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**Letter of objection to Site Specific SPP SEPP amendment (Sirius SEPP)**  
**36-50 Cumberland Street, The Rocks**

## **1 Introduction**

The draft site specific State Environmental Planning Policy amendment (Sirius SEPP), for 36-50 Cumberland Street, The Rocks, fails to appropriately address the heritage significance of the site. By excluding relevant information, an informed decision on the likely impacts to changes in land use and redevelopment of the site cannot be undertaken. Without making appropriate reference to the Sirius Building, a recognized item of heritage significance, the Sirius SEPP merely trivialises the planning process.

The need for such a SEPP is certainly in question. In the two-and-a-half years since the current NSW State Government announced its decision to sell their public housing 'stock' in The Rocks and Millers Point to 'fund' more social housing elsewhere in the city, the Sirius building has been politicized through ingenuine government motive. This is certainly demonstrated in the way the Minister for Heritage chose to ignore the professional advice of their department's recommendation to include the Sirius building on the State Heritage Inventory by favouring a flawed divestment strategy; one that would demonstrate that the Sirius building is certainly not surplus to requirement. If the argument is to provide affordable housing then surely retention of the Sirius building would satisfy this aim?

Accompanying the Sirius SEPP are two documents: Appendix A - Urban Design Report and Appendix B – Heritage Report. These documents omit relevant information and prevent us (the community) from reaching an informed decision about the redevelopment of the site. The following concerns are identified:

## **2 The Urban Design Report fails to appropriately assess urban design outcomes and view impacts**

Under the Urban Design Report various drawings and sections are provided, identifying's new built form envelopes on the **assumption** that the Sirius building is to be replaced. When views are generated east past the new built form envelope, these are only modelled and

assessed from the harbor bridge roadway deck and the potential view loss at the street level of Cumberland Street is not provided; this being a more obvious viewpoint for an Urban Design Report.

It is certainly difficult to make any comprehensive assessment of the proposal under this report as it does not **objectively** assess all potential view loss and view impacts upon Sydney Harbour, including the assessment of commutative visual impacts from nearby redevelopment sites, for example, at Barangaroo. Here the report has omitted to provide any such (and necessary) assessment.

### **3 The Heritage Report is inadequate**

The Heritage Report, titled Heritage Impact Statement (HIS), is an incomplete and misleading document riddled with mistakes and contradictions. With the Sirius SEPP incorporating two redevelopment scenarios - either replacement or retention – the Heritage Report is inadequate in that it only addresses (in part) one of these scenarios: "the potential impact [of] any new development [that] may have on the heritage items in the vicinity". (p. 5)

The inadequacy of this report is most evident in Section 1: Executive Summary. Under Section 1.5: Statement of Significance, the report states, "The Rocks...is a precinct of cultural significance....manifest in increasingly rare and fragile relics of original typography and built fabric, remnants of history and a living community" (p.7). When this is compared with the claim under Section 1.7: Conclusion, the report states contradictorily, "the overall reduction of building height will provide a more uniform built form" (p.7). Such a claim, to make an increasingly rare and fragile heritage precinct 'more' uniform, is indeed contrary to their Statement of Significance which acknowledges the cultural significance and diversity of the 'place'. By redesigning a precinct, of national cultural significance, into a place with 'more uniform built form' the Sirius SEPP, is contrary to any recognised practise of heritage conservation.

This anomaly is again verified under Section 5.3: Summary Statement of Significance (p. 19) which confirms that The Rocks is "a rich accumulation of features that demonstrate layers of Australian history from 1788 until the present". By acknowledge this diversity, the Heritage Report fails to consider the heritage impact on the Sirius building. Part of the history of The Rocks, consisting a diversity of uses and building ages, will indeed be greatly diminished with the removal of Sirius building.

Elsewhere in the Heritage Report, out of date maps and inaccurate diagrams are used. For example, figure 3.4 incorrectly suggests the Sirius Building is located on Milton Terrace, while figure 3.26 uses a block of red colour to incorrectly suggest that the Sirius building faces Gloucester Street. Without a thorough edit and with appropriate citations, the validity of such a document must be questioned.

