

Statement of Recommendation from the Executive Director, Heritage Victoria

Domain Park Flats, VHR PROV H273

193 Domain Road, South Yarra, Melbourne City

Bunurong Country



Executive Director recommendation

Under section 37 of the *Heritage Act 2017* (**the Act**) I recommend to the Heritage Council of Victoria (**Heritage Council**) that Domain Park Flats, located at 193 Domain Road, South Yarra is of State-level cultural heritage significance and should be included in the Victorian Heritage Register (**VHR**) in the category of Registered Place.

In accordance with section 38 of the Act, I include in this recommendation categories of works or activities which may be carried out in relation to the place without the need for a permit under Part 5 of the Act.

I suggest that the Heritage Council determine that:

- Domain Park Flats is of State-level cultural heritage significance and is to be included in the VHR in accordance with section 49(1)(a) of the Act
- the proposed categories of works or activities which may be carried out in relation to the place for which a permit under the Act is not required will not harm the cultural heritage significance of the place under section 49(3)(a) of the Act.



STEVEN AVERY
Executive Director, Heritage Victoria

Date of recommendation: 20 May 2026

The process from here

1. The Heritage Council publishes the Executive Director's recommendation (section 41)

The Heritage Council will publish the Executive Director's recommendation on its [website](#) for a period of 60 days.

2. Making a submission to the Heritage Council (sections 44 and 45)

Within the 60-day publication period, any person or body may make a written submission to the Heritage Council. This submission can support the recommendation, or object to the recommendation and a hearing can be requested in relation to the submission. Information about making a submission and submission forms are available on the [Heritage Council's website](#).

3. Heritage Council determination (sections 46, 46A and 49)

The Heritage Council is an independent statutory body. It is responsible for making the final determination to include or not include the place, object or land in the VHR or amend a place, object or land already in the VHR.

If no submissions are received the Heritage Council must make a determination within 40 days of the publication closing date.

If submissions are received, the Heritage Council may decide to hold a hearing in relation to the submission. The Heritage Council must conduct a hearing if the submission is made by a person or body with a real or substantial interest in the place, object or land. If a hearing does take place, the Heritage Council must make a determination within 90 days after the completion of the hearing.

4. Obligations of owners of places, objects and land (sections 42, 42A, 42B, 42C, 42D and 43)

The owner of a place, object or land which is the subject of a recommendation to the Heritage Council has certain obligations under the Act. These relate to advising the Executive Director in writing of any works or activities that are being carried out, proposed or planned for the place, object or land.

The owner also has an obligation to provide a copy of this statement of recommendation to any potential purchasers of the place, object or land before entering into a contract.

5. Further information

The relevant sections of the Act are provided at the end of this report.

Description

The following is a description of Domain Park Flats at the time of the site inspection by Heritage Victoria in March 2026.

Exterior

Domain Park Flats is a 20-storey Modernist apartment building located on a flat site bounded by Domain Road, Park Street and Leopold Street in South Yarra, immediately opposite the Royal Botanic Gardens. The building is a narrow rectangle in form, located on the northern side of the site. Two prominent towers on the southern elevation project above the roofline and contain lifts and services. The structural frame of the building is reinforced concrete. Other materials and colours are minimal, largely comprising dark brown manganese brick, glazing, and aluminium.

The front (north) elevation addresses Domain Road and the Royal Botanic Gardens. It is divided into eight evenly spaced vertical bays, defined by the externally visible concrete structure. This elevation features an abstract arrangement of both balconies and windows with brick spandrels, reflecting the variety of internal layouts while presenting a unified appearance. The projecting floorplates further emphasise the building's rational geometric appearance. To the narrow east and west elevations, the floorplates are highlighted in pale paint, contrasting with the dark brown brick. The south elevation includes a breezeway to each level and a pattern of square windows that puncture the brick façade.

Interior

The main entrance to the building is through the foyer on Domain Road, which occupies three bays on the north side of the building and is identified by original 'Domain Park' lettering. The foyer contains some original walnut joinery and signage. Apartments are accessed via lifts on the east and west ends of the foyer. Lift cars contain original joinery, including a small timer seat. Floors contain either two, three or four apartments, and lift lobbies serve a maximum of two apartments. There are currently 55 individual residences within the building (some of which have been combined). All apartments occupy the entire depth of the building, meaning all have north-facing views toward the Botanic Gardens, as well as south-facing views. Apartment interiors and apartment lift lobbies have generally been altered over time to suit different residents' needs.

Landscape and surrounds

To the rear (south) of the building is a podium car park surrounded by a wall of the same dark manganese bricks and plantings. A basement car park is accessible from Park Street and Leopold Street. Garden beds on Domain Road feature plantings laid out in a manner that reflects the geometry of the building, and were designed by Andrew Laidlaw and installed in recent years.

Description images



2025, aerial view of Domain Park Flats, viewed from the north, Source: Marshall White, www.realestate.com.au/sold/property-apartment-vic-south+yarra-148637180



2025, aerial view of Domain Park Flats, viewed from the north, Source: Marshall White, www.realestate.com.au/sold/property-apartment-vic-south+yarra-148637180



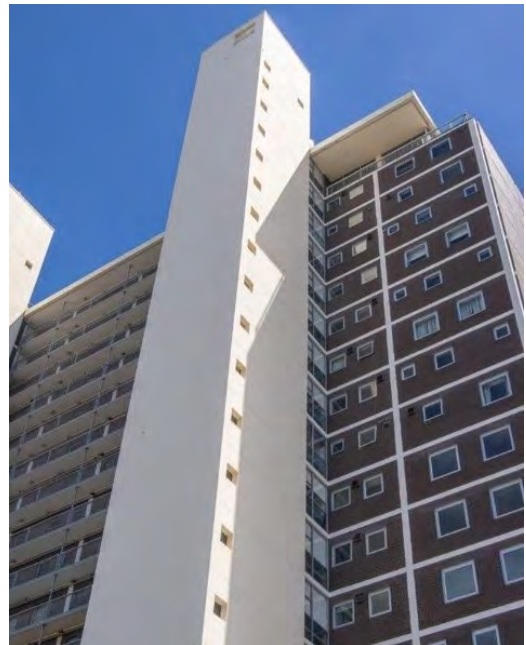
2022, north elevation, Source: Heritage Victoria.



2026, arrangement of balconies, windows and spandrels to the north elevation, Source: Heritage Victoria.



2026, entrance to foyer with original lettering, Source: Heritage Victoria.



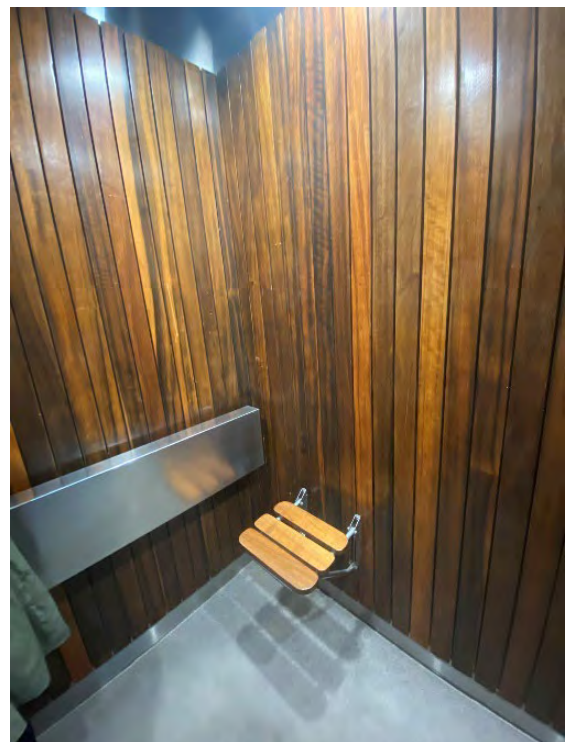
2022, the east service tower, arrangement of windows and breezeway of the south elevation, Source: supplied with nomination.



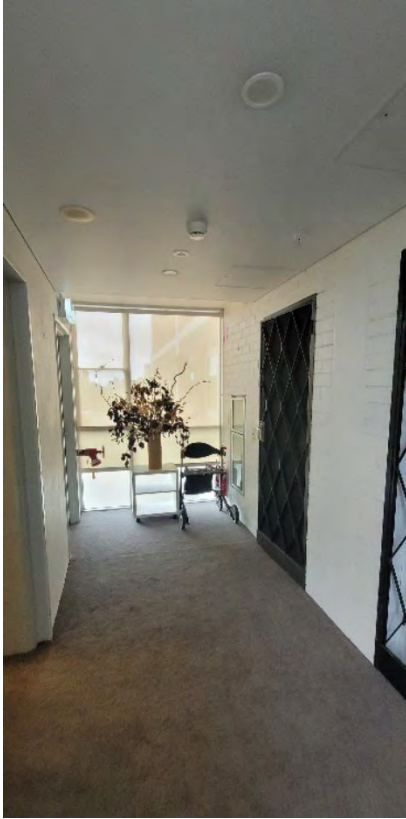
2026, interior of foyer, Source: Heritage Victoria.



2026, signs in foyer, Source: Heritage Victoria.



2026, interior of lift cars, Source: Heritage Victoria.



2026, typical apartment lift lobby, Source: Heritage Victoria.



2026, Robin Boyd's signature at entrance of building, installed after 2015.



2026, view from an apartment north across the Royal Botanic Gardens.

