

'Save Our Sirius' – Sirius SEPP submission by Michael Mangold, Cremorne Point NSW
16 February 2018

"The site specific State Environmental Planning Policy (SEPP) described in NSW Government Planning & Environment" *Planning Report December 2017 36-50 Cumberland Street, The Rocks (Sirius Building)* is the opposite of what it purports to be and everything the Sirius Building stands for. The document is architectural in construction but political in intent.

The shiny trim of moral justification designed to distract from the inescapable contradiction that this document prepared hurriedly by the same NSW Government Planning & Environment department which fastidiously studied the heritage values of the Sirius Building and recommended they be retained, beginning on page 3 is purely political.

The proposal will help to deliver the following strategic planning priorities for the NSW Government:

- ***accelerating urban renewal across Sydney by providing homes closer to jobs;***
- ***creating mixed-use centres that provide a convenient focus for daily activities;***
- ***providing more housing in a well serviced area.***

This element of the document does however serve as a powerful reminder of the integration of the history of the Sirius Building and its heritage values in terms of why, when and how it was constructed and its performance in relation to and beyond its social housing purpose.

The heritage values of the Sirius Building are integral to but exist separately and simultaneously from its original social housing function, in much the same way the significance of the Sydney Harbour Bridge radiates in the landscape and the psyche of the city while carrying traffic.

This document contains misleading statements and discrepancies. It contradicts the expertise and advice of NSW Government Planning and Environment. I am a longstanding citizen of Sydney with qualifications and experience in education. I have lived in the Cremorne Point natural and built heritage area for over 30 years and my company's offices were located in Sydney Harbour Federation Trust buildings on Middle Head, Mosman for almost 10 years. I know what I am talking about.

Compare for example this statement (and date) on page 6;

2.5 State Significant Precinct State Significant Precincts (SSP) are identified as areas that the Minister for Planning considers to be matters of state or regional planning significance, because of their social, economic or environmental characteristics.

On 19 September 2017, the Minister for Planning agreed to investigate the Sirius site as a potential SSP to enable new planning controls to be prepared for the site. In agreeing to

investigate the site as a potential SSP the Minister considered the following criteria for SSP's.

with this statement (and dates) on pages 13 & 14;

In December 2015 the Heritage Council recommended that the Sirius building be listed on the State Heritage Register (SHR) as an item of state heritage significant.

On 31 July 2016 the Minister for Heritage announced that the NSW Government would not proceed with listing the Sirius building on the SHR due to undue financial hardship it would cause to the NSW State Government.

This decision was subsequently challenged by the Environmental Defenders Office NSW, on behalf of the Miller Point Community Association in the Land and Environment Court on 6 and 7 of April 2017.

On 25 July 2017, the Land and Environment Court determined that the Minister for Heritage must remake the decision as to whether to list the Sirius Building on the SHR as the reasons for deciding not to list the building were not valid and had no effect.

On 25 October 2017, the Minister for Heritage re-determined that the Sirius apartment building will not be listed on the State Heritage register.

Page 8

There are no local controls applying to the Sirius site.

The Sirius Building has long since ceased to be a "site" and just because "There are no local controls" does not mean there should not be. The City of Sydney Council continues to assert community rights (planning and social) in determining the future of the Sirius Building.

Save Our Sirius

The submission by heritage expert Anne Warr on the the NSW Government's Sirius Building SEPP is far more detailed and precise than mine can ever be as a citizen and businessman such as me with a full schedule but strong engagement with community and democracy.

The NSW Government's SEPP fails to recognise the heritage significance of the Sirius Building, ignoring its own guidelines for management of assets.

NSW Property has failed to manage Sirius as required under Section 170 of the NSW Heritage Act. The Heritage Impact Statement is inadequate and the Urban Design Report is incomplete. A Conservation Management Plan is required.

There has been no assessment of the heritage impact of the demolition and/or retention of the Sirius Building despite the fact that the Sirius Building is 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 Heritage Impact Statement is inadequate. It allows for the retention of the Sirius Building or its demolition and new construction following the implementation of new planning controls. However the Heritage Impact Statement (HIS) only addresses one of these scenarios; – ‘the potential impact any new development may have on the heritage items in the vicinity’ (AP HIS Nov 2017: 5). The heritage impact of removing the Sirius Building has not been addressed.

NSW Property has failed to manage the Sirius Building as required under Section 170 of the NSW Heritage Act. The Land and Housing Corporation listed Sirius as a heritage item on its Heritage and Conservation Register, under Section 170 of the NSW Heritage Act.

The NSW Premier’s Department, NSW Treasury and NSW Department of Commerce have worked together since the 1990s to develop Total Asset Management (TAM) Guidelines, including Heritage Asset Management Guidelines, to guide government agencies in the management of their asset portfolios in compliance with Section 170 of the Heritage Act.

The NSW Government has not followed the TAM Guidelines. The Sirius Building is not a surplus asset and the disposal process for Sirius has not been followed.

The heritage values of the Sirius Building are widely recognised, including by:

- Heritage Council of NSW who recommended Sirius for state heritage listing
- National Trust who nominated Sirius for state heritage listing
- ICOMOS
- Docomomo
- World Monuments Fund
- Australian Institute of Architects
- City of Sydney

Conclusion

It is infuriating as a longstanding tax paying (including monumental amounts of payroll tax) citizen of Sydney and NSW, that the NSW Government offices of heritage, planning and environment have been distorted to serve party political imperatives.

The NSW Government has statutory duty to be open and honest in taking into account the information, opinions, attitudes, wishes and hopes of people such as me and the wider community for the future of the Sirius Building as part of Sydney’s heritage.

Inspo

“.... began her work accepting established conventions, but when she encountered the obstruction and indifference of officialdom, her attitude began to harden and she became an uncompromising radical”

[Australian Dictionary of Biography, Caroline Chisholm \(1808-1877\)](#)











