

Street / Epp

SUBMISSION TO AMENDMENT C25 FROM THE ESPLANADE ALLIANCE INC.

SEPTEMBER 2001

Introduction

The Esplanade Alliance is an incorporated community organisation formed by St Kilda residents, traders, musicians and artists in 1997, to ensure innovative and human-scale use and development of the St Kilda foreshore and its neighbouring environment. The Alliance speaks for a substantial number of St Kilda residents and visitors. Hundreds of people have contributed to the Esplanade Alliance as members, volunteers, advisers and coordinators.

During 1998 the Alliance informed residents and visitors about the Becton proposal for a 38-storey development at the rear of the Esplanade Hotel. As a result almost 11,000 submissions and petition signatures objecting to the proposal were lodged with Port Phillip Council. In April 1999 the Alliance informed residents about the significance of the then-State Government's *Gateway to the Bay* proposal. Many thousands of submissions were made to the Gateway working group, and again to the planning panel appointed to consider Amendment C5.

The planning panel's recommendation to Council that a working group be established to consider detailed controls for the Esplanade Hotel site resulted in the formation of the Esplanade Hotel Joint Working Group with representatives from the Department of Infrastructure, Port Phillip Council, the Esplanade Alliance and the Becton Corporation. It is on the final report of the Working Group that Amendment C25 is based.

Background

St Kilda is avant-garde and retro, throwback and cutting edge. It started as a residential refuge for Melbourne's elite in the 1880s and then became a resort and recreation town in the first part of this century as public transport made it more accessible.

In the following decades, St Kilda's fading grandeur and increasing affordability created a unique community for displaced people affected by the economic and political upheavals in Australia and in the rest of the world. St Kilda welcomed migrants and cultural refugees when other parts of the metropolis exhibited xenophobia and worse. In the 1970s and 1980s it built a new reputation around its artistic assets and residents, its moral tolerance and social diversity.

Throughout the decades St Kilda's built form has been crucial to its social and cultural role in Melbourne. Its predominant housing form – medium density, low-rise with minimal frontage setbacks, represented by a diverse collection of walk-up flats, converted mansions and working class cottages set together cheek by jowl – has created a densely populated locality with a close connection to the street. The streets are consequently the focus of public life, for leisure, communication, consumption and all sorts of pleasures, giving the area a gritty urban feel and pulse unrecognisable in any other part of Melbourne.

The debate over the scale of development on the Esplanade Hotel site is as much about how the future character of St Kilda is to be shaped as it is about how the suburb and individual buildings are to be designed. For there is a point at which this human scale is lost, and with it the street life and character so ingrained in Melbourne's St Kilda.

Existing Development Controls for the St Kilda foreshore

In the late 1980s a Planning Scheme Amendment (RL47) introduced height controls over tourist and foreshore areas of St Kilda. This was the successful culmination of intense community and Council concern that had been sparked by high rise proposals for the Esplanade Hotel, the Mandalay flats and the St Moritz site on The Esplanade and the Claremont site on Beaconsfield Parade.

The height controls were sought by the Council as a means of not repeating the planning mistakes of the 1970s that allowed Arrandale and Bayview Heights. Clear limits on height were seen as a key measure to prevent further errors. The intention of the amendment was to introduce a clear planning framework for the future of the St Kilda foreshore, and specifically to:

- encourage design and development to enhance the appearance and character of the foreshore and adjacent area
- relate height, bulk and setback to measures that ensure compatibility and enhance appearance and character
- retain the features that provide the foreshore with character and identity, and
- enhance urban conservation by encouraging renovations and extensions strengthening the architectural and streetscape character of the area.

These parameters were elaborated in the Council's Foreshore and Environs Design Study in the early 1990s and continued in the City of Port Phillip's Urban Design Guidelines in the late 1990s. The guidelines were largely supported by the C5 panel in 1999.

Height controls and supplementary measures have received overwhelming popular support at every local election since 1987. They were also strongly supported by the local MLA for Albert Park (and now Planning Minister) prior to the 1999 State election.

Rather than being a crude planning measure, these controls were supplemented by design and development parameters that encouraged innovation, contextual responsiveness, and new development at a scale compatible with the human dimensions of St Kilda. Since their inception, these low-rise controls have been successful in preserving the contours of St Kilda's built form and in fostering new developments that have added considerably to the character and identity of the suburb, for example, the Prince of Wales, the George and the Regal hotel renovations, the Almedia in Princes Street, the AIM re-development in St Leonard's Avenue. (It is important to note that planning and design for the Novotel Hotel was well advanced when the existing height controls came into effect). With this exception, low-rise height controls have performed by any measure:

- they have helped to retain the heritage significance of the existing built form, especially in Fitzroy Street
- have not stifled new development (indeed the certainty provided has been welcomed in the marketplace), and
- much of the new infill design has been of high quality, and has attempted to accommodate the existing cultures and social character of the neighbourhood.

Where the design has been average, for example, the infill at the back of the Mandalay flats, the negative impact on the overall feel of St Kilda is minimised by its moderate scale.