History

Statement of Country

The Domain Park Flats are located on Bunurong Country, and the Bunurong Land Council Aboriginal Corporation is the Registered Aboriginal Party for the area immediately south of the Royal Botanic Gardens, where the Domain Park Flats is located. More broadly, the locality now known as South Yarra comprises both Wurundjeri and Bunurong Country, the area south of the Birrarung (Yarra River) being an important place of living and meeting for countless generations. South Yarra is part of 'a long-established Kulin meeting place' where the Bunurong, Wurundjeri, Wadawurrung, Taungurung and Dja Dja Wurrung gathered, staying in locations such as the present-day Botanic Gardens.¹ The word 'Yarra', recorded in the suburb's name, is derived from a Bunurong and Woiwurrung word meaning 'flowing' and was misunderstood by British colonisers as the name of the Birrarung.

The Yoorrook Justice Commission (2025) has recorded how British colonisation caused irreparable damage to First Peoples in Victoria through the dispossession of Country, massacres, the introduction of diseases, confinement on missions and reserves, forced labour, the separation of families, and ongoing policies and practices that have resulted in systemic injustice.² This dispossession and marginalisation of Aboriginal people was particularly rapid in and around Melbourne in the decades immediately following British occupation.³ The area of Melbourne remains an important place for Aboriginal people, and contains sites such as Camp Sovereignty, which reflect the survival and resilience of Victoria's First Peoples.

Flats and living in them

Blocks of flats had appeared in central Melbourne and its surrounds from the early twentieth century. Purpose-built blocks of flats, usually two to four storeys, became more popular in the interwar period, particularly in inner urban areas such as St Kilda and Parkville. Several eminent architects produced notable designs for blocks of flats in this era, including Mary Turner Shaw and Frederick Romberg ([Newburn, VHR H0578](#)) and Acheson Best Overend ([Cairo, VHR H1005](#)). Interwar flats were often designed to be rented and 'tenants were mostly single men, childless couples, widows and those thought bohemian.'⁴ Attitudes began to change from the late 1940s, when developments such as Stanhill ([VHR H175](#)) — designed by Frederick Romberg and situated on Queens Road — introduced a model of owner-occupied flats that responded to the inflated building costs of the post-war period.⁵ While thousands of brick walk-up flats, typically two or three storeys, began to populate the suburbs by the 1960s, there was a growing interest in new ways of living and in modern forms of residential development, including high-rise apartment buildings.⁶ The Housing Commission of Victoria began focussing on the possibilities of high-rise residential development, beginning with the 16-storey Emerald Hill Court, South Melbourne (1960-62). Concurrently, private developers explored increased scale and height in residential buildings, and modern designs featuring 'open plans, modern facilities and sunlit balconies.'⁷ There was a 'new generation of apartment towers to appear around 1960' in Melbourne and other national capitals.⁸

This was manifested in two important private developments in the early 1960s: Edgewater Towers and Domain Park Flats.⁹ Edgewater Towers, on the waterfront in St Kilda, is considered Victoria's first high-rise apartment development and for a short period was Victoria's highest residential tower. Designed by post-war Jewish émigré architect Mordechai Benshemesh and completed in 1961, the 13-storey apartment building housed 100 flats. Marketed as 'residential suites' or units, high-rise residential buildings were promoted as a modern and stylish option for owner-occupiers. Fairlea, an elegant nine-storey tower, designed by Yuncken Freeman, was also completed in 1961 (see comparisons). These developments were closely followed by the completion of Domain Park Flats in 1962. Domain Park was significantly taller

¹ GML Heritage, *South Yarra Heritage Review – Volume 3: Thematic Environmental History*, 2022.

² Yoorrook Justice Commission, *Truth be Told*, 2025, <https://www.yoorrook.org.au/reports-and-recommendations/reports/yoorrook-official-public-record>.

³ GML Heritage, *South Yarra Heritage Review – Volume 2: Aboriginal Cultural Values Assessment*, 2022, p. 29; *Truth be Told*, p. 46.

⁴ Seamus O'Hanlon, 'Flats', *Encyclopedia of Melbourne*, www.emelbourne.net.au/biogs/EM00582b.htm.

⁵ GML Heritage, 'Domain Park', *South Yarra Heritage Review – Volume 4: Citations*, 2022, p. 84.

⁶ Paul Walker and Catherine Townsend. 'Australia's Home: An Alternative Narrative. Robin Boyd's Writing on Flats and Medium Density Housing', *Proceedings of the Society of Architectural Historians Australia and New Zealand: 37, What If? What Next? Speculations on History's Futures*, edited by Kate Hislop and Hannah Lewi, pp. 479-487. Perth: SAHANZ, 2021.

⁷ Heritage Alliance, *Survey of Post-War Built Heritage in Victoria*, 2008, p. 23.

⁸ Caroline Butler-Bowden and Charles Pickett, *Homes in the Sky: Apartment Living in Australia*, Carlton: The Miegunyah Press, 2007, p. 83.

⁹ Robin Grow, *Melmo: Modernist Architecture in Melbourne*, Melbourne: Slattery Books, 2021, p. 169.

than both Edgewater Towers and Fairlea. Residential high-rises became prominent landmarks in the city and its surrounds during this era. The popularity of high-rise apartment living increased in the 1960s and 1970s, assisted by the introduction of the Strata Titles Act in 1967. The Housing Commission's own experiments in residential high-rise construction culminated in the 31-storey Park Towers in 1969 (see comparisons). Several sizeable apartment buildings were completed in the Hoddle Grid in this period, including Park Tower (1969) and Treasury Gate (1971, see comparisons) both located on Spring Street.

Robin Boyd

Robin Boyd trained in architecture at the Melbourne Technical College and the University of Melbourne before becoming an assistant to Roy Grounds. He maintained an involvement in architectural interests while serving during World War II. In 1946, Boyd became Director of the Small Homes Service. He founded his own practice in 1947 and began designing a series of innovative family homes, including his own. Between 1953–62, he worked as part of Grounds, Romberg and Boyd, concentrating on the partnership's domestic commissions. His design for Domain Park Flats was produced during this time. Boyd published extensively and influentially throughout his professional life and developed a national and international profile. He was a key exponent of progressive modern architecture and design and its adaptation to the Australian context. Several of the buildings he designed are included in the VHR, including [Robin Boyd House II \(VHR H2105\)](#) (also known as Walsh Street), [Baker House \(VHR H2118\)](#) and [Clemson House \(VHR H2006\)](#). Domain Park Flats represents the only built realisation of his interest in high-rise residential development as a solution to housing needs of large cities. According to Philip Goad, Domain Park Flats distils Boyd's interests in Walter Gropius, Paul Rudolph and the Japanese Metabolists.¹⁰ It is Boyd's most visible work, and it is one of his most well-published projects.¹¹

Domain Park Flats

In 1959 Lend Lease Development Pty Ltd commissioned Boyd to design a block of apartments for the site on the corner of Domain Road and Park Street in South Yarra. Lend Lease and builder Civil and Civic Ltd were keen to develop a design for the site that extracted the maximum allowable number of units. According to Boyd biographer Geoffrey Serle, while Grounds and Romberg had a role in early negotiations and planning for the project, 'the building is almost entirely Boyd's'.¹² Central to Boyd's design was the narrowness of building, which would 'allow all main rooms to fill its width and have an outlook both ways'.¹³ Sales publicity was well underway in 1961. Advertisements for Domain Park's 'residential suites' were marketed to owner-occupiers who wanted 'a home for those who find it desirable to be free of the responsibilities, without parting with the essential features, of a graceful home and garden'.¹⁴ Promotional materials also emphasised the building's state-of-the-art air conditioning, 'large, light and airy living area[s]', ample car parking and the characteristics of the site which meant there was 'no possibility of being built out'.¹⁵ Individual apartments could be 'styled to the owner's taste'.¹⁶

In October 1960, *The Australian Journal of Architecture and Arts* reported that construction of the slip-form concrete service towers would 'begin in a week or so'.¹⁷ There were delays in construction, but by early 1962, newspaper adverts promoted the construction of the service towers, which were used to transport workers and materials.¹⁸ Construction appears to have been largely complete by late 1962 and newspaper advertisements stated that the first residents were moving in in early 1963.¹⁹ Architecture periodicals reported on the building, accompanied by photographs by Mark Strizic, through 1963 and 1964.²⁰ At the time of completion, it was the tallest residential building in Melbourne.²¹ Its reception at the time was mixed, and the building was criticised for its inappropriate location adjacent to the Royal Botanic Gardens.

¹⁰ Philip Goad, 'Domain Park', *Melbourne Architecture*, Boorowa, NSW: The Watermark Press, 2009, p. 186.

¹¹ Goad, p. 171; Heritage Alliance, p. 106.

¹² Serle, p. 196.

¹³ Serle, p. 196.

¹⁴ *The Age*, October 25 1961, p. 11.

¹⁵ *The Age*, October 25 1961, p. 11.

¹⁶ *The Age*, January 23 1962, p. 3.

¹⁷ 'Flats, Domain Road, South Yarra, Victoria', *The Australian Journal of Architecture and Arts*, October 1960, p. 35.

¹⁸ *The Age*, January 23 1962, p. 3; *The Age*, June 5 1962, p. 5.

¹⁹ *The Age*, 26 March 1963, p. 5.

²⁰ 'Domain Park', *Architecture in Australia*, March 1964, pp. 149-151; 'Domain Park Luxury Flats', *Architecture Today*, June 1963, pp. 23-24; 'Domain Park: New Residential Building in Melbourne', *The Australian Journal of Architecture and Arts*, May 1963.

