second half of 2025
4. Landscape works: Apr – Jun 2025, once planning is complete permit requirements and works would take place in second half of 2025

Once works have been completed to Glasshouse Lawn Royal Botanic Gardens Victoria will apply for a long-term permit to hold marquee events on this site.

Financial Impact of Works

Tenanted events are a significant revenue stream for the Gardens. Details are commercially confidential, but the scale can be indicated by the marquee bookings throughout the seasons. On average the marquee is booked on over 75% of Fri-Sat's during the season and over 35% of week-days. This not only provides an important revenue stream to the Gardens but is also attracting visitors to the events who may never have visited before.

As an example of the positive financial benefit to the RBGV from the marquee, last year, RBGV worked in partnership with Curtis Stone Events to host the Asia Pacific Meetings & Event (AIME) 2024. This event was held in collaboration with Tourism Australia, Business Events Australia and Melbourne Convention Bureau, and approximately 150 International Event planners and decision makers from across the globe attended along with 10 International Business event trade media.

This event promoted Royal Botanic Gardens Victoria as a valuable tourist attraction to the tourism sector and provided important introductions to the sector as the Gardens works to build its income from tours and tourist activity.

Attachments

The following documentation is attached in to provide further details of the proposal:

- Appendix 1: Heritage Management Guidelines for Tenant Events 2024-29, Royal Botanic Gardens Victoria, Melbourne Gardens
- Appendix 2: *Conservation Management Plan: Melbourne Gardens & Melbourne Observatory, Royal Botanic Gardens Victoria 2018* Excerpt
- Appendix 3: *Melbourne Gardens Master Plan 2020-2040* Excerpt

4. Cultural Heritage Values

The cultural heritage values of the Melbourne Gardens have been established through the production of the *Conservation Management Plan: Melbourne Gardens & Melbourne Observatory, Royal Botanic Gardens Victoria: Melbourne Gardens & Melbourne Observatory*, commissioned by the Royal Botanic Gardens and produced by Context Pty Ltd in 2018. The understanding of the heritage impact of marquee events is based on the analysis and policies in this document.

The following Statement of Significance is based on that provided by the *Conservation Management Plan: Melbourne Gardens & Melbourne Observatory, Royal Botanic Gardens Victoria*. This new SoS has some

minor changes from that in the VHR registration (1982 / 2002) to acknowledge shared Aboriginal and non-Aboriginal values for the place and some minor additions to the text, based on more recent assessment.

Melbourne Gardens Statement of Significance (Context, 2018)

What is significant?

The Royal Botanic Gardens Melbourne, now known as the Melbourne Gardens, part of the Royal Botanic Gardens Victoria, commenced in 1846 on the south side of the Yarra River on a site selected by Superintendent Charles La Trobe, are located adjacent to Government House, the Melbourne Observatory and the Domain Parklands.

Prior to European colonisation the Melbourne Gardens was a camping and gathering place for Aboriginal people, being rich in food resources owing to the fresh water supply, billabongs and flood plain, and this activity continued into the early colonial period. It was significant as a meeting place for Aboriginal clans and burials are known in the area. At the time of settlement there are records of events, including corroborees and battles, taking place across the area. In March 1846 John Arthur was appointed the first superintendent, and later an area of 2ha (5ac) was fenced and developed near Anderson Street and the Yarra River. The Botanic Gardens were later enlarged in 1875 to include additional land from the Domain. The Botanic Gardens reserve is now 36ha.

From 1846 the Botanic Gardens were planted and landscaped under early curators, Arthur and Dallachy. In 1853 Ferdinand Mueller was appointed government botanist and commenced the National Herbarium. In 1857 Mueller became Director of the Botanic Gardens and under his direction the Botanic Gardens embarked on a scientific program, introducing foreign plants from other parts of Australia and overseas. Many plants and animals were acclimatised for scientific research and education. The Botanic Gardens contained a systems garden, glasshouses, palm house, iron arbours, gates and fences, animal enclosures, and an aviary. Walks were formed with avenues of trees, beds and lawns planted, and the lagoon with islands was landscaped. A number of indigenous remnant Eucalypts and Melaleuca were deliberately retained within the designed landscape. An Undergardener's cottage was erected in 1850, and the Director's Residence in 1854.

