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Executive Director
Heritage Victoria
Level 4, 55 Collins St
Melbourne 3000

Dear Executive Director,

RE: HOTEL WINDSOR, H0764, PERMIT P14689

The National Trust wishes to express its objection to the permit application for part demolition, alteration and extension of the hotel with construction of a replacement wing to the north and 91metre tower to the west. The Hotel Windsor ('Windsor') was bought by the Victorian Government in 1976 due to the threat of demolition and has been in private ownership since 1990. Given the State of Victoria's previous commitment to preserving the hotel and the considerable public finances expended upon it, it is lamentable that a substantial proportion is now proposed to be demolished and replaced by a tower.

The Windsor is justly recognised as Melbourne's preeminent historic hotel and the National Trust acknowledges that it is in need of a major upgrade. An investment in the historic and architecturally significant Windsor hotel is welcome to ensure a viable future for it as a luxury hotel. The National Trust recognises that luxury hotels must be periodically refurbished and that such an upgrade is overdue at the Windsor, and spending \$32 million on the heritage sections of the hotel is a significant investment.

However, this proposal involves the demolition of most of the rear and one side wing of the original hotel and such a level of demolition could only be justified on the basis of an acceptable replacement. A 91m high, 27 storey tower is not acceptable.

The Trust's objections are made on the following grounds:

1. Detrimental impact on the cultural heritage significance of the place

The pair of buildings as proposed, being the new tower and corner building, would be dominant and to the detriment of what would be left of the Windsor. In the Lovell Chen *Heritage Impact Statement* the Heritage Council's statement of significance is summarized as

Architectural significance

- one of the largest and grandest of Australia's 19th century luxury hotels;
- a distinct facade befitting a grand hotel as a result of Webb's unusual combination of styles and one of his relatively few commercial commissions;
- the intactness of the basic structure and planning of the building gives an excellent sense of the design of late-19th century luxury hotels; and
- forms part of an architecturally valuable precinct which also includes Parliament House, the Old Treasury, Tasma Terrace and the Princess Theatre.

Historical significance

- a symbol of the 1880s boom period in Melbourne;
- for its role in the hotel industry in Melbourne, being the last great 19th century luxury hotel in the city;
- for its associations with prominent figures from the time such as James Munro, and the Hon James Balfour, MLC as well as Sir John Monash;
- for the association with famous people who have stayed for long and short periods including Alfred Deakin, Robert Menzies, the Duke of York, and many actors and musicians; and
- as a legacy of the work of Thomas Cockram and Co., one of the most prolific and prestigious of Melbourne's 19th century building firms.

(p.31)

It is clear that the architectural significance of the Windsor would be detrimentally affected by the proposed works, given the extent of demolition would impact on the intactness of the basic structure and planning of the building, and remove some of the sense of the design of late-19th century luxury hotels. Around 50% of the original structure is proposed to be demolished. Such a level of demolition for a place of state level significance can only be justified on the basis of an acceptable replacement. A 91m high, 27 storey tower is not acceptable.

The National Trust appreciates that the architects have developed an architectural solution for the proposed tower that is as visually light as possible. However there is no architectural treatment that can disguise the dominance of a tower that will be set on the Windsor's footprint and rise to four times its height. The architectural integrity and

significance of the Windsor will be irretrievably lost, to be replaced by a scheme that will create a hotel with, in architectural and historical terms, a split-personality, reducing the historic Windsor at ground level to little more than an entrance lobby for a modern high rise hotel.

Internally, areas identified in the *Conservation Management Plan* as being of primary significance will be lost, including the circular system of passages and corridors around the central light court.

The National Trust does not object to the demolition of the 1961 corner building (Windsor Annexe) and sees some merit in the proposed replacement, with a contemporary façade treatment and proposed re-entrant to create setback from the hotel. With some modifications, such a structure will not necessarily be detrimental to the heritage values of the hotel. However, modifications are critical, and require that the height be reduced by two levels to match the existing. The pool and roof enclosure as proposed would also be very dominant, and are considered unnecessary and intrusive. The height of the pool enclosure roof stems from the desire to hide a large plant room above. This plant could be located elsewhere, and the pool could be open, or have a lower roof, or be placed internally.

The National Trust would support an alternative scheme for redevelopment of the hotel that retained the current building in its entirety and on current footprint, incorporating more rooms but accepting the need for the rear (west) of the hotel to be substantially redeveloped. Modern facilities such a small pool, gymnasium could be purpose built and located in the new corner wing and its basements.