²¹ GML Heritage, 'Domain Park', *South Yarra Heritage Review – Volume 4: Citations*, p. 83.

Appreciation for the building has grown over the intervening decades. It appears on the Australian Institute of Architects (Victorian Chapter) Register of Twentieth Century Buildings, and was awarded the Institute's Enduring Architecture Award in 2015. In 2008 it was identified as being of potential State-level significance in Heritage Alliance's *Survey of Post-War Built Heritage in Victoria: Stage One*.²² It was recently included as an individual place in the City of Melbourne's Heritage Overlay following the South Yarra Heritage Review. It is carefully managed and maintained by Domain Park Ltd, which manages the building in keeping with its cultural heritage significance. The building still occupies a prominent position in the urban landscape, being highly visible from several vantage points.

Selected bibliography

Primary sources

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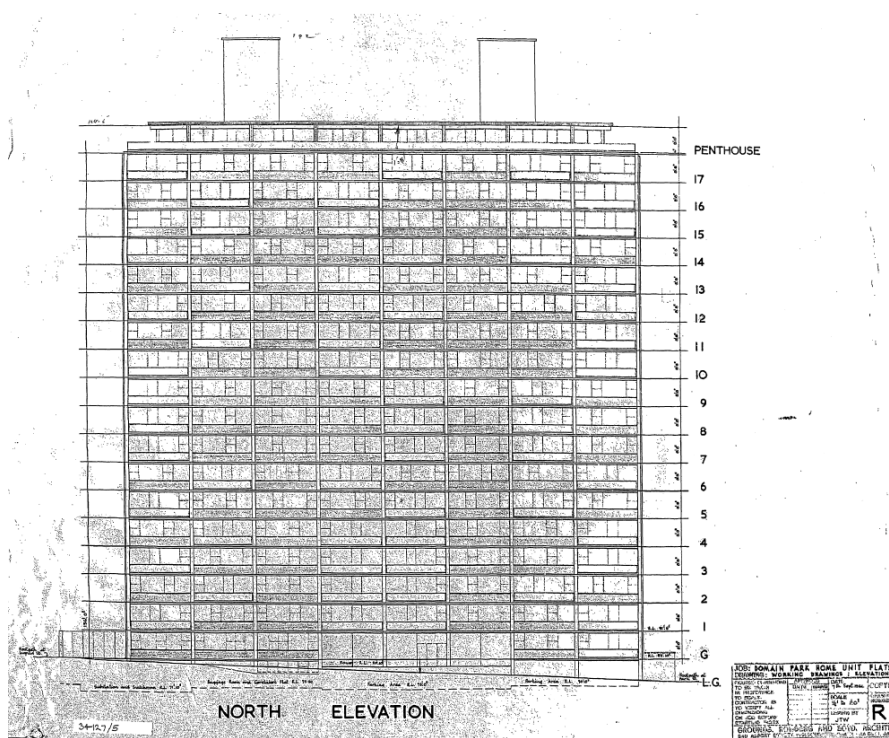
Walker, Paul and Townsend, Catherine, 'Australia's Home: An Alternative Narrative. Robin Boyd's Writing on Flats and Medium Density Housing', *Proceedings of the Society of Architectural Historians Australia and New Zealand: 37, What If? What Next? Speculations on History's Futures*, edited by Kate Hislop and Hannah Lewi, pp. 479-487, Perth: SAHANZ, 2021.

Acknowledgements

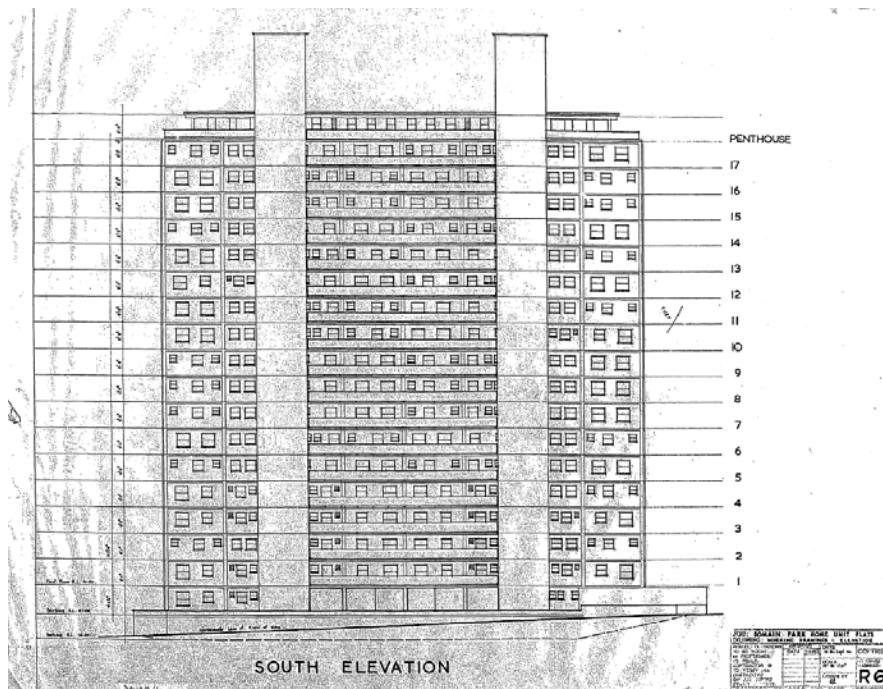
The Executive Director thanks the Domain Park Ltd Board and residents for sharing their knowledge of the building and related materials.

²² Heritage Alliance, p. 106.

Historical images



Working drawing of the north elevation of Domain Park Flats, dated 7 September 1961, Source: provided by Domain Park Ltd.



Working drawing of the south elevation of Domain Park Flats, dated 12 September 1961, Source: provided by Domain Park Ltd.



c. 1960, photograph of architect's model of Domain Park Flats, showing north elevation, photographed by Mark Strizic. Source, RMIT Design Archives.

c. 1960, photograph of architect's model of Domain Park Flats, showing south elevation, photographed by Mark Strizic. Source, RMIT Design Archives.



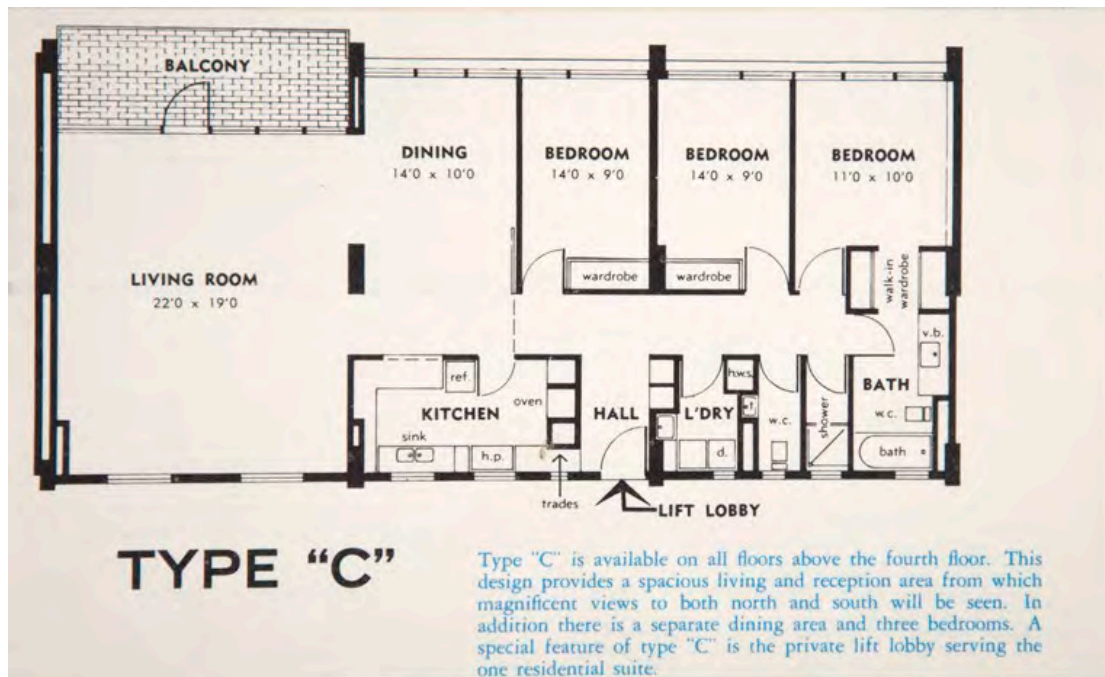
c. 1960, apartment interior depicted in Domain Park Residential Suites (brochure), Source: Miles Lewis, 'Australian Flats' illustrated lecture.



25 October 1961, detail from newspaper advert for 'residential suites' at Domain Park, Source: The Age



c.1962, construction underway with one of the service towers. Photographed by Mark Strizic. Source: State Library of Victoria.



c. 1960, floorplan of the 3-bedroom Type C apartment, Source: RMIT Design Archives



26 March 1963, newspaper advertisement, Source: The Age



c. 1963, view of foyer on completion of the building, photographed by Mark Stizic, Source: State Library of Victoria.



mid-1960s, north elevation of Domain Park Flats, photographed by Peter Wille, Source: State Library of Victoria.



c. 1967-75, north elevation, photographed by John T Collins, Source: State Library of Victoria.



c. 1963, south elevation, viewed from Leopold Street, photographed by Mark Strizic, Source: State Library of Victoria.