In 1873 William Guilfoyle was appointed Curator of the Botanic Gardens in 1873 and Director in 1876. Under Guilfoyle's direction the landscape was redesigned in a more picturesque style; the straight paths were replaced by curved sweeping paths, avenues were removed, and the lawns were dotted with botanical collections in beds and specimen trees. Many of Mueller's early tree plantings were removed from 'plantation style' arrangements to become specimen trees to create this landscape. The lakes and islands were further landscaped and altered in layout. Rustic bridges, rockeries, rotundas, pavilions, nursery buildings, and gate lodges were built. Guilfoyle also added a number of new botanical collections to the Melbourne Gardens during his tenure. Of particular note are the Australian Forest Walk, the New Zealand collection, the Camellia collection, the Araucariaceae collection and the Quercus collection. In 1901 the Temple of the Winds designed by Guilfoyle was erected as a memorial to La Trobe. The Nymphaea Lily Lake was formed in 1903, and the New Zealand collection was established, as was the Eucalypt Lawn as the last major developments by Guilfoyle before he retired in 1909.

The layout, established by William Guilfoyle between 1873 and 1909, has been maintained by subsequent Directors. The rustic bridges have been replaced and a few pavilions removed and new buildings erected, but the landscape generally conforms to the Guilfoyle style. There is continual renewal of the planting as plants have to be removed and new plants and collections introduced. The Melbourne Gardens still retain many very early plants, including remnant vegetation which predates 1846 trees from the Arthur, Dallachy, Von Mueller and Guilfoyle period, and plants rare in the wild. There are many plants of outstanding size and aesthetic and botanical value.

A new Herbarium was constructed in 1934 as a gift from Sir Macpherson Robertson to celebrate the centenary of European settlement in Victoria. This new development included the addition of extra land to the Gardens and the erection of new gates (F Gate), originally from the Carlton Gardens. The Herbarium was further enlarged in 1988.

The glasshouses and a few gate lodges have been removed and replaced by modern buildings. The Systems Pavilion was removed and there have been numerous building changes in the Nursery. In 1964 the Nareeb Gates from a mansion in Toorak were relocated and are now at D Gate. A new herb garden was built in 1983 on the site of the former medicinal garden, and new plant collections have been established; including a grey garden, perennial border, bamboo and grass, species roses, New Caledonia, California and Southern Chinese collections. In 1994 the William Tell Rest House burnt down and was replaced by a replica the following year. In 1999 a new path was formed between the Melbourne Gardens and the Melbourne Observatory (Observatory Gate).

How is it significant?

The Melbourne Gardens are of **historical, architectural, scientific, aesthetic, and social significance** to the State of Victoria.

Why is it significant?

The Melbourne Gardens are of **historical significance** as Victoria's earliest botanic garden. The site was instrumental in the introduction and acclimatisation of plants, and animals, in Victoria. The involvement of Mueller and Guilfoyle, and the earlier Curators Arthur and Dallachy, established the Botanic Gardens as the State's principal botanical resource and as the centre for botanical research in Victoria. The association of Ferdinand Von Mueller, a botanist of international importance, as Government Botanist (1853-1896) and Director of the Botanic Gardens (1857-73) and the founder of the National Herbarium is significant. Mueller was instrumental in supporting the establishment of regional botanic gardens and parks by providing many plants and advice, resulting in an exceptional collection of nineteenth century botanic gardens and plants in Victoria. Guilfoyle was involved in the redesign of a number of these botanic gardens, and several private gardens, and many are regarded to be outstanding examples of his landscape style.

The Melbourne Gardens contain some of Victoria's oldest cultivated and commemorative trees. There are also remnant specimens of *Eucalyptus camaldulensis*, *E. melliodora*, and *Melaleuca ericifolia*. Beneath a large River Red Gum, known as the Separation Tree, Governor Charles La Trobe and the public celebrated the separation from New South Wales in July 1851. The 1846 English Elm trees known as Arthur's Elms are amongst the oldest known exotic trees in Victoria, and the Gardens retain a few other trees from the 1850s and 1860s. On his appointment as Director, William Guilfoyle planted an Algerian Oak in 1873.