The Heritage Report also fails to adequately identify the heritage listings of the Sirius building. Curiously the report cites that the Sirius building 'is not listed by the Art Deco Society of NSW', this is very odd given that the Sirius Building is a significant brutalist building of the 1980s. Such mistakes demonstrate a lack of professional thoroughness and certainly skews meanings through inappropriate reporting. While the Heritage Report referenced the 1995 listing of the Sirius building by Land and Housing Corporation Heritage and Conservation Register, as part of their s170 Register with item number 01787, the significance of this listing has been down played.

The following listings of the Sirius building are confirmed:

- \_ Listed by The National Trust of Australia (NSW) on 28 May 2014;
- \_ Listed by the AIA (NSW Chapter) Register of Significant Buildings (Item 4703569);
- \_ Listed by Docomomo Australia on its register of significant buildings of the modern movement;
- \_ included in 2017 on the *Sydney Brutalist Map Guide* as one of Sydney's most significant brutalist buildings;
- \_ Listed by The World Monument Fund as an item at risk on their 2018 Watch List;
- \_ included The Twentieth Century Society; and importantly
- \_ Recommended listing by the NSW Heritage Council for inclusion on the State Heritage Register, 2015.

The Heritage Report is certainly biased. This is most evident Under Section 1.7: Conclusion, where the report claims that the built form profiles of the proposal have a "lesser overall impact" (p.7). How can this conclusion be reached without any assessment of heritage significance or heritage impact on the demolition of the Sirius building?

#### **4 The Sirius SEPP fails to recognise the heritage significance of the Sirius building**

An important failing of the Sirius SEPP is that it has not undertaken any assessment of heritage impact upon the demolition and/or retention of the Sirius building. Such an assessment would certainly conclude that any demolition would have an adverse and negative heritage impact; and by also not having any conservation management policies in place, this too would have an adverse heritage impact. By not including any heritage impact assessment on the Sirius building, recognised as significant by its listing under the Section 170 of the *Heritage Act* and recommended listing by the NSW Heritage Council in 2015, the Sirius SEPP has failed to incorporate the necessary 'check and balances' for such an important planning instrument.

It has been well recorded that the Sirius building can meet the threshold of state heritage significance. At a NSW Heritage Council meeting, late in 2015, it was resolved that the Sirius building was of heritage significance and worthy of listing on the State Heritage Register. This recommendation was supported by an expert report (dated November 2015) by

Professor Philip Goad, the pre-eminent expert on Australian architecture. Confirming that the Sirius building is widely acknowledged as having heritage significance and for the Sirius SEPP to make findings without any appropriate heritage impact assessment or even a Conservation Management Plan in place to guide future actions on the building, the Sirius SEPP demonstrates a level of superficiality and culpable heritage management.

## **5 Conclusion**

While focusing on the redevelopment of the Sirius site, the Sirius SEPP, with the inclusion of a new built form envelope, has failed to undertake the necessary assessment of heritage impact on the recognized heritage significance of the Sirius building.

Sadly, the Sirius building has been much politicised by the current NSW State Government. In a flawed divestment strategy, claiming that the Sirius building is a surplus asset, the architectural style of the Sirius building has been demonised and described as aesthetically worthless. We contest such prejudices. Our government has a mandate to provide and maintain its existing stock of social housing, no matter its location, and to protect the cultural significance of the NSW built environment, no matter its age or appearance. In a city with triumphant privatisation, this Sirius SEPP certainly needs to be impartial. Unfortunately, the Sirius SEPP, with an incomplete Urban Design Report and an inadequate Heritage Report, seems to support the current political climate of autocratic leadership that disregards the cultural and/or social heritage of our built environments.

With inappropriate supporting documents, the Sirius SEPP merely trivializes the planning process. We request that the Sirius SEPP be withdrawn to allow all documents to be carefully edited and rewritten as a reflection of NSW's heritage management practice. This revised Sirius SEPP must also include a Conservation Management Plan on the Sirius building. In its current form, the Sirius SEPP cannot be supported as it fails to adequately address the values of the community and consider the significance of the Sirius building, including the cultural significance of The Rocks.

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