1967, aerial view of Domain Park Flats (red arrow), viewed from the north, photographed by Mark Strizic. BP House, a sizable commercial building on St Kilda Road completed in 1965, is also visible on the right of the image. Source: State Library of Victoria.

Further information

Registered Aboriginal Party information

Domain Park Flats is located on Bunurong Country.

Under the *Aboriginal Heritage Act 2006*, the Registered Aboriginal Party for this land is the Bunurong Land Council Aboriginal Corporation.

Victorian Aboriginal Heritage Register

The place is not included in the Victorian Aboriginal Heritage Register and is not located within an area of Aboriginal cultural heritage sensitivity.

(24 March 2026)

Integrity

Overall, the integrity of the place is excellent. The cultural heritage values of Domain Park Flats can be easily read in the physical fabric of the place.

The external appearance of all elevations has been carefully maintained by its owners and custodians to reflect the original design. The ongoing use of a restrained colour and materials palette is clearly evident. The fenestration has been carefully controlled to maintain the original pattern. No balconies have been enclosed, unlike those in comparable apartment buildings constructed in the same era.

Internally, the foyer retains its original features, and major efforts have been made in recent times to restore its original appearance.

Within apartments, there has been a greater degree of change. This includes the alteration of internal room layouts and modern internal fit-outs in most apartments. Some apartments have been combined, and others have had internal walls removed to create studio apartments. Apartment lift lobbies are managed by apartment owners and exhibit a variety of treatments and decoration.

The recent landscaping on Domain Road complements the place's heritage values.

(24 March 2026)

Intactness

Overall, the intactness of the place is very good.

Externally, the original form and scale of the apartment building remain intact, as does its setting within the site. Original design and materials are evident to all elevations. Where original physical fabric, such as glazing, has been replaced, this has been done sympathetically.

Internally, the foyer retains significant original features such as walnut joinery and signage. Lift cars retain timber joinery.

Within individual apartments and apartment lift lobbies, examples of the original layout and original physical fabric appear to be more limited.

(24 March 2026)

Condition

The condition of Domain Park Flats is excellent. It is well managed and cared for by its owners and custodians. There is evidence of deterioration in some areas, such as concrete corrosion, which is to be expected in a building of its age.

(24 March 2026)

Note: The condition of a place or object does not influence the assessment of its cultural heritage significance. A place or object may be in very poor condition and still be of very high cultural heritage significance. Alternatively, a place or object may be in excellent condition but be of low cultural heritage significance.

Heritage Overlay

The place is included as an individual place in the Heritage Overlay of the Melbourne planning scheme as HO1404 (Domain Park).

Other relevant planning scheme overlays

The place is also subject to a Design and Development Overlay (DDO15).

Other Listings

The place is included in the Australian Institute of Architects (AIA) (Victorian Chapter) Register of Twentieth Century Buildings. In 2015, it received the AIA (Victorian Chapter) Enduring Architecture Award.

Other Names

Domain Park

Domain Park Towers

Domain Park Residential Suites

Date of construction/creation

1960–62

Architect

Grounds, Romberg and Boyd (with Robin Boyd as leading architect)

Architectural style

Mid-Twentieth Century (1940-60) Modernist

Statutory requirements under section 40

Terms of the recommendation (section 40(3)(a))

The Executive Director recommends that Domain Park Flats is included in the VHR.

Information to identify the place or object or land (section 40(3)(b))

Number: VHR H2473

Category: Registered place

Name: Domain Park Flats

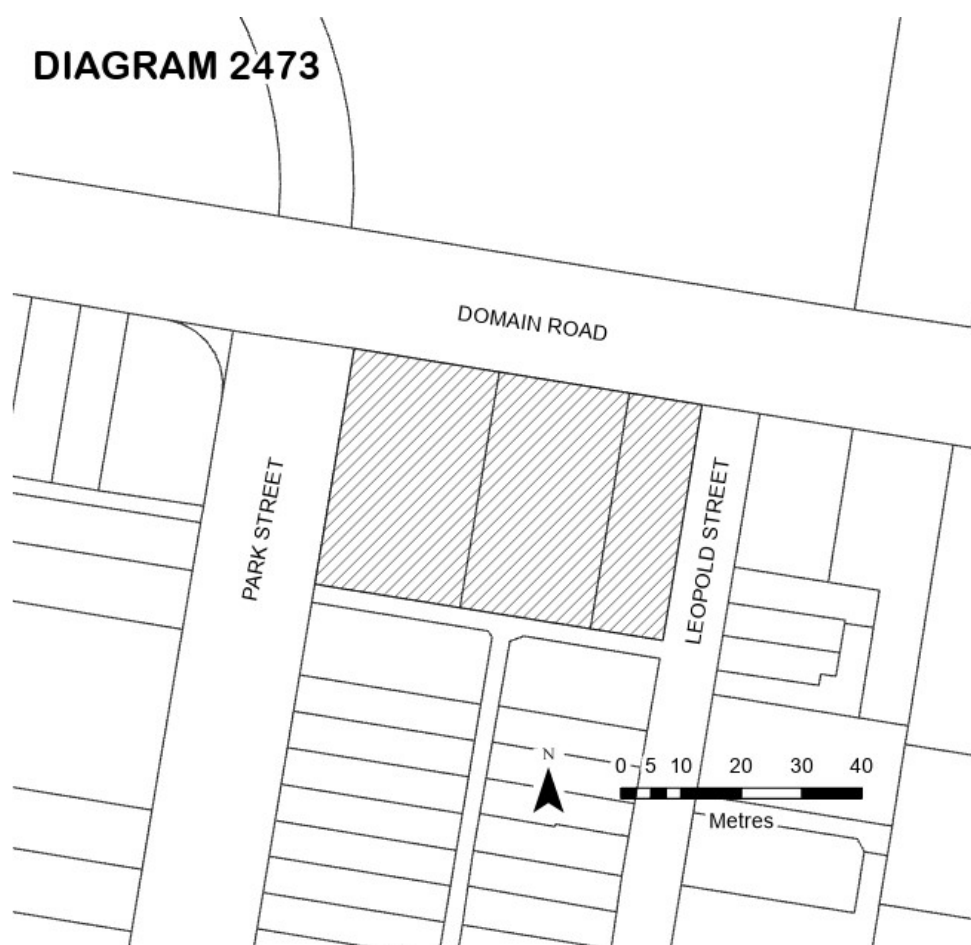
Location: 193 Domain Road South Yarra

Municipality: Melbourne City

Proposed extent of registration

The Executive Director recommends that the extent of registration for Domain Park Flats be gazetted as:

All of the place shown hatched on Diagram 2473 encompassing all of Lot 1 on Title Plan 816655, Lot 1 on Title Plan 816593 and Lot 1 on Title Plan 816649.



Non-statutory information about the proposed extent of registration

Aerial photo of the place showing proposed extent of registration



Note: This aerial view provides a visual representation of the place. It is not a precise representation of the recommended extent of registration. Due to distortions associated with aerial photography, some elements of the place may appear as though they are outside the extent of registration.

Rationale for the proposed extent of registration

The recommended extent of registration comprises all of the apartment building (exterior and interiors), the basement car park and podium car park, and surrounding hard and soft landscaping. It includes the three land parcels on which all these elements are located.

The recommended extent of the registration is the same as the nominated extent of registration.

It should be noted that everything included in the proposed extent of registration, including all of the land, all soft and hard landscape features, plantings, all buildings (exteriors, interiors and fixtures) is proposed for inclusion in the VHR. A permit or permit exemption from Heritage Victoria is required for any works within the proposed extent of registration, apart from those identified in the categories of works or activities in this recommendation (general and specific permit exemptions).

Reasons for the recommendation, including an assessment of the State-level cultural heritage significance of the place (section 40(3)(c))

Following is the Executive Director's assessment of Domain Park Flats against the tests set out in [The Victorian Heritage Register Criteria and Thresholds Guidelines \(2022\)](#). A place or object must be found by the Heritage Council to meet Step 2 of at least one criterion to meet the State level threshold for inclusion in the VHR.

CRITERION A: Importance to the course, or pattern, of Victoria's cultural history.

Step 1 Test for Criterion A

No.	Test	Yes/No	Reason
A1)	Does the place/object have a clear association with an event, phase, period, process, function, movement, custom or way of life in Victoria's cultural history?	Yes	The place has a clear association with the emergence of high-rise apartment living in the 1960s.
A2)	Is the event, phase, period, process, function, movement, custom or way of life of historical importance, having made a strong or influential contribution to Victoria?	Yes	<p>This phase is historically significant, having made a strong and influential contribution to Victoria.</p> <p>Residential flats had been a feature of Melbourne since the early twentieth century and took a range of forms. Around 1960, a new typology emerged – the high-rise residential building. These typically took the form of towers and were more than eight storeys in height. They featured modern features and conveniences such as open plans, car parking, air conditioning and elevators.</p> <p>Their emergence signalled the exploration of new forms of residential architecture and modern ways of living. High-rise apartment buildings have since become a defining feature of central Melbourne and beyond.</p>
A3)	Is there evidence of the association to the event, phase, period, process, function, movement, custom or way of life in Victoria's cultural history?	Yes	There is evidence of the association between the place and the historical phase. Domain Park Flats is a high-rise residential building completed in 1962.