The Botanic Melbourne Gardens are of **aesthetic significance** for the layout and planting established by William Guilfoyle between 1873 and 1909. It is an important nineteenth century landscape style that combines both Picturesque and Gardenesque landscape features, structures, botanical collections and the extensive use of subtropical species and bold foliage. The Melbourne Gardens are of outstanding aesthetic significance incorporating a landscape of natural landforms, water, planting, buildings and structures. The layout is an outstanding response to the sloping site, and the landscape with sweeping paths, lawns, dense shrubberies, beds and specimen trees, internal and external vistas, and the location and design of buildings and structures impart a design of the highest quality. The Melbourne Gardens are of outstanding beauty and the seasonal change, contrasting forms and foliage, and plant maturity form an attractive landscape. Key elements in the design is are the use of water, landscaped islands, sloping green lawns, curved paths, triangular beds, rockeries, specimen trees, the mounds and a reservoir shaped as a volcano. Particularly significant aesthetic plantings include the Oak Lawn, Fern Gully, Palm Collection, Cacti and succulent collection, Araucariaceae collection, the Australian Forest Walk border, New Zealand beds and South African triangle. There are significant views to the Government House tower, Temple of the Winds and Director's Residence.

Within the Melbourne Gardens are several buildings and structures of **historic** and **architectural significance**. These include the 1850 Under-gardener's Cottage (now Plant Craft Cottage), the oldest building in a public garden in Victoria; the 1854 Director's Residence (now Gardens House) and home to Gardens Directors until 1910; 1901 Temple of the Winds designed by Guilfoyle in a classical style incorporating staghorn fern capitals; an unusual masonry Directors' roll; and a significant collection of pavilions, gate lodges, arbours, seats, rockeries, gates and fences, and nursery buildings. In the Nursery is a rare example of a prefabricated iron house manufactured by Walmsley of London, and a paint shop with a roof lantern in a picturesque style.

The Melbourne Gardens and National Herbarium are of **scientific significance** as the centre of botanic research, plant acclimatisation and species introduction into Victoria since its establishment in 1846. The living collections form the most extensive collection of plants in Victoria and are a depository for rare and threatened exotic, Australian and Victorian species. The Melbourne Gardens contains several significant living collections and specimen plants incorporating geographic, horticultural, and ecological collections. The Camellia collection is listed as the Australian National Reference Collection and the Viburnum collection is registered by the Garden Plant Conservation Association of Australia, and both are important reference collections.

The Melbourne Gardens are of **social significance** for the valuable recreational and educational role they provide to visitors. They are one of the State's major tourist attractions and include many international and interstate visitors of all ages. The Melbourne Gardens play a major role in environmental, botanical, horticultural and aboriginal history education in Victoria. They have been a venue for major public events, including theatrical and musical performances, and official celebrations throughout their history.

5. Impacts of the Proposal

In regard to placing marquees on Dog Flat the impact on the identified heritage values are as follows:

- Aesthetic: The placement of marquees on Dog Flat is considered to have a temporary negative impact on the aesthetic values of the place by interfering with views of the "landscape of natural

landforms”, “internal...views” and “location and design of buildings and structures”. The marquee on Dog Flat is in the view line of two views of identified outstanding significance in the Melbourne Gardens Conservation Management Plan by Context, removing the views during the Gardens busiest period. This is considered acceptable for this permit application as the impact is temporary and RBGV are putting measures in place to allow relocation of events away from Dog Flat

- Social: The placement of marquees on Dog Flat has some positive impact on the social values of the place, as weddings and corporate events have become part of the social fabric of the place. However, this is offset by the removal of public access to portions of the gardens during its busiest period, leading to a net neutral effect on the social significance.
- Scientific: The placement of marquees on Dog Flat has no impact on the scientific significance of the place, as it does not interfere with the management of the collections.
- Historic: The placement of marquees on Dog Flat has no impact on the historic significance of the place, as they are temporary in nature, bump-in and out is carefully managed and they do not impact historic fabric.

It is acknowledged that the location of the large marquee on Dog Flat lawn is not ideal, but needs to continue for practical reasons for the 2024-2025 summer season if Royal Botanic Gardens Victoria are to meet their contractual obligations to their tenant. The reasons for this, and works to reduce the impact of the event, are as follows:

- RBGV have been moving towards relocating marquee events away from Dog Flat since the late 2015. Original timeframes were for relocation by 2025. RBGV is on track to meet these timelines with an anticipated delay of only 12 months. Given the impact of the global pandemic and subsequent reduced economic climate this timing is considered to be acceptable.
- Feasibility works have commenced for Glasshouse Lawn with the original intention of using it for the 2024-25 season. However, it has found that its current slope is too great to allow the erection of any of the marquees supplied by company with which the tenant has an exclusive commercial agreement. Works to reduce this slope require more time to be completed.
- Due to the above, Dog Flat needs to continue to be used until March 2025 if RBGV is not to breach its contractual arrangements with their tenant. Following this time the tenancy agreements will be due for renewal.
- Failure to obtain a permit, and therefore use the site in 2024-25, would affect the “economic use” of the registered place under 101(2)(b) of the Heritage Act. This is in accordance with the guidance notes provided by Heritage Victoria which stipulate that: “18. The ‘economic use’ consideration is concerned with the economic functioning of the registered place or object and is not focussed on the financial circumstances of the applicant or owner. The feasibility of a proposed development may be relevant insofar as it relates to the viability of an ongoing use... of the registered place or object.” Failure to provide access to a marquee lawn would place the organisation in an untenable position in future contract negotiations, which are due for the renewal at the end of the 2025-2026 summer, therefore limiting their ability to fulfill their legal obligations to care for the registered place
- This permit application, which also covers conditional approval of works to Glasshouse Lawn, facilitates the relocation of events away from Dog Flat
- The extended season allows Dog Flat to operate in a way amenable to the management of the Melbourne Gardens landscape. By extending the season to one, longer but single use event, turf wear and re-establishment can be managed more successfully than the previous approach of multiple, but carefully managed, event periods.

- Rationalising the events season also reduces the number of bump in and bump out periods to one per annum, reducing vehicle access to the gardens and potential for inadvertent damage during these periods.
- The RBGV have strict protocols in place to manage the bump in, bump out and operation of events, including marquees and weddings, within the Gardens. These protocols apply to all tenants and their contractors and control works and prevent damage to the heritage place.
- The RBGV have systems in place to manage damage to the turf, including repair and reinstatement, as part of the contractual arrangements with the tenants.

In regard to works to Glasshouse Lawn, the anticipated impact on the identified heritage values are as follows:

- Aesthetic: Works to Glasshouse Lawn are anticipated to have a positive impact on the aesthetic values of the place by allowing marquee events to be transitioned away from Dog Flat to this more sheltered portion of the Gardens, outside significant view lines.
- Social: Works to Glasshouse Lawn are anticipated to have some positive impact on the social values of the place, as it facilitates weddings and corporate events which have become part of the social fabric of the place.
- Scientific: Works to Glasshouse Lawn are anticipated to have no impact on the scientific significance of the place, as it does not interfere with the management of the collections. Care will be taken to protect surrounding trees and garden beds.
- Historic: Works to Glasshouse Lawn are anticipated to have no impact on the historic significance of the place, as they do not impact historic fabric.
- This are contingent on detailed design and construction continuing to be respectful of the heritage values of the place, noting that RBGV having an excellent track record in this regard. Works to mitigate impact of the place would include
 - Design by Royal Botanic Gardens Victoria's resident Landscape Architect in consultation with the Executive Director, Melbourne Gardens
 - Design to accommodate existing trees and garden beds. Any change would be in the net-interests of the Living Collections and under the direction of the Landscape Architect and Horticulture Teams
 - Project management by the RBGV's in-house project management team, who have extensive experiencing protecting the heritage values of the place
 - Tree protection in accordance with AS4970 and under the direction of the Manager Arboriculture or their approved delegate

The use of the Royal Botanic Gardens Melbourne for marquee events is consistent with recommendations made in the *Conservation Management Plan, Melbourne Gardens & Melbourne Observatory 2018*, especially section 6.9.4 which discusses the impact of events on the Gardens. Guidelines for managing the impact of events on the physical landscape and passive users were developed in the Master Plan (attached) and it is noted that the CMP states that "*Events, media and venue hire represent a significant opportunity to attract visitors as well as raise awareness of and revenue for the Melbourne Gardens. These activities should be encouraged...*" (Vol 1, page 158). The proposals are also consistent with Policy 15 (Vol 1, page 170, 171)

6. Recommendations

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This report makes the following recommendations:

- That a permit be granted to allow marquee events on Dog Flat for the 2024-25 season
- That a condition of permit include adherence to Royal Botanic Gardens Victoria *Heritage Management Guidelines for Tenant Events v8* (andrea proctor landscapers, October 20204)
- That a condition of permit include commencement of works to Glasshouse Lawn within 12 months
- That a permit be granted for the described works to Glasshouse Lawn to facilitate its use for marquee events
- That a condition of permit be that detailed works plans for works to Glasshouse Lawn works including, levels, materials, set out, indicative plant lists and rectification plans be submitted to Heritage Victoria for approval prior to the commencement of works
- That a condition of permit be that a Heritage Management Plan for works to Glasshouse Lawn be submitted to Heritage Victoria for approval prior to the commencement of works, with this plan detailing how heritage fabric is to be protected, including surrounding structures and tree and garden bed protection works

7. Conclusion

Marquee events have long been held in Melbourne Gardens and support the heritage values of the place. The Gardens have planned to relocate these events away from the central Dog Flat location, and while generally on track, have been hampered by the global pandemic and subsequent reduced economic climate. Feasibility works are now underway to prepare Glasshouse Lawn for marquee events, as recommended in the Board endorsed *Melbourne Gardens Master Plan 2020 – 2040*, but additional time is needed.

In order for Royal Botanic Gardens Victoria to fulfill their current contractual obligations to their tenant the continued use of Dog Flat lawn for the 2024-25 season is considered acceptable. While this has some temporary negative impact on the aesthetic values of the place, the impact on the social, scientific and historic significance is neutral. Failure to obtain a permit, and use of the site, would affect the “economic use” of the registered place under 101(2)(b) of the Heritage Act. It should also be noted that any negative impact is completely reversible and alternative options for the 2024-25 summer have been exhausted.

Following a thorough review of the proposal against the heritage significance of the place, it is considered that the impact of the use of Dog Flat lawn for the 2024-25 summer is acceptable under standard heritage procedures. The net impact of the proposal, which includes works to Glasshouse Lawn to allow permanent relocation of marquees away from Dog Flat, is positive for the heritage values of the Royal Botanic Gardens Melbourne. As such, it is recommended that a permit for these works be granted.

Appendix 1: Heritage Management Guidelines for Tenant Events 2024-29, Royal Botanic Gardens Victoria, Melbourne Gardens

Note: Changes to v8 (this application) in red for easy identification

Principles

These Heritage Management Guidelines have been developed to support a permit exemption application to Heritage Victoria and guide tenanted events across the Royal Botanic Gardens Victoria's Melbourne Gardens including marquee events, small scale ceremonies and use of pavilions. They relate only to protecting the heritage values of the place and not operational requirements. They have been developed with the following aims:

- Preventing damage to heritage fabric
- Preventing damage to the plant collections, especially the trees
- Allowing the Gardens to meet their contractual requirements to tenants
- Supporting the social values of the place

These functions (including weddings, corporate events, memorial services and birthday celebrations) have been carried out at the Melbourne Gardens for many years and are recognised as contributing to the social value of the place in the Gardens' registered Statement of Significance. They are also supported by the Conservation Management Plan (vol 1, page 158) and Policy 15 (vol 1, page 170, 171). However, care still needs to be taken to ensure they are carried out with sensitivity and within the carrying capacity of the landscape. Considerable work has taken place over the last two years to direct the future of events in the Gardens, allowing the organisation to engage more deeply and meaningfully with the public while reducing the physical impact on the landscape. This has been achieved through the Master Plan process, detailed event planning and recent contract renegotiations with tenants.

These Heritage Management Guidelines address the implementation of functions as decided through these processes. They do not deal with the planning, justification or business cases underpinning the decision-making process, or the planning and scheduling processes that have been put in place to protect the place, as these are already fixed in the tenancy agreements.

Tree and Plant Protection

- No infrastructure is to be placed in any garden beds
- No personnel are to enter any garden beds except where mulch paths provide access to set power sources
- No infrastructure is to be placed within any Tree Protection Zone (calculated as per AS4970), except with the express approval of the Manager Arboriculture
- Any required pruning works are to be undertaken by RBGV
- Exclusion zones will be set by RBGV and are not to be entered by contractors
- Pegging and staking are not to take place within Tree Protection Zones unless individually approved on a case-by-case basis by the RBGV Manager Arboriculture. In any case, ground disturbing activity by 'stakes' shall be modified to avoid impact with woody roots. In locations where roots are likely to be present, alternative fixing and/or installation methods are to be employed so that no damage occurs to woody roots