Despite the many positive results and continued community support for the harmonious integration of new development, pressure continues from the owner of the subject site to rise above these recommendations.

Existing controls for the Esplanade Hotel

The RL47 amendment has provided the core reference point for the current Design and Development Overlay that applies to the Esplanade Hotel site. This site is the one potential in-fill development site in St Kilda where height control remains an issue. Developers who proposed high-rise for other sites have long since bowed to community pressures, accepted the local planning framework, revised their plans and completed their projects.

The owner and applicant, Becton Corporation, unlike every other developer in the St Kilda foreshore area, has sought to either remove or significantly modify the existing development controls. Becton has sought the loosest possible planning framework for the site: first through opposing heritage listing of the Hotel and Baymor Court on the Historic Buildings Register, then through a proposed Planning Scheme Amendment in 1998 for a 38-storey tower, and then in 1999 through submission to the C5 panel for removal of heritage controls and the presentation of a 27-storey proposal. Finally, Becton's nominees to the Working Group have recommended a 'benchmark height' of 1.5 times the height of Arrandale, or 22 storeys.

The Corporation stands to reap major economic advantage if it succeeds in its three-year campaign to have the controls re-written on the site it owns. Yet little is said about this economic reality. Becton and its advisers and nominees continue to cloak their aspirations in the couture of 'good design'; but their arguments essentially rest on an unproven premise that big urban gestures are the only things capable of exemplifying good design. Of course, Melbourne Apartments by Nonda Katsilides, Becton's preferred architect, is just one example of the simplistic nature of this argument.

The debate has generated huge local interest because it is about whether a new private, self-contained and insulated domain, allowing private needs to overshadow others, will be embraced. High-rise development at the Esplanade Hotel is about looking down on the street, literally and figuratively. The debate has created a wider public interest because it is a superb case study about whether governments, their advisers and planners will allow speculative endeavours to distort planning processes in local communities. x

The Esplanade Alliance strongly supports a good and creative design outcome. The site is not only capable of accommodating highly imaginative new buildings, but there is the potential to make a lasting addition to the rich fabric of St Kilda. We have consistently argued that the site can sustain new, notable, imaginative and excellently designed buildings without substantially breaching the current height controls. Indeed, we argue that good design should challenge rather than mimic the high-rise excesses and mediocrity of the 1970s, and that this would best be achieved with interesting, profound new architecture of low to medium-rise character.

Proposed controls for the Esplanade Hotel site under Amendment C25

The Esplanade Alliance's submission to the final report of the Esplanade Hotel Working Group indicated that there might be justification for modest alteration to the existing height limit if this was critical to securing the long-term physical and cultural viability of the Esplanade Hotel.

The case put by the Alliance was essentially this: that the desirability of the refurbishment and continuing use of the hotel ('the Espy') as a venue for alternative culture and original live music and comedy was such that we would accept an increase in the existing height limit if it ~~was~~ ^{were} directly related to either:

- subsidising the costs involved in a modest refurbishment of the hotel that would bring it to a safe and sustainable level while maintaining the hotel's established cultural role and use, or
- increasing the attractiveness to the vendor of the sale of the hotel to a Community Trust.

The sale of the hotel to commercial operators unfortunately does not guarantee the continuing role and use of the Espy. The current situation returns us to the question of

→ any change
shows on this?



why the existing controls should be altered at all. As outlined above, the Alliance believes that the existing controls are justified and supportable, in that the height limit is clearly tied to the height of the existing building. The proposed increase in height in Amendment C25 is in clear favour of the landowner, with no demonstrated reciprocal community benefit.

The Esplanade Alliance Inc. therefore opposes the increase in height limit from 18 metres. With this exception, the Alliance is broadly in support of the amendment. We turn now to the proposed changes in detail.

No attempt
at why?

Local Planning Policy Framework

The Esplanade Alliance is fully in favour of the amendments to Clause 21 of the Local Planning Policy Framework. We support the inclusion of statements regarding the cultural significance of the hotel and Council's desire to protect this. Our view that the culture of the Esplanade Hotel – its long-standing role in Australian alternative culture as an incubator of independent Australian music, art and comedy talent – should be continued is well known and widely supported, including by all members of the Working Group.

The Working Group agreed unanimously that as a place, the Espy hotel is important:

- as an evocation of a resort, being a place distanced from the metropolis yet paradoxically located within it (by the sea and close to the city)
- as an emblem of a nineteenth century grandeur and presence that also actively contributes to the sense of local neighbourhood, and
- as a treasured place in the contested terrain about St Kilda's identity, culture and commercial potential.

The hotel – in the way it operates, its physical presence, and its role in recent planning policy – exemplifies these values. The Working Group unanimously agreed that the Espy “is a democratic and widely accessible space, especially for people on low incomes. Its furnishings, door policy, physical intimacy, lack of pretension, sense of faded glory and promotion and support of artists and musicians on the commercial fringe, are key ingredients of its on-going contemporary appeal. This culture, which is commercially successful and which has been continually renewed by the hotel, its artists and patrons, should be supported and encouraged”.