If A1, A2 and A3 are all satisfied, then Criterion A is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	Yes	Criterion A is likely to be relevant.
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Step 2 State-level test for Criterion A

No.	Test	Yes/No	Reason
SA1)	Does the place/object allow the clear association with the event, phase, period, process, function, movement, custom or way of life of historical importance to be understood better than most other places or objects in	Yes	Domain Park Flats allows the association with the phase to be better understood than other places in Victoria with substantially the same association. It is one of the first high-rise residential buildings to be completed in Melbourne and was among the tallest for much of the 1960s. It was designed by Robin Boyd, a prominent Modernist architect with an interest in urban planning and

Victoria with substantially the same association?

higher-density living. Its restrained design clearly reflects the era of its construction. It was marketed to well-heeled buyers seeking a convenient, modern lifestyle. It has a degree of intactness and integrity that enables its historical associations to be well understood.

If SA1 is satisfied, then Criterion A is likely to be relevant at the State level

Executive Director's Response: Yes Criterion A is likely to be relevant at the State level.

CRITERION B: Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

Step 1 Test for Criterion B

No.	Test	Yes/No	Reason
B1)	Does the place/object have a clear association with an event, phase, period, process, function, movement, custom or way of life of importance in Victoria's cultural history?	Yes	The place has a clear association with the emergence of high-rise apartment living in the 1960s, as above at A1.
B2)	Is there evidence of the association to the historical phases etc identified at B1)?	Yes	There is evidence of the association, as above at A3.
B3)	Is there evidence that place/object is rare or uncommon, <u>or</u> has rare or uncommon features?	No	There is no evidence that the place is rare or uncommon, or has rare or uncommon features.

If B1, B2 AND B3 are satisfied, then Criterion B is likely to be relevant (but not necessarily at the State level)

Executive Director's Response: No Criterion B is not likely to be relevant.

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

Step 1 Test for Criterion C

No.	Test	Yes/No	Reason
C1)	Does physical fabric and/or documentary evidence and/or associated oral history or cultural narratives relating to the place/object indicate a likelihood that the place/object contains evidence of cultural heritage significance that is not currently visible and/or well understood or available from other sources?	No	There is no indication of a likelihood of evidence of cultural heritage significance relating to the place that is not currently visible and/or well understood or available from other sources.

C2)	And, from what we know of the place/object, is the physical evidence likely to be of an integrity and/or condition that it could yield information through detailed investigation?	N/A
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If **both C1 AND C2** are satisfied, then **Criterion C** is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	No	Criterion C is not likely to be relevant.
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CRITERION D: Importance in demonstrating the principal characteristics of a class of cultural places and objects

Step 1 Test for Criterion D

No.	Test	Yes/No	Reason
D1)	Is the place/object one of a class of places/objects that has a clear association with an event, phase, period, process, function, movement, custom or way of life in Victoria's history?	Yes	Domain Park Flats belongs to the class of high-rise residential building. This class has a clear association with the emergence of high-rise apartment living, as described at Criterion A.
D2)	Is the event, phase, period, process, function, movement, custom or way of life of historical importance, having made a strong or influential contribution to Victoria?	Yes	This phase has made a strong and influential contribution to Victoria, as described at Criterion A.
D3)	Are the principal characteristics of the class evident in the physical fabric of the place/object?	Yes	The principal characteristics of the class are evident in the physical fabric of the place. They include: <ul style="list-style-type: none"> • Inner-urban location • A residential building of over 8-storeys • Individual apartments • Shared common areas • Private balconies • Lifts, car parking and air conditioning

If **D1, D2 AND D3** are satisfied, then **Criterion D** is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	Yes	Criterion D is likely to be relevant.
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Step 2 State-level test for Criterion D

No.	Test	Yes/No	Reason
SD1)	Is the place/object a notable (fine, influential or pivotal) example of the class in Victoria?	Yes	<p>Domain Park Flats is a notable example of the class of high-rise residential building.</p> <p>Completed in 1962, it is historically relevant as an early example of the class and one of Melbourne's first high-rise residential buildings. It was one of the tallest residential buildings in Victoria for much of the 1960s. It remains a prominent building in the urban landscape and enables the class to be readily understood.</p> <p>It is distinguished by its Modernist design by leading architect Robin Boyd and exhibits particularly fine design characteristics. These include its simple geometric forms, abstract composition of the facades, visible structure, lack of ornament and restricted material and colour palette. These have been carefully maintained by owners, and the building has a level of integrity and intactness that enables its fine design characteristics and 1960s origins to be appreciated. Its siting and the narrow depth of the building, which allows all apartments to enjoy a north and south aspect, reflect Boyd's spatial concerns.</p>

If SD1 is satisfied, then Criterion D is likely to be relevant at the State level

Executive Director's Response:	Yes	Criterion D is likely to be relevant at the State level.
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CRITERION E: Importance in exhibiting particular aesthetic characteristics.

Step 1 Test for Criterion E

No.	Test	Yes/No	Reason
E1)	Does the physical fabric of the place/object clearly exhibit particular aesthetic characteristics?	Yes	The physical fabric of the place clearly exhibits particular aesthetic characteristics associated with Modernist architecture in its simple geometric forms, grid-like appearance, highlighting of the building's structure and services, the visual interest of the arrangement of windows, balconies and spandrels on its north and south elevations.

If E1 is satisfied, then Criterion E is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	Yes	Criterion E is likely to be relevant.
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Step 2 State-level test for Criterion E

No.	Test	Yes/No	Reason
SE1)	<p>Are the aesthetic characteristics 'beyond the ordinary' or are outstanding as demonstrated by:</p> <ul style="list-style-type: none">• Evidence from within the relevant discipline (architecture, art, design or equivalent); and/or• Critical recognition of the aesthetic characteristics of the place/object within a relevant art, design, architectural or related discipline within Victoria; and/or• Wide public acknowledgement of exceptional aesthetic qualities of the place/object in Victoria expressed in publications, print or digital media, painting, sculpture, songs, poetry, literature, or other media?	Yes	<p>There is evidence that the aesthetic characteristics at the place are 'beyond the ordinary' or are outstanding.</p> <p>Although the building's reception was somewhat mixed at the time of its completion, it has since been celebrated as a quintessential example of Modernist aesthetics in Victoria. Its restrained design represents the confident approach of a leading architect. It has appeared in numerous publications that focus on the building's aesthetic characteristics. It was awarded the Australian Institute of Architects (Victorian Chapter) Enduring Architecture award in 2015. It is often photographed and profiled online.</p>

If SE1 is satisfied, then Criterion E is likely to be relevant at the State level

Executive Director's Response: Yes Criterion E is likely to be relevant at the State level.

CRITERION F: Importance in demonstrating a high degree of creative or technical achievement at a particular period.

Step 1 Test for Criterion F

No.	Test	Yes/No	Reason
F1)	Does the place/object contain physical evidence that clearly demonstrates creative or technical achievement for the time in which it was created?	No	<p>Domain Park Flats does not contain physical evidence that clearly demonstrates creative or technical achievement for the time in which it was created.</p> <p>It was an unusually tall residential building for the period but did not use unconventional building techniques or unusual engineering solutions in its construction.</p>
F2)	Does the physical evidence demonstrate a high degree of integrity?	N/A	

If both F1 and F2 are satisfied, then Criterion F is likely to be relevant (but not necessarily at the State level)

Executive Director's Response: No Criterion F is not likely to be relevant.

CRITERION G: Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons

Step 1 Test for Criterion G

No.	Test	Yes/No	Reason
G1)	Does the place/object demonstrate social value to a community or cultural group in the present day in the context of its cultural heritage significance? Evidence must be provided for all three facets of social value listed here:		
i)	Existence of a community or cultural group; <u>and</u>	Yes	There is evidence that a community or cultural group exists, being the community of owners and residents associated with the building.
ii)	Existence of a strong attachment of a community or cultural group to the place or object; <u>and</u>	Yes	There is evidence of a strong attachment between this community and Domain Park Flats in the present day. The building is well cared for and maintained by its owners, and many residents are interested in the building's history and architecture.
iii)	Existence of a time depth to that attachment.	Yes	There is evidence of the attachment dating to the completion of the building in 1962.

If all facets of G1 are satisfied, then Criterion G is likely to be relevant (but not necessarily at the State level)

Executive Director's Response: Yes Criterion G is likely to be relevant.

Step 2 State-level test for Criterion G

No.	Test	Yes/No	Reason
SG1)	Is there evidence that the social value resonates across the broader Victorian community as part of a story that contributes to Victoria's identity?	No	There is no evidence that the social value resonates across the broader Victorian community.

If all facets of SG1 are satisfied, then Criterion G is likely to be relevant at the State level

Executive Director's Response: No Criterion G is not likely to be relevant at the State level.

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

Step 1 Test for Criterion H

No.	Test	Yes/No	Reason
H1)	Does the place/object have a direct association with a person, or group of persons who has made a strong or	Yes	H1(i) There is a direct association between Domain Park Flats and its architects Grounds, Romberg and Boyd, specifically Robin Boyd.

	influential contribution in their field of endeavour?		H1(ii) Robin Boyd made a strong and influential contribution in his field.
H2)	Is there evidence of the association between the place/object and the person(s)?	Yes	There is evidence of the association between Domain Park Flats and Robin Boyd as the leading architect for the place.
H3)	Does the association relate: <ul style="list-style-type: none"> • directly to achievements of the person(s); <u>and</u> • to an enduring and/or close interaction between the person(s) and the place/object? 	Yes	H3(i) The association between Domain Park Flats and Robin Boyd relates directly to his achievements as an architect and commentator or issues of housing, design and urban density. H3(ii) The association relates to a close interaction between Robin Boyd, as architect of the place, and Domain Park Flats.