- Any damage to trees or plants is to be reported immediately to RBGV or project manager to allow remediation works to take place
- In every case where infrastructure is permitted within TPZs trees are to be inspected at the conclusion of works (site clear) and in the unlikely event that remediation work is required, then this is to be carried out by RBGV staff or an RBGV approved external contractor

Electrical Infrastructure

- Cables are to be placed in locations where they shall not unduly interfere with Gardens' operations
- Wherever possible cables are to be placed so that they do not need to be covered with brightly coloured cable guards
- Wherever possible 'high vis' colours are to be avoided including cables and cable guards. Alternative methods of managing trip and other safety hazards (e.g. non-live daytime cables, cables cut into turf) are to be used wherever possible, with 'high vis' being a last resort

Barricades, Servicing and Event Infrastructure

Note that generally speaking the following infrastructure is not required. Guidance is provided to address ad hoc occasions when additional infrastructure is required:

- Event infrastructure is only to be placed on paths (hard surfacing) and lawns and in locations approved by RBGV tenancy agreements
- Barricades, fencing, cable guards and fixings and other infrastructure is to be designed to be as visually unobtrusive as possible, allowing for technical and safety requirements
- Wherever possible 'high vis' colours are to be avoided, including brightly coloured fencing. Alternative methods of managing trip and other safety are to be used wherever possible, with 'high vis' being a last resort
- Any signage is to be visually appropriate to the garden area it occupies with regards to colour, scale, placement and design aesthetic and is only to remain out for the duration of the event

Use of Marquees: Melbourne Gardens Lawns

Note that marquees are placed in open spaces where there are no tree roots and where they have been historically placed for a number of years without impact on the surrounding vegetation. All marquee locations are approved by the Melbourne Gardens Team.

- Only Dog Flat and Nymphaea Lily Lake Lawn West can be used by one tenant simultaneously
- Permitted locations are: Dog Flat, Top of Eastern Lawn near the Tecoma Rest House, Nymphaea Lily Lake Lawn West
- Maximum dimensions of marquees are 17m x 38m with a maximum 7m x 24m deck and a supporting 8 x 12m catering tent (placed on lawn or path adjacent to main marquee) and 3x3m storage tent (both placed on lawn or path adjacent to main marquee)
- Marquees are to be neutrally coloured, tented structures with a suspended solid floor. Traditionally marquees have white tented sides, but open sided marquees are also appropriate
- Individual pop-up marquees to be used on Dog Flat are to be maximum of 6No. smaller (15-20m x 6m marquees) to enable separate groups in-line with Covid precautions / restriction. This allows for a maximum 150 people per day. These may be accompanied by a 6m x 9m kitchen / catering tent

- The maximum duration of marquee installation and required break times for turf repair and replacement is to be in line with Table 1, below (subject to approval of the Executive Director Melbourne Gardens).

Table 1: Duration and Rest Periods for Marquees

Period	Bump-in	Bump-out	Maximum Duration of Marquee	Turf	Lawn rest period after Marquee
Nymphaea Lake West and Eastern Lawn (near Tecoma Rest House)					
15 th Jan – 7 th April	4 days	4 days	45 days	Replacement	+ 45 days (until October)
15 th Oct – 23 rd December	4 days	4 days	45 days	Replacement	+23 days (until Jan 15 th)
or: maximum length up to 60 days, providing between the stated dates, no more than 90 days in total and only one marquee per period (e.g. 60/30 or 50/40)					
Dog Flat					
28 Oct – 23 Dec 2024	Already covered by P33541				
23 Dec 2024 – 25 March 2025	N/A	3 day	90 days	Replacement	45 days

Use of Marquees: Gardens House

- Main marquee is to be on the front (southern) lawn, with a smaller, roofed structure permitted on the back (northern) lawn
- Maximum dimensions of marquees are 17m x 22m. Marquees are to be neutrally coloured, tented structures with a suspended solid floor. Traditionally marquees have white tented sides, but open sided marquees are also appropriate
- A catering marquee may be set up on or near the entrance drive with maximum dimensions of 4m x 10m
- The maximum duration of marquee installation and required break times for turf repair and replacement is to be in line with Table 2, below

Table 2: Marquees for Gardens House

Period	Bump-in	Bump-out	Duration of Marquee	Turf	Lawn rest period after Marquee
Front Lawn (southern)					
1 September – 29 February	4 days	4 days	14 days	Regeneration	28 days
				Replacement	45 days
1 March – 31 August	4 days	4 days	14 days	Regeneration	45 days
				Replacement	60 days
Back Lawn (northern)					
1 September – 31 August	4 days	4 days	3 days	Regeneration	21 days