2. Impact on the heritage precinct H0500

It is unclear to the National Trust if the Minister for Planning as Responsible Authority will be considering the impact of the proposed development on the heritage overlay precinct HO500 (Bourke Hill Precinct). Under the *Heritage Act* the Executive Director *may* consider the extent to which the application would affect the cultural heritage significance of an adjacent place subject to a heritage control in the relevant planning scheme. If the Minister considers that the heritage overlay provisions of the planning scheme are exempt because Heritage Victoria will deal with all heritage aspects of the proposal, then the National Trust submits that the Executive Director must consider the impact of the proposal on the heritage precinct as well as the individual place, and in doing so have regard for all relevant State Planning Policy Framework and Planning Scheme clauses.

State Planning Policy Framework (SPPF) Clause 15.11-2 - Heritage

In accordance with the SPPF as it relates to heritage matters, planning and responsible authorities should identify, conserve and protect places of natural or cultural value from inappropriate development.

It is considered that any approval of such a tower in the city skyline behind the Windsor façade is inappropriate and does not meet the States objectives.

Clause 21.05-1 – City Structure and Built Form - Heritage

Whilst the National Trust recognises that the Central City is identified an area when substantial change is envisaged, the policy also recognises the importance of maintaining the key elements of the heritage attributes of the city centre. As noted in the Scheme, heritage features, buildings and streetscapes are a significant part of Melbourne's attraction. The streetscapes, precincts and individual buildings are identified and protected because of their high cultural heritage value. Any new development should be sensitive to the heritage buildings and precincts, local landmarks as well as character and views.

To achieve this outcome, objectives and strategies should be met with any new development proposal including '*to conserve and enhance places and precincts of identified cultural heritage significance.*' Relevant strategies to achieve these objectives include:

- *Maintain the visual prominence of historic buildings and local landmarks.*
- *Protect buildings, streetscapes and precincts of cultural heritage significance from the visual intrusion of built form both within precincts and from adjoining areas.*

It is the National Trust's view that the proposed 91 metre tower to be erected at the Windsor site, located within the low-scale Bourke Hill Precinct, does not meet these objectives. The attached annotated image clearly shows how the low level heritage precinct HO500 has been preserved.

Clause 21.08 - 1 – Local Areas – Central City.

As part of the built form implementation strategies for heritage in the Central City the Responsibility Authority in assessing any new development must:

'Protect the scale of important heritage precincts, boulevards and other unique precincts that rely on a consistency of scale of their image, including the Retail Core, China town, Hardware Lane, Flinders Lane, Bourke Hill, Parliament, the Melbourne Town Hall, the Queen Victoria Market and the churches on Flinders and Collins Streets.'

The approval of a 91 metre tower will detrimentally alter the image of the Bourke Hill precinct by allowing an intrusive element to significantly alter the consistent scale of buildings in this part of the city.

Clause 22.04 – Heritage Places within the Capital City Zone

The Windsor site is subject to the objectives of Clause 22.04 – Heritage Places within the Capital City Zone which seeks to protect the many heritage precincts in the Capital City Zone area.

One of the objectives of Clause 22.04 is

'to conserve and enhance the character and appearance of precincts identified as heritage places by ensuring that any new development complements their character, scale, form and appearance.'

One of many matters to consider in assessing an application for works to a heritage place is the impact any new development will have on a recognised heritage precinct and the need to enhance the character of the area. The Windsor is located within the Bourke Hill Precinct. The key attributes of this precinct is the association with Parliament House, the vistas and the sympathetic scale of surrounding buildings. Under Clause 22.04 the Melbourne Planning Scheme provides a statement of significance for the Bourke Hill Precinct:

Bourke Hill Precinct Statement of Significance

This precinct derives much importance from its association with Parliament House, which was built progressively from 1856. This 19th century complex dominates the Bourke Street vista from as far away as William Street, and is emphasised by the sympathetic scale of the buildings on either side of the Bourke Street Hill. The precinct also includes such stylish and prominent buildings facing Spring Street as the Princess Theatre (1886) and the Hotel Windsor (1883). These contribute to the high level of amenity of Spring Street and its gardens. The buildings on either side of Bourke Street reflect the variety of social activities that have taken place in this area since the mid-19th century. The scale of the City's buildings prior to the boom era of the 1880s is seen in the simple design and low scale of the two-storey Crossley's Building (1884-1853). The area also comprises part of the entertainment precinct of the central city, and buildings such as the Salvation Army Temple (1890) reflect the interest of social reformers in the nearby 'back slums' epitomised by the nearby former Gordon House (1883-1884). A philanthropic venture built by a syndicate headed by the actor-manager and politician George Coppin, it was named after the martyr of Khartoum and was an ambitious venture intended to provide family accommodation for the respectable poor. However, the venture was not successful in achieving its purpose and Gordon House later became a shelter for homeless men and now a hotel. It survives as a unique social document in the narrow confines of Little Bourke Street, and is complemented by the low-scale of surrounding red brick buildings. The juxtaposition of the Parliament, the former deprived areas of Little Bourke Street and the style of Bourke Street gives the precinct an unrivalled historic texture and overall the theatres, hotels, cafes and quality bookshops contribute to the relaxed and elegant character of the eastern end of the city.

Key Attributes

- *Low-scale Victorian buildings.*

- *The visual dominance of the parliamentary buildings on the Bourke Hill skyline, and the vista along Bourke Street to Parliament House.*

The Bourke Hill Precinct is recognised as significant for its prominent buildings including Parliament House. As noted in the Statement of Significance, *the 19th century complex dominates the Bourke Street vista from as far away as William Street, and is emphasised by the sympathetic scale of the buildings on either side of the Bourke Street Hill.* A number of references are made about the number of low scale buildings within the precinct. The enclosed photograph and montage clearly show the low scale heritage precinct

The Windsor and the Princess Theatre are also identified as prominent buildings contributing to the high level of amenity. Overall, it is the low scale buildings of this precinct which contribute and maintain the character of the eastern end of the city.

3. Impact of refusal on the reasonable or economic use of the place

The Heritage Council's statement of significance alludes to the many phases of change to the Windsor, with change principally occurring internally, and these are detailed in the *Heritage Impact Statement* by Lovell Chen. The Trust accepts that further change and upgrading is required. Recently approved changes, permitted by Heritage Victoria as recently as 2007, have not taken place. The *Heritage Impact Statement* by Lovell Chen states:

While the decisions not to proceed have been influenced by particular considerations which were relevant at the time, an overriding factor appears to have been the difficulty in achieving a viable commercial outcome. This in turn is impacted by two key considerations: the constraint on room numbers as able to be delivered within the existing fabric and the very substantial costs involved in upgrading the existing building fabric and services. (p.1)

And on p.14

A minimum number of approximately 300 guest bedrooms is required to achieve ongoing financial viability.

The *Heritage Impact Statement* explicitly invites the Executive Director to make an assessment of the economics of the proposal. It states:

In considering this issue a key cultural aspiration which needs to be accepted is that the Windsor has been and aspires to maintain its position as a 'grand' hotel with at least a 5 star rating. This aspiration from a cultural heritage perspective is a justifiable one and one which needs to be given appropriate weight in addressing the reasonable or economic use issues.


(p.54)

I understand that the Executive Director will not (on the basis of commercial confidentiality) make available the document supplied to him by the applicant entitled 'Volume 3 *Economic Analysis Report*.' Yet it appears that he will be considering the permit proposal under s73 of the *Heritage Act* whereby the Executive Director **must** consider, *inter alia*, the extent to which the application, if refused, would affect the reasonable or economic use of the registered place. The applicant has made public statements elsewhere that the \$32m refurbishment of the remaining heritage registered section of the Windsor is only economic on the basis of the overall development scheme of \$275m.

It is difficult for the Trust to comment on these matters without the economic report. However, we understand that the document is an analysis of the current proposal, and does not, for instance, examine other options. A more wide ranging analysis would be essential to clearly establish that this is the only possible way forward. What is also missing is an outline of the economic viability of the hotel as it currently exists. If it is indeed viable as is, and not about to close, then refusal would not impose undue economic hardship. We should not forget moreover that the applicants purchased the property with all the existing planning and heritage controls in place.

We can say that any notion that in order to retain its heritage significance its 5 star rating must be retained is one that should be challenged. The proponents argue that this rating demands the addition of facilities as a pool, large function room, multiple kitchens, meeting rooms and lounges, therefore requiring the creation of a much larger hotel of at least 300 rooms. The Trust can only observe that historic hotels all over the world have been upgraded to retain the highest standard of accommodation and facilities without the need for 27 storey tower blocks. Why is the Windsor different?

Yours sincerely,



Paul Roser
Conservation Manager

Enc.