If all facets of H1, H2 AND H3 are satisfied, then Criterion H is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	Yes	Criterion H is likely to be relevant.
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Step 2 State-level test for Criterion H

No.	Test	Yes/No	Reason
SH1)	Are the life or works of the person/persons important to Victoria's history?	Yes	The life and works of Robin Boyd are important in Victoria's history. He was one of Victoria and Australia's leading Modernist architects and a high-profile and prolific writer and commentator on architecture, design, and urban planning. He shaped public opinion on these issues during his lifetime and subsequently.
SH2)	Does this place/object allow the association between the person or group of persons and their importance in Victoria's history to be readily appreciated better than most other places or objects in Victoria?	Yes	Domain Park Flats allows the association between Robin Boyd and his importance in Victoria's history to be readily appreciated more than most other places or objects in Victoria. Boyd designed a great number of buildings in Victoria, most of them houses. Many survive and are recognised in the VHR and in Heritage Overlays. Domain Park Flats is distinguished by being his only constructed high-rise residential building. Boyd's design for the building combined his appreciation of a number of architects and architectural movements, and an interest in increasing housing density around cities. The building was awarded the AIA Enduring Architecture Award and is Boyd's most prominent and visible work.

If SH1 and SH2 are satisfied, then Criterion H is likely to be relevant at the State level

Executive Director's Response:	Yes	Criterion H is likely to be relevant at the State level.
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Comparisons

Blocks of flats in the VHR

STANHILL

33-34 QUEENS ROAD, MELBOURNE, PORT PHILLIP CITY

VHR H1875

Stanhill is a nine-storey block of flats in South Melbourne, designed in an inter-war Functionalist style by renowned emigre architect Frederick Romberg. Considered to be the most impressive of his works, it was designed in 1942 but not completed until 1950. Stanhill is of historical significance for its ability to illustrate the high point of a cosmopolitan and metropolitan direction in urban dwelling styles in large Australian cities mid-century. Stanhill is a leading and innovative example of the few large scale and tall luxury flat developments built in the Melbourne in the mid twentieth century.



CARINGAL FLATS

3 TAHARA ROAD, TOORAK, STONNINGTON CITY

VHR H0579

Caringal Flats were designed in 1948 by the architect John William Rivett and constructed in 1951. The flats are in two parts. One block is long, curved and three storeys high with twelve flats. It faces walled courtyard gardens to the west. The other is a six-storey tower block comprising six flats which enjoy extensive views of the city. Caringal Flats are of architectural significance as innovative examples of the evolution of flat design in Melbourne.



CAIRO FLATS

98 NICHOLSON STREET AND 14 HANOVER STREET, FITZROY, YARRA CITY

VHR H1005

Cairo Flats, built in 1936 and designed by the architect Acheson Best Overend, is a two-storey, U-shaped building, comprising 28 bachelor flats. Cairo Flats is of architectural significance as an early example of the minimal flat type in Victoria. The building is an important example of the International Modern style and established a major break with conventional maisonette flat design. Cairo Flats is of historical significance for the insight it provides into changing lifestyles for single people in inter-war Melbourne. At the time of its construction, it provided an uncommon type of accommodation in Melbourne, and was important in the development of flats in Victoria.



NEWBURN FLATS

30 QUEENS ROAD, MELBOURNE, PORT PHILLIP CITY

VHR H0578

Newburn was designed in 1939 by Mary Turner Shaw and Frederick Romberg as an investment block of bachelor flats. The building was innovative stylistically and contrasted dramatically with the other flat development around it. Newburn is believed to be the first building to use off form concrete for its complete exterior.



High-rise residential buildings not in the VHR

EDGEWATER TOWERS

12 MARINE PARADE, ST KILDA, PORT PHILLIP CITY

HO510 in the Port Phillip Planning Scheme

Completed in 1961, Edgewater Towers is regarded as Victoria's first high-rise apartment block. Thirteen storeys, designed by post-war Jewish émigré architect Mordechai Benshemesh and promised a stylish, modern lifestyle. Alterations include the enclosure of some of the balconies to create additional space.



FAIRLIE FLATS

**54-60 ANDERSON STREET, SOUTH YARRA,
MELBOURNE CITY**

HO1402 in the Melbourne Planning Scheme

Fairlie is a nine-storey block of flats designed by Yuncken Freeman Brothers, Griffiths & Simpson and completed in 1961. It is historically significant as one of the earliest high-rise blocks of flats built in Melbourne, although Domain Park towers was/is almost twice the height. It is significant as an early example of the building type in Melbourne. The building was recently included in the Heritage Overlay of the Melbourne planning scheme.



PARK TOWER

**199-207 SPRING STREET, MELBOURNE, MELBOURNE
CITY**

HO1263 in the Melbourne Planning Scheme

The 20-storey Park Tower on Spring Street on the edge of the Hoddle Grid was designed by Viennese-born architect Kurt Popper and completed in 1969. It was recently included in the Heritage Overlay of the Melbourne Planning Scheme. Park Tower is historically significant as one of the first wave of high-rise residential apartments constructed in the Melbourne CBD from the late 1960s, and before the introduction of a Victorian government policy in 1971 that directed where growth in Melbourne's housing supply could take place. Park Tower is an important early example of a new building typology that emerged in the CBD in the late 1960s and early 1970s – the modern high-rise residential apartment building.



TREASURY GATE

**93-101 SPRING STREET, MELBOURNE, MELBOURNE
CITY**

HO1262 in the Melbourne Planning Scheme

Treasury Gate at 93-101 Spring Street, Melbourne, built in 1971 to a design by architectural firm Moore and Hamond Pty Ltd. It was recently included in the Heritage Overlay of the Melbourne Planning Scheme. It is historically significant within the City of Melbourne as one of the first wave of high-rise residential apartments constructed in the Melbourne CBD from the late 1960s. It is a notable example within the City of Melbourne of a new building typology that emerged in the late 1960s and early 1970s – the modern high-rise residential apartment building.



EMERALD HILL COURT ESTATE (1962)

200 DORCAS STREET, SOUTH MELBOURNE, CITY OF PORT PHILLIP

The 16-storey slip-form reinforced concrete tower in South Melbourne was a milestone for the Housing Commission as it was the first high-rise it constructed. It was completed in 1962 to a British design and was conceived as a tower in a mixed-estate setting, co-located with walk-ups that have now been demolished. It is the only 'corridor access' type high-rise built by the Commission.



PARK TOWERS

332 PARK STREET, SOUTH MELBOURNE, PORT PHILLIP CITY

The place is a significant place within Heritage Overlay HO440 'Emerald Hill Residential Precinct' within the Port Philip Planning Scheme.

Park Towers was designed and constructed by the Housing Commission of Victoria and opened in 1969 for public housing purposes on land cleared in response to its 'slum reclamation' policy is significant to Victoria. At 31-storeys high, Park Towers was the tallest of all the Commission high-rises and was built on a 'slum' reclamation area Park Towers is the most iconic and widely recognisable of the Commission's developments, the tallest, and is the most architecturally accomplished. At the time of its completion, it was one of the tallest pre-cast concrete structures in the world, and the tallest residential tower in Melbourne.



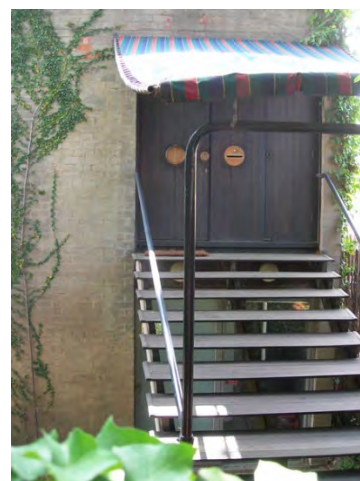
Buildings designed by Robin Boyd in the VHR

ROBIN BOYD HOUSE II

290 WALSH STREET SOUTH YARRA, MELBOURNE CITY

H2105

The Robin Boyd II House is of architectural and historical significance to Victoria. Boyd built the house for his family on a narrow, sloping block of land in 1958. The house features open plan living areas, courtyards, and an 'introverted' orientation. Robin Boyd II House is of architectural significance as one of the most innovative houses built in Victoria in the post-war decades and as one of the most important houses designed by Boyd.



BAKER HOUSE

**305-307 LONG FOREST ROAD LONG FOREST,
MOORABOOL SHIRE**

H2118

The Baker House comprises a group of three buildings and is of architectural significance to the State of Victoria. Michael and Rosemary Baker commissioned Robin Boyd to design the house in 1964 on a bush block near Bacchus Marsh. It comprises a group of buildings, some designed by Boyd and others by Roy Grounds. The two buildings designed by Boyd, the Baker and the Dower house, are particularly innovative examples of the architect's work.



CLEMSON HOUSE

24 MILFAY AVENUE KEW, BOROONDARA CITY

H2006

The Clemson House is of architectural significance to the State of Victoria. It was designed by Boyd for the Clemson family and was constructed in 1959-60. The house clearly reflects some of the major design themes of Boyd's work, including the strong controlling idea of the dwelling stepped down under a single sloping V roof, the clear expression of structure in the scissor frames, and the specificity of the solution to the steep bush block and the clients' living requirements.