Site Access and Working Protocols

- Contractors are to adhere to all conditions of working on site including the *Contractor Induction Checklist* and *Supplier Induction Manual*

- In particular, vehicle access is to be strictly in accordance with requirements of *the Contractor Induction Checklist* and *Supplier Induction Manual*
- For marquees, bump-in and bump-out periods are to be in accordance with the timeframes provided in *Use of Marquees* (between 1 and 3 days depending on the lawn and duration)
- Pegging and staking are not to take place within Tree Protection Zones unless individually approved on a case-by-case basis by the RBGV Manager Arboriculture. In any case, ground disturbing activity by 'stakes' shall be modified to avoid impact with woody roots. In locations where roots are likely to be present alternative fixing and/or installation methods are to be employed so that no damage occurs to woody roots (e.g. weighting)
- Marquees are to be weighted, with use of small-scale pegs permitted in areas that have been established to have no services or tree roots
- For small scale events (up to 350pax, no marquee) infrastructure of up to 100 chairs, a small arch and PA system may be used. Occasionally events may require up to 350 chairs to accommodate specific cultural requirements of the celebration. All items are to be weighted or placed on lawns, with no items to penetrate the lawn surface. All items are to be packed away within 2hrs of the conclusion of the event
- All due care is to be taken to prevent damage to the heritage place, including, but not limited to; paths, signs, furniture, fences, buildings, service lines, gardens infrastructure, lawns, garden beds and trees
- All litter and rubbish is to be routinely cleaned up through the duration of the occupation to the satisfaction of the Leasing Administrator and the Executive Director Melbourne Gardens (or their approved delegate)

Remediation Works

- Marquee sites are to be inspected by the Leasing Administrator and the Executive Director Melbourne Gardens (or their approved delegate) at the conclusion of works and prior to site clear to identify any required remediation works
- Remediation works shall include all items identified during the above inspection and are most likely to relate to lawn repair and rubbish removal. Lawns shall be repaired using instant turf of a species approved by the RBGV and installed to the suppliers' and RBGV specifications
- Alternatively, minor damage may be addressed through alternative lawn remediation works such as fertilising, seeding, aerating or other horticultural practices
- All remediation works are to be to the satisfaction of the RBGV and following standard RBGV protocols. Any external contractors are to be approved by the RBGV

Example Infrastructure

The following provide examples of infrastructure which may be used at the Melbourne Gardens (or visually similar equivalents), within the size specifications stipulated in *Use of Marquees*

Gardens House



Dog Flat, Nymphaea Lawn West and Hopetoun Lawn



Small scale events



Appendix 2: Conservation Management Plan: Melbourne Gardens & Melbourne Observatory, Royal Botanic Gardens Victoria 2018 Excerpt

The following is an extract of relevant portions of the Conservation Management Plan for the registered place. Items of particular interest are highlighted.

6.7.1 Funding

The principal source of funding to the Royal Botanic Gardens Victoria is through the State Government budget process which allocates operating funds from the Parks and Reserves Trust Account. This annual funding is supplemented by revenue earned from commercial activities (leases, licences and the retail outlet). Funding is allocated through an annual budget process based on the organisational objectives in RBGV's Corporate Plan. The distribution of funding is directed by the Executive Team, reviewed by the Finance and Audit Committee, and approved by the Board.

Additional funds for capital works programs are sought and obtained through State and Federal sources, or through philanthropic and private donations. Funding for these works is limited to works themselves and does not allow for ongoing maintenance of capital

While there is currently a satisfactory allocation of funds to maintain the place generally, there is insufficient overall funding to undertake the variety of conservation works required for significant infrastructure such as paths, drains, irrigation, fencing, built structures and installed equipment.

The Board may be able to strategically seek special initiative funding to comprehensively enact the public safety-related recommendations of this CMP, particularly the Immediate and Short term works set out in the Action Plan in Section 7.

Additional sources of funding come through the lease of various buildings to private companies across the site, including Observatory Cafe, The Terrace, Gardens House, and Weddings and Catering in Melbourne Gardens, or through licensees, such as Australian Shakespeare Company, Punt Tours Melbourne and Moonlight Cinema. Limited funds are received through small events.

