

ITEM 3.3. SUPPORT FOR SAVE OUR SIRIUS CAMPAIGN**FILE NO: S051491****MINUTE BY THE LORD MAYOR**To Council:

The Sirius building, located in The Rocks, is a Sydney landmark. Anyone who has crossed the Harbour Bridge knows this building, although not everyone understands its significance and why it is so loved.

Completed in 1980 by Housing Commission architect Tao (Theodore) Gofers, the Sirius building was built to provide homes for low-income residents displaced by development in The Rocks. It was built following the 1970's Green Bans and community opposition to plans by the Sydney Cove Redevelopment Authority to demolish the historic buildings along the western side of Circular Quay in order to build high-rise office towers.

The Green Bans heralded the enactment by the Wran Government of heritage legislation to stop the demolition of buildings with heritage significance.

Sirius is an example of Brutalist architecture – a blocky geometric style from the 1950s-1970s which is typically concrete – and is included on the National Trust register as a fine example of its style, significant because of its 'use of off-the-form concrete and the stacking of cubic components to create a harmonious whole'.

The Sirius continues to have strong significance to the present-day community of Millers Point, The Rocks and beyond, particularly in the current context of the NSW program of public housing sales. The Government's sales program continues to displace the most vulnerable members of our community, despite an urgent need for social housing and diversity in the City. Sirius is included in the sales program, with all but seven of its previous 99 residents relocated.

Heritage listing

Heritage listing for the Sirius will preserve this distinctive part of Sydney's heritage, and ensure that the Government cannot replace it with a block of luxury waterfront apartments.

In response to the nomination of the building for heritage listing by the National Trust, the City made a submission strongly in support of the state heritage listing as a landmark example of Brutalist architecture, with social and historical value. The Sirius is located beyond the City's planning boundary and cannot be locally listed in our LEP.

I wrote to the NSW Minister for Environment and Heritage Mark Speakman urging him to give due weight to the social and economic benefits of listing the Sirius – the contribution to local character, social cohesion and cultural life and the importance of these qualities for a global city. I also requested that he consider that property value assumptions can often underestimate the value of a listed property and the market appeal of built character.

In December 2015, the Heritage Council of NSW recommended to the Minister the heritage listing of Sirius, based on two key criteria of aesthetics and rarity. They also noted the social significance of the building and its association with the 1970's Green Bans.

Decision by the Minister for Heritage

On 31 August 2016, the Heritage Minister announced he would not list the Sirius building, stating:

'I am not listing it because whatever its heritage value, even at its highest that value is greatly outweighed by what would be a huge loss of extra funds from the sale of the site, funds the government intends to use to build social housing for families in great need.'

The Minister's ruling undermines the very purpose of heritage legislation.

The refusal to list Sirius flies in the face of recommendations to support listing by his own Heritage Council, the Institute of Architects, the National Trust, heritage staff at the City of Sydney and the community.

The Minister's decision sets a dangerous precedent; what heritage building is safe if heritage value can be set aside whenever a Minister decides the funds from its sale are worth more to the Government of the time? It is for this precise reason heritage legislation exists.

In his decision, the Minister stated that sale of the site could raise 'in the order of' \$70 million', if the building were unencumbered by heritage listing. The Government must have formulated a redevelopment proposal to make this calculation and should, in the name of transparency, release the proposal and valuation for public scrutiny

Save our Sirius

The 'Save our Sirius Group' was formed by residents of Sirius, Millers Point and The Rocks. The group champions the social significance of public housing, including the importance for local residents to live and to age in place with dignity, and as an exemplary example of Brutalist architecture.

Chaired by Shaun Carter, NSW President of the Australian Institute of Architects, it has been successful in mobilising the community and in a very short time crowdfunding \$50,000 - enough to support the commencement of legal proceedings against the Ministers decision.

The 'Save our Sirius' legal proceedings against the Minister's decision are likely to be lodged by the Environmental Defenders Office (EDO) by the end of the month.

If successful, these proceedings will reconfirm the objectives of heritage legislation and hold the NSW Government to account in its future consideration of heritage listings in the city and state. This is especially critical in the city where there is the potential for public assets with high redevelopment value to also warrant heritage listing.

Green Ban

On 14 September, forty years after the Green Bans of the 1970s, the Save our Sirius announced the placing of a Green Ban by the CFMEU on the Sirius to stop its sale and demolition. This is symbolic given the history of the Sirius - a building born out of the Green Bans, which is now being protected by one.

I was proud to speak at this announcement in support of the Green Ban, alongside Jack Munday, the environmental activist who led the NSW Builders Labourers Federation in the 1970 Green Bans.

On 17 September, I also spoke at the 'Save our Sirius' Rally - a march from Customs House to the Sirius – which was attended by 1,500 people, angry about the Minister's decision and anxious about the future of heritage protection of public assets in NSW as well as protection of social housing in our City.

City support

If successful, these proceedings will require the NSW Government to reconsider their decision about the Sirius, avoiding a precedent that would compromise the future of other high value buildings with heritage significance in the pursuit of increased profits. I propose that the City support this group, and that City staff provide legal and communications support and advice.

The City has commissioned its own legal opinion on the prospects of successfully overturning the Minister's decision in the courts. This report, when received, will be forwarded to the 'Save our Sirius' group.

I propose the City will also provide further communications advice to 'Save our Sirius' and legal advice if required, subject to the approval of the CEO. It is expected advice will be intermittent and will not require dedicated staff or budget. If this changes, I will seek approval from Council for a budget.

While 'Save Our Sirius' has raised enough funds to lodge an appeal, in the future they may require additional funding if, for example, there are further appeal proceedings. If this occurs, I may also propose that Council provide financial support for the EDO or Save the Sirius.

RECOMMENDATION

It is resolved that Council:

- (A) support the retention of the Sirius building and its continued use for social housing;
- (B) affirm support for proceedings taken by the 'Save Our Sirius' group appeal against the Minister's decision to not include the Sirius on the State heritage register and allow its demolition, despite the unanimous support of the NSW Heritage Council;
- (C) support the provision of legal and communications advice to 'Save Our Sirius', subject to the approval of the CEO; and
- (D) call on the NSW Government to disclose the planning basis upon which the valuations for the sites uplift value is based.

COUNCILLOR CLOVER MOORE

Lord Mayor