The Working Group also agreed that the hotel is not a venture to be preserved in aspic: it has a dynamic culture that has followed and set the pace in the St Kilda music and arts scene for most of the last century. This continually evolving quality is recognised and valued. It cannot be taken-for-granted or dismissed as peripheral to the planning and development process for the site. Again the Working Group was unanimous that innovative, commercially-informed techniques to safeguard the role of the Espy as a culturally important site and venue into the future must be intimately tied into how the site as a whole is developed and managed.

The Working Group therefore agreed that the Espy makes an essential contribution to St Kilda:

- as a crucible of affordable leading edge music, comedy and art
- in its constancy as a vehicle for the on-going evolution and metamorphosis of alternative culture
- as a producer of substantial community benefits, especially in terms of building St Kilda's reputation in the performing arts and difference to the city, and
- as an outcast or rebel resistant to the siren call of a chic, glamorised, monocultural, corporate ethos.

The following key principles for the site were broadly agreed upon:

- maintain and support the Espy Hotel in its established role as an incubator of independent local music and comedy talent
- maintain and support the Espy Hotel as a venue accessible to a broad, diverse and non-mainstream public
- maintain and support the Espy Hotel as one of the key publicly-accessible facilities in the context of the St Kilda foreshore recreation and entertainment precinct, and
- maintain the Espy Hotel as a key icon of St Kilda's cultural identity.

These objectives are most readily achieved if the hotel is owned by people who share these values. Nevertheless, ownership should not be, and indeed is not, the only means to exercising control over an important site. It is appropriate and necessary that statements of desire and considerations of equity, diversity and cultural intangibles are included in a planning scheme if 'planning' is to be anything other than a purely technical exercise – especially where these values are widely held by the communities represented by the Council and affected by the local planning scheme.

It is appropriate that specific mention is made of the Esplanade Hotel in the Municipal Strategic Statement. Just as the MSS refers to Acland Street and Fitzroy Street, and the Melbourne Planning Scheme refers to the Queen Victoria Market, the Arts Centre, the Exhibition Centre and Federation Square amongst others, particularly important places are isolated for particular treatment. Given the regional, national and arguably international significance of all these places, their special treatment is more than warranted.

We support the amendment to the Port Phillip Heritage Review, Version 2, 2000, vol. 6 in Incorporated Documents.

Design and Development Overlay

The Esplanade Alliance has some concerns with the amendments to schedule 12 of Clause 43.02, the Design and Development Overlay. As foreshadowed above, these concerns relate mainly to height and associated matters.

We oppose the height increase in the centre of the site. We are particularly concerned at the incentive to demolish the kitchen wing by the granting of greater height in the event of its demolition.

We are deeply concerned that the five-storey height limit along Victoria Street acts as incentive to demolish Baymor Court. Whilst the stables along Pollington Street are a lesser concern, we find it worrying that incentives are also built in for their demolition.

These points raise a structural inconsistency between the DDO and the Heritage Overlay. Baymor Court, the kitchen wing and the stables are rightly afforded full protection under the Heritage Overlay. It is a quite serious concern that the DDO undermines the controls built into another section of the scheme. The criteria by which to assess a demolition application under the Heritage Overlay would certainly not allow demolition of Baymor Court, and are unlikely to allow demolition of the kitchen wing and the stables. Yet point 1.0 of the Design Objectives in the DDO explicitly considers that possibility: "... if a significant heritage building is proposed to be demolished..."

These are obviously matters of fine line-calls, but once the judgements are made the inconsistencies can be relatively easily addressed. The Alliance can assist in the making of these judgements at one clear end of the scale. The street frontage of Baymor Court is not-negotiable. The hard edge little 'village' streetscape that Baymor Court sets up along Victoria Street is very precious. It was a local and metropolitan landmark in the 1920s and is deeply reflective of the aspirations of the time to cultivate a Moorish/Mediterranean sensibility. This is supported in the Design Objectives of the DDO, which make clear reference to its importance to the Victoria Street streetscape. The Heritage Overlay should remain firm and the DDO should give effect to this by setting a three-storey limit *at least* to the depth of the Victoria Street frontage.

The preferred position of the Alliance is that the entire structure of Baymor Court remain. There is a sliding scale of degrees of heritage importance amongst the other buildings on the site, with the kitchen wing being of somewhat lesser significance than Baymor Court and the stables less again. The Alliance is loathe to make these judgements, and would refer the panel to the Port Phillip Heritage Review and Timothy Hubbard's statement of significance on the Esplanade Hotel. No demolition should be contemplated, however, without a proper heritage assessment and allowed only where the new building makes a substantial and measurable contribution to the existing design, urban character, amenity and cultural values of the site.

Conclusion

With the exception of the problems outlined above, we are satisfied that the entire amendment creates a framework for a building design that could contribute positively to the foreshore, with minimal negative impact on surrounding public and private spaces. Retention of the view of the Esplanade Hotel is a critical factor, and the amendment deals with this well. We are in favour of the requirement that a Conservation Management Plan accompany applications for works on existing buildings.

On remedy of the inconsistencies in the DDO with the Heritage Overlay, we will be in full support of the amendment and ready to commend the City of Port Phillip.