6.9.4 Events

A number of indoor and outdoor spaces are available for event hire, including some lawn areas, The Terrace, Jardin Tan, Gardens House, some pavilions, the Melbourne Observatory and the Children's Garden. In addition, some special events are held in certain locations either as one-off or annual/biannual events. Various parts of the Gardens also are often used for filming features, advertising and television.

All activities within the Melbourne Gardens must adhere to the *Royal Botanic Gardens Act 1991* and Royal Botanic Gardens Regulations 2014. However, there is an additional responsibility to ensure that while events and activities are taking place, public access to the place is maintained, and the heritage values of the place are conserved.

Events, media and venue hire represent a significant opportunity to attract visitors as well as raise awareness of and revenue for the Melbourne Gardens. These activities should be encouraged and, ideally, should complement the scientific, recreational and aesthetic character of the place.

A cost-benefit analysis should be undertaken, in conjunction with the creation of an Events Strategy, which outlines areas where different types (and intensities) of event can be undertaken, and the parameters around the allowance of these events. For instance, some areas are not able to cope physically with large numbers of people over a short period of time due to the potential to damage fabric and values of the place, or will require significant repair post event.

6.12.1 Increasing revenue through events

The Melbourne Gardens is an extremely popular and well known place, with recognised aesthetic, historic, social and scientific values. The popularity of the site, its proximity to the city centre, and context within the broader Domain Parklands naturally lends itself to being a potential event space. Although a strictly limited number of events are currently held within the Melbourne Gardens, there may be potential to raise additional revenue to support the place through further organised events. The difficulty with allowing increased events is the increased (potential) cost to the significance of the place, and its elements. Damage to fabric by crowds can be significant, and where repairs are possible these may require a significant resource investment to achieve. A balance must be carefully struck whereby future events are limited to the less sensitive areas of the place, and a strategic events plan or strategy identifying types, frequency and levels of use in specific areas would be useful.¹

Policy 15 – That future uses of the place respect and acknowledge the heritage values of the place.

Both sites have long-standing uses which define the significance of the place. The traditional uses as a botanic gardens and observatory, and as a highly evolved cultural landscape, are key to understanding the values underpinning the whole place, and should be formally recognised. The cultural values of the place are aesthetic, scientific, historic, social, associative, and technical achievement.

From time to time, it may be appropriate to introduce new uses into either or both sites. It is important that new uses are consistent with the use and significance of each place.

Over 1.6 million visitors attend the Melbourne Gardens and the Melbourne Observatory site on an annual basis. This use has an impact on the significant elements of the place through wear and tear, inappropriate use, through vandalism and in other ways.

Public use and access is important and should be maximised, provided this is consistent with its heritage values, and subject to the standard range of obligations (such as safety).

15.1 Maintain the historic and continuing significant purpose and use of both sites as scientific and educational institutions.

15.2 Maintain the use of both sites as a place for passive recreation and education.

15.3 Manage visitation to both sites to ensure the significance of both sites is conserved.

15.4 Encourage adaptive re-use of significant buildings which allows public access.

15.5 Ensure that all significant buildings have an ongoing, viable use that is compatible with the historic use of the place. Some adaptation of individual buildings may be required to achieve this.

15.6 Ensure uses which have an impact on significant fabric are managed so that the impact is not permanent and can be mitigated.

15.7 Undertake a heritage impact assessment for any proposed new use of either site.

15.8 Avoid any future use which will have an unacceptable impact on significance.

15.9 Allow future uses which are consistent with the conservation of the significant layout, fabric, and character of the views of the place.

15.10 Encourage use of existing buildings and features of the landscape for new uses, provided they do not have an adverse impact on fabric, views or character of the place as a whole.

¹ HIS Comment: This was reviewed as part of the adopted *Melbourne Gardens Master Plan 2020 - 2040*

15.11 Give preference to new uses which will encourage public engagement with the place.

7.7.2 Events

Policy 16 –That an Events Strategy be developed which seeks to maximise public access while mitigating adverse impacts on the significant elements of the place.

16.1 Ensure all event structures are temporary.

Policy 20 That the heritage values set out in this CMP are taken into account in future site planning.

Appendix 3: *Melbourne Gardens Master Plan 2020-2040* Excerpt

INSERT PAGES AS NEEDED TO CORRECT NUMBER

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