CTESIPHON CONCRETE SUPERMARKET AND RESIDENCE

1 CLEVELAND ROAD ASHWOOD, MONASH CITY

H1377

The supermarket and residence at Ashwood are of architectural and historical significance to the State of Victoria. This design was unique in that it proposed a monolithic method of concrete construction. By using this ctesiphon system of construction, walls and roof would be formed as one self supporting unit. It is an unusual example of experimental building systems in the era.



Summary of Comparisons

Of those blocks of flats included in the VHR, Domain Park Flats is the most comparable with Stanhill Flats. Completed in 1950, Stanhill is at this point the only example constructed in the post-war period to be included in the VHR (although it was designed in the 1940s). Designed by another leading Modernist architect and contemporary of Boyd's, Frederick Romberg, it is of comparable significance for demonstrating shifting attitudes toward high-density living in the same period. Domain Park Flats is distinguished by its ability to demonstrate the introduction of high-rise residential towers to Melbourne, and Victoria, in the early 1960s. Along with Edgewater Towers and Fairlea, which have been recognised in Heritage Overlays, it is amongst the earliest examples in the State, and is distinctive for its height and quintessential Modernist design approach. Other examples of high-rise residential buildings, such as Park Tower on Spring Street in Melbourne, followed later in the 1960s and 1970s and Domain Park Flats can therefore be considered a pioneering example of the type. The Housing Commission of Victoria towers constructed during the 1960s and into the 1970s provide important context for comparable private developments and demonstrate the impact of this historical phase.

Several buildings designed by Robin Boyd are included in the VHR. This reflects his status as one of Victoria's leading Modernist architects and commentators. Some, such as the ctesiphon concrete supermarket, represent his early interest in experimental building systems. Others, such as Baker House, reflect his later career work and expanded influences and interests. Domain Park Flats is his only high-rise residential building project to be constructed, and is distinctive in this regard. Although he designed a great number of residences, many of them are small-scale detached houses. Domain Park Flats is his most visible work in Victoria and enables his achievements and interests to be well understood.

Summary of cultural heritage significance (section 40(4))

Statement of significance

Domain Park Flats is located on Bunurong Country.

What is significant?

The Domain Park Flats is a 20-storey, Modernist high-rise residential building designed by Robin Boyd and constructed 1960–62.

How is it significant?

Domain Park Flats is of historical, architectural and aesthetic significance to the State of Victoria. It satisfies the following criterion for inclusion in the Victorian Heritage Register:

Criterion A

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

Criterion D

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

Criterion E

Importance in exhibiting particular aesthetic characteristics.

Criterion H

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

Why is it significant?

Domain Park Flats is historically significant as one of the earliest high-rise residential buildings constructed in Victoria. Conceived in 1959 and completed in 1962, it was a pioneering example of its type. It is emblematic of the exploration of new forms of residential architecture and modern ways of living that gathered pace during the 1960s and 1970s. [Criterion A]

Domain Park Flats is a notable example of a high-rise residential building, and an aesthetically significant example of Modernist architecture in Victoria. Constructed to a design by leading architect Robin Boyd, it is distinguished by its particularly fine design characteristics, including its geometric forms, the abstract composition of its facades, lack of ornament, and a restricted material and colour palette. As an early example of a high-rise apartment building in a Modernist style, and the tallest residential building in Victoria at the time of completion, it embodies a key moment in Victoria's architectural history. Its siting and narrow depth allow all apartments to enjoy both north and south aspects, reflecting Modernist spatial concerns. Its aesthetic characteristics have received recognition and acclaim from within the architectural profession and beyond. [Criterion D & E]

Domain Park Flats is significant for its association with eminent architect, writer and commentator Robin Boyd. It is the only built example of a high-rise residential building designed by Boyd, who maintained an interest in the form. The design synthesised Boyd's diverse interests in the work of other architects and international architectural movements. The building was awarded the Australian Institute of Architects (Victorian Chapter) Enduring Architecture award in 2015 and is one of Boyd's most visually prominent buildings and most published projects. [Criterion H]

Recommended permit exemptions under section 38

Introduction

A [heritage permit](#) is required for all works and activities undertaken in relation to VHR places and objects. Certain works and activities are [exempt from a heritage permit](#), if the proposed works will not harm the cultural heritage significance of the heritage place or object.

Permit Policy

At the time of writing in early 2026, a Conservation Management Plan (CMP) for the place had been commissioned. Heritage Victoria supports the preparation of CMP to assist in the management of the place in keeping with its heritage values.

Permit Exemptions

General Permit Exemptions

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

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

Subdivision/consolidation: Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act 1987* and the application for the planning permit was referred to the Executive Director as a determining referral authority, a permit is not required.

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

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

Specific Permit Exemptions

The works and activities listed below under the heading 'Exempt works and activities' are not considered to cause harm to the cultural heritage significance of Domain Park Flats. These are subject to the following guidelines and conditions:

Guidelines for specific permit exemptions

1. Where there is an inconsistency between permit exemptions specific to the registered place or object ('specific exemptions') established in accordance with either section 49(3) or section 92(3) of the Act and general exemptions established in accordance with section 92(1) of the Act specific exemptions will prevail to the extent of any inconsistency.
2. In specific exemptions, words have the same meaning as in the Act, unless otherwise indicated. Where there is an inconsistency between specific exemptions and the Act, the Act will prevail to the extent of any inconsistency.
3. Nothing in specific exemptions obviates the responsibility of a proponent to obtain the consent of the owner of the registered place or object, or if the registered place or object is situated on Crown Land the land manager as defined in the *Crown Land (Reserves) Act 1978*, prior to undertaking works or activities in accordance with specific exemptions.
4. If a Cultural Heritage Management Plan in accordance with the *Aboriginal Heritage Act 2006* is required for works covered by specific exemptions, specific exemptions will apply only if the Cultural Heritage Management Plan has been approved prior to works or activities commencing. Where there is an inconsistency between specific exemptions and a Cultural Heritage Management Plan for the relevant works and activities, Heritage Victoria must be contacted for advice on the appropriate approval pathway.
5. Specific exemptions do not constitute approvals, authorisations or exemptions under any other legislation, Local Government, State Government or Commonwealth Government requirements, including but not limited to the *Planning and Environment Act 1987*, the *Aboriginal Heritage Act 2006*, and the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). Nothing in this declaration exempts owners or their agents from the responsibility to obtain relevant planning, building or environmental approvals from the responsible authority where applicable.
6. Care should be taken when working with heritage buildings and objects, as historic fabric may contain dangerous and poisonous materials (for example lead paint and asbestos). Appropriate personal protective equipment should be worn at all times. If you are unsure, seek advice from a qualified heritage architect, heritage consultant or local Council heritage advisor.
7. The presence of unsafe materials (for example asbestos, lead paint etc) at a registered place or object does not automatically exempt remedial works

or activities in accordance with this category. Approvals under Part 5 of the Act must be obtained to undertake works or activities that are not expressly exempted by the below specific exemptions.

8. All works should be informed by a Conservation Management Plan prepared for the place or object. The Executive Director is not bound by any Conservation Management Plan and permits still must be obtained for works suggested in any Conservation Management Plan.

General conditions for specific permit exemptions

1. All works or activities permitted under specific exemptions must be planned and carried out in a manner which prevents harm to the registered place or object. Harm includes moving, removing or damaging any part of the registered place or object that contributes to its cultural heritage significance.
2. If during the carrying out of works or activities in accordance with specific exemptions original or previously hidden or inaccessible details of the registered place are revealed relating to its cultural heritage significance, including but not limited to historical archaeological remains, such as features, deposits or artefacts, then works must cease and Heritage Victoria notified as soon as possible.
3. If during the carrying out of works or activities in accordance with specific exemptions any Aboriginal cultural heritage is discovered or exposed at any time, all works must cease and the Secretary (as defined in the *Aboriginal Heritage Act 2006*) must be contacted immediately to ascertain requirements under the *Aboriginal Heritage Act 2006*.
4. If during the carrying out of works or activities in accordance with specific exemptions any munitions or other potentially explosive artefacts are discovered, Victoria Police is to be immediately alerted and the site is to be immediately cleared of all personnel.
5. If during the carrying out of works or activities in accordance with specific exemptions any suspected human remains are found the works or activities must cease. The remains must be left in place and protected from harm or damage. Victoria Police and the State Coroner's Office must be notified immediately. If there are reasonable grounds to believe that the remains are Aboriginal, the State Emergency Control Centre must be immediately notified on 1300 888 544, and, as required under s.17(3)(b) of the *Aboriginal Heritage Act 2006*, all details about the location and nature of the human remains must be provided to the Aboriginal Heritage Council (as defined in the *Aboriginal Heritage Act 2006*).

Exempt works and activities

Building Exterior

1. Maintenance and repairs which replace like with like, or use similar materials that maintain the building's existing external appearance.
2. Repair and removal of extraneous items such as duct work, pipe work, wiring, aerials and modern signage and the like, and replacement where required, provided it is in the same location.
3. Replacement of doors, door frames, window frames and glass where it is consistent in colour and form with the existing.
4. Replacement of tiles and drain covers on balconies provided that balconies are fully waterproofed and water can drain freely out of the drains.
5. Installation of heating and cooling units provided they are located on balconies and are no higher than the balustrade railing.
6. Removal of graffiti.
7. All works to the roof (including installation of solar panels), provided they do not change the appearance of the building from street level.

Building interior

Basement

8. All works within the basement that do not compromise the structure of the building.

Service towers

9. All works within service towers (including the lift mechanism but not the interior of lift cars).
10. All works to the roofs of service towers, provided they do not change the appearance of the building from street level.

