

## Heritage Council Determination

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|----------------------------------|--------------------------------------------------------------------------------------------------|
| Determination date               | 6 August 2026                                                                                    |
| Place/Object name                | Domain Park Flats                                                                                |
| Location                         | 193 Domain Road, South Yarra, Melbourne City, Bunurong Country                                   |
| VHR number                       | H2473                                                                                            |
| Category                         | Registered Place                                                                                 |
| Relevant legislative provision/s | Inclusion in the Heritage Register, pursuant to section 49(1)(a) of the <i>Heritage Act 2017</i> |

### Determination of the Heritage Council

The Heritage Council of Victoria determined on **6 August 2026**, in accordance with section 49(1)(a) of the *Heritage Act 2017*, that the above place is to be included in the Heritage Register in the category of Registered Place.

The Heritage Council also determined to:

- Include categories of works or activities which may be carried out in relation to the place for which a permit is not required (specific permit exemptions), that would not harm the cultural heritage significance of the place, pursuant to section 49(3)(a) of the *Heritage Act 2017*.
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## Executive Director's Recommendation ('the Recommendation')

On **20 May 2026** the Executive Director made a recommendation to the Heritage Council ('the Recommendation') that the Domain Park Flats ('the Place') is of State-level cultural heritage significance and should be included in the Heritage Register.

The Recommendation was advertised publicly for a period of 60 days, beginning on **22 May 2026**.

## Section 44 submissions

During the 60-day public advertisement period **two (2)** submissions were received pursuant to section 44 of the *Heritage Act 2017*. No submission included a request that a hearing be conducted. The submissions are summarised below:

- The Robin Boyd Foundation made a submission supporting the Executive Director's Recommendation.
- National Trust Australia (Victoria) made a submission supporting the Executive Director's Recommendation.

## The Place

### Description

Extracted verbatim from page 3 of the Executive Director's Recommendation:

#### **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.*

#### **Landscapes 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.*

## Heritage Council's findings

### State-level cultural heritage significance

The Heritage Council's findings accord with the Executive Director's Recommendation. The Heritage Council finds that the Domain Park Flats are of State-level cultural heritage significance and is to be included in the Heritage Register.

The Heritage Council agrees that the Domain Park Flats are historically significant as one of the earliest high-rise residential buildings constructed in Victoria.

The Heritage Council agrees that the Domain Park Flats are a notable example of a high-rise residential building, and finds that the Place is an aesthetically significant example of Mid-Twentieth Century Modern architecture. While the Heritage Council notes that the Recommendation identifies the Place as being in the 'Mid-Twentieth Century (1940-60) Modernist' style, based on the architectural styles recorded in the Victorian Heritage Database, the Heritage Council records the view that 'Mid Twentieth-Century *Modern*' would be a more appropriate classification of architectural style for the Place.

The Heritage Council agrees that the Domain Park Flats are significant for its association with eminent architect, writer and commentator Robin Boyd.

The Heritage Council determines that the Domain Park Flats meet the following Criteria for Assessment in the Heritage Council's *Victorian Heritage Register Criteria and Thresholds Guidelines (Attachment 1)* at State-level:

- **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.

### Statement of Country

The Heritage Council further records its view that the Statement of Country for the Place be amended to:

*The Domain Park Flats are located on Bunurong Country. The area of South Yarra along Birrarung (Yarra River) is an important place of gathering and ceremony for countless generations. The local area 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.*

*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. This dispossession and marginalisation of Aboriginal people was particularly rapid in and around Melbourne in the decades immediately following British occupation.<sup>1</sup>*

### Extent of Registration

The Extent of Registration is provided as **Attachment 2** and includes all 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.

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<sup>1</sup> The Heritage Council notes that any footnotes provided in the Recommendation would not be affected by these proposed amendments to the Statement of Country.

### Permit exemptions

The Heritage Council determined specific permit exemptions for works or activities which would not harm the cultural heritage significance of the Place.

Specific permit exemptions are provided as **Attachment 3**.

### Conclusion

The Heritage Council of Victoria determined on **6 August 2026**, in accordance with section 49(1)(a) of the *Heritage Act 2017*, that the Domain Park Flats is to be included in the Heritage Register in the category of Registered Place.



**Professor Philip Goad**  
**Chair, Heritage Council of Victoria**

# Attachment 1

## Victorian Heritage Register Assessment Criteria

|                    |                                                                                                                                    |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <b>Criterion A</b> | Importance to the course, or pattern, of Victoria's cultural history.                                                              |
| <b>Criterion B</b> | Possession of uncommon, rare or endangered aspects of Victoria's cultural history.                                                 |
| <b>Criterion C</b> | Potential to yield information that will contribute to an understanding of Victoria's cultural history.                            |
| <b>Criterion D</b> | Importance in demonstrating the principal characteristics of a class of cultural places and objects.                               |
| <b>Criterion E</b> | Importance in exhibiting particular aesthetic characteristics.                                                                     |
| <b>Criterion F</b> | Importance in demonstrating a high degree of creative or technical achievement at a particular period.                             |
| <b>Criterion G</b> | Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons. |
| <b>Criterion H</b> | Special association with the life or works of a person, or group of persons, of importance in Victoria's history.                  |

These were adopted by the Heritage Council at its meeting on 1 December 2022, and replace the previous criteria adopted by the Heritage Council on 6 December 2012.

# Attachment 2

## Extent of Registration

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.



# Attachment 3

## Categories of works or activities which may be undertaken without a permit (permit exemptions)

### 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

[Insert if Recommendation contains permit policy]

### 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 Act.

**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 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.