Lift cars interior

11. Maintenance and repairs that replace like with like, or use similar materials that maintain the existing appearance.

Ground floor foyer

12. Maintenance and repairs that replace like with like, or use similar materials that maintain the existing appearance.
13. Works to provide and maintain electrical, plumbing and fire services.

Other common areas (not including the Ground floor foyer)

14. Maintenance, repairs and minor works that do not alter original fabric or fixtures.
15. Works to provide and maintain electrical, plumbing and fire services.

Apartments

16. All works and alterations within individual apartments that do not impact concrete columns or concrete floorplates, or alter the external appearance of the building.

Apartment lift lobbies

17. All alterations within apartment lift lobbies that do not impact concrete columns, concrete floorplates or the brick wall between the lift lobby and apartment.
18. Minor works to the brick wall, such as widening of the doorway and installation of grab bars, to improve the accessibility of apartments.
19. Works to provide and maintain electrical, plumbing and fire services, including where this involves modifications to the brick wall.

Landscape and surrounds

20. Gardening works and activities, such as removal and installation of plants, pots, planters, trees, soil and the like.
21. Maintenance and repairs to all hard landscaping elements. Where works are visible, they must replace like with like, or use modern materials that maintain the existing appearance.
22. Installation, maintenance, and repair of waterproofing materials and treatments that protect built fabric from landscaped areas.
23. Resurfacing of podium car park.
24. Repair, removal and installation of items to the podium car park and basement car park driveways for traffic and personal safety, such as fencing, signage, gates, lighting, CCTV and the like.
25. All subsurface works provided surface treatment is reinstated or repaired in a manner that replaces like with like, or uses modern materials that maintain the existing appearance.
26. Removal of graffiti.

Appendix 1: Important information for owners and interested parties

Heritage Council determination (section 49)

The Heritage Council is an independent statutory body that will make a determination on this recommendation under section 49 of the Act. It will consider the recommendation after a period of 60 days from the date the notice of recommendation is published on its [website](#) under section 41.

Making a submission to the Heritage Council (section 44)

Within the period of 60 days, any person or body with a real and substantial interest in the place or object may make a submission to the Heritage Council regarding the recommendation and request a hearing in relation to that submission. Information about making a submission and submission forms are available on the [Heritage Council's website](#). The owner can also make a submission about proposed permit exemptions (Section 40(4)(d)).

Consideration of submissions to the Heritage Council (section 46)

(1) The Heritage Council must consider—

- (a) any written submission made to it under section 44; and
- (b) any further information provided to the Heritage Council in response to a request under section 45.

Conduct of hearings by Heritage Council in relation to a recommendation (section 46A)

(1) The Heritage Council may conduct a hearing in relation to a recommendation under section 37, 38 or 39 in any circumstances that the Heritage Council considers appropriate.

(2) The Heritage Council must conduct a hearing if—

- (a) a submission made to it under section 44 includes a request for a hearing before the Heritage Council; and
- (b) the submission is made by a person or body with a real or substantial interest in the place, object or land that is the subject of the submission.

Determinations of the Heritage Council (section 49)

(1) After considering a recommendation that a place, object or land should or should not be included in the Heritage Register and any submissions in respect of the recommendation and conducting any hearing, the Heritage Council may—

- (a) determine that the place or object is of State-level cultural heritage significance and is to be included in the Heritage Register; or
- (ab) in the case of a place, determine that—
 - (i) part of the place is of State-level cultural heritage significance and is to be included in the Heritage Register; and
 - (ii) part of the place is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or
- (ac) in the case of an object, determine that—
 - (i) part of the object is of State-level cultural heritage significance and is to be included in the Heritage Register; and
 - (ii) part of the object is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or
- (b) determine that the place or object is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or

- (c) in the case of a recommendation in respect of a place, determine that the place or part of the place is not to be included in the Heritage Register but—
 - (i) refer the recommendation and any submissions to the relevant planning authority or the Minister administering the Planning and Environment Act 1987 to consider the inclusion of the place or part of the place in a planning scheme in accordance with the objectives set out in section 4(1)(d) of that Act; or
 - (ii) determine that it is more appropriate for steps to be taken under the Planning and Environment Act 1987 or by any other means to protect or conserve the place or part of the place; or
 - (ca) in the case of a recommendation in respect of an object nominated under section 27A, determine that the object, or part of the object, is to be included in the Heritage Register if it is integral to understanding the cultural heritage significance of a registered place or a place the Heritage Council has determined to be included in the Heritage Register; or
 - (d) in the case of a recommendation in respect of additional land nominated under section 27B, determine that the additional land, or any part of the additional land, is to be included in the Heritage Register if—
 - (i) the State-level cultural heritage significance of the place, or part of the place, would be substantially less if the additional land or any part of the additional land which is or has been used in conjunction with the place were developed; or
 - (ii) the additional land or any part of the additional land surrounding the place, or part of the place, is important to the protection or conservation of the place or contributes to the understanding of the place.
- (2) The Heritage Council must make a determination under subsection (1)—
- (a) within 40 days after the date on which written submissions may be made under section 44; or
 - (b) if any hearing is conducted, within 90 days after the completion of the hearing.
- (3) A determination made under subsection (1)(a), (ab), (ac), (ca) or (d)—
- (a) may include categories of works or activities which may be carried out in relation to a place, object or land, or part of a place, object or land, for which a permit under this Act is not required, if the Heritage Council considers that the works or activities would not harm the cultural heritage significance of the place, object or land; and
 - (b) must include a statement of the reasons for the making of the determination.
- (4) If the Heritage Council determines to include a place, or part of a place, in the Heritage Register, the Heritage Council may also determine to include land that is not the subject of a nomination under section 27B in the Heritage Register as part of the place if—
- (a) the land is ancillary to the place; and
 - (b) the person who owns the place, or part of the place—
 - (i) is the owner of the land; and
 - (ii) consents to its inclusion.
- (5) If a member of the Heritage Council makes a submission under section 44 in respect of a recommendation, the member must not take part in the consideration or determination of the Heritage Council.
- (6) The Heritage Council must notify the Executive Director of any determination under this section as soon as practicable after the determination.

Obligations of owners (section 42, 42A, 42B, 42C, 42D)

42 Obligations of owners—to advise of works, permits etc. on foot when statement of recommendation given

- (1) The owner of a place, object or land to whom a statement of recommendation has been given must advise the Executive Director in writing of—

- (a) any works or activities that are being carried out in relation to the place, object or land at the time the statement is given; and
- (b) if the place, object or land is a place or additional land, any application for a planning permit or a building permit, or any application for an amendment to a planning permit or a building permit, that has been made in relation to the place or additional land but not determined at the time the statement is given; and
- (c) any works or activities that are proposed to be carried out in relation to the place, object or land at the time the statement is given.

(2) An advice under subsection (1) must be given within 10 days after the statement of recommendation is given under section 40.

42A Obligations of owners before determination or inclusion in the Heritage Register—to advise of permits

(1) This section applies if—

- (a) an owner of any of the following is given a statement of recommendation—
 - (i) a place or object nominated under section 27;
 - (ii) an object nominated under section 27A;
 - (iii) land nominated under section 27B; and
- (b) any of the following occurs within the statement of recommendation period in relation to the place, object or land—
 - (i) the making of an application for a planning permit or a building permit;
 - (ii) the making of an application for an amendment to a planning permit or a building permit;
 - (iii) the grant of a planning permit or building permit;
 - (iv) the grant of an amendment to a planning permit or building permit.

(2) The owner must advise the Executive Director in writing of—

- (a) the making of an application referred to in subsection (1)(b)(i) or (ii), within 10 days of the making of the application; or
- (b) a grant referred to in subsection (1)(b)(iii) or (iv), within 10 days of the owner becoming aware of the grant.

42B Obligations of owners before determination or inclusion in the Heritage Register—to advise of activities

(1) This section applies if—

- (a) an owner of a place, object or land is given a statement of recommendation; and
- (b) within the statement of recommendation period it is proposed that activities that could harm the place, object or land be carried out.

(2) The owner, not less than 10 days before carrying out the activities, must advise the Executive Director in writing of the proposal to do so.

42C Obligations of owners before determination or inclusion in the Heritage Register—to advise of proposal to dispose

(1) This section applies if—

- (a) an owner of a place, object or land is given a statement of recommendation; and
- (b) within the statement of recommendation period a proposal is made to dispose of the whole or any part of the place, object or land.

(2) The owner, within 10 days after entering into an agreement, arrangement or understanding for the disposal of the whole or any part of the place, object or land, must advise the Executive Director in writing of the proposal to do so.

42D Obligations of owners before determination or inclusion in the Heritage Register—requirement to give statement to purchaser

(1) This section applies if—

- (a) an owner of a place, object or land is given a statement of recommendation; and
- (b) the owner proposes to dispose of the whole or any part of the place, object or land within the statement of recommendation period.

(2) Before entering into an agreement, arrangement or understanding to dispose of the whole or any part of the place, object or land during the statement of recommendation period, the owner must give a copy of the statement of recommendation to the person who, under the proposed agreement, arrangement or understanding, is to acquire the place, object or land or part of the place, object or land.

Owners of places and objects must comply with obligations (section 43)

An owner of a place, object or land who is subject to an obligation under section 42, 42A, 42B, 42C or 42D must comply with that obligation.

Penalty: In the case of a natural person, 120 penalty units;
 In the case of a body corporate, 240 penalty units.