


<b>Minister for Heritage</b>	
<b>For decision</b>	

<b>Recommendation for State Heritage Listing</b> <b>Sirius Apartment Building – 36-50 Cumberland Street, The Rocks</b>	DOC15/505360
	Due date: Within 14 days of Minister's receipt Statutory <input checked="" type="checkbox"/> Non statutory <input type="checkbox"/> Electorate: Sydney

### Purpose

To recommend listing Sirius Apartment Building, 36-50 Cumberland Street, The Rocks on the State Heritage Register under the *Heritage Act 1977* (NSW) (the Heritage Act). A location map is at Attachment A.

### Analysis of issues / sensitivities

Sirius Apartment Building meets two of the seven Heritage Council of NSW criteria for listing on the State Heritage Register in terms of criteria: c (aesthetic values) and f (rarity);

The Heritage Council's Recommendation to List report is at Attachment B. Please note, the additional information on heritage significance of the Sirius Apartment Building provided by expert consultants Professor Paul Ashton and Professor Phillip Goad is at Annexure D of this report and the OEH Chief Economist's report on the Land and Housing Corporation's financial analysis is at Annexure E of the Heritage Council's report.

#### *Statutory statement of heritage significance*

The Sirius Apartment Building at 36–50 Cumberland Street, The Rocks, designed by Tao (Theodore) Gofers is of state heritage significance as a rare and fine example of the late Brutalist architectural style especially in its application to social housing, for its use of off-form concrete, the stacking of box-like components and the use of roof terraces to create a harmonious whole. The staggered form combining low rise and limited high rise elements was intended to “minimise its impact on the neighbouring precinct of The Rocks and alleviate the effects of vehicular noise from the Sydney Harbour Bridge approaches”. (Goad P, 2015)

The asymmetrical massing of the building and the distinctive fenestration makes this building a landmark, bookending the view of Circular Quay from Sydney Harbour and providing a striking entrance marker to the city from the deck of the Sydney Harbour Bridge.

Internally the public spaces, including the timber-lined foyer and Phillip Room are of outstanding aesthetic value. These shared spaces and the thoughtful attention to the variety and layout of the units demonstrates an innovative and creative resolution to the overall design of the apartment building and needs of the community of residents and developed in consultation with prospective residents.

The Sirius Apartment Building is also aesthetically significant as the physical “representation of an important move by the NSW Housing Commission in the mid-1970s, away from modernist ideals of housing in towers or slab blocks on cleared sites towards [architectural] solutions that involved community participation and sympathetic contextual placement of such housing and the retention of long-term, low income residents in historic inner urban precincts”. (Goad P, 2015)

The Sirius Apartment Building is of state heritage significance for its rarity values. Although not the original intention of the Green Bans at the Rocks, the second and one of the most well-known of the fifty Green Bans made at the time, it was an outcome of that activism. The building made a significant contribution to maintaining a residential component in an area that had been proposed for wholesale demolition and redevelopment. It was unusual in being designed with extensive input from prospective residents. It is still unusual in providing housing for low income residents with a harbourside setting and views more commonly available only to more affluent residents of Sydney. In the context of the

Green Bans and the method of its inclusive approach to developing a concept design, the Sirius Apartment Building can be seen as a rare “artefact and a symbol of the battle for The Rocks, broader developments in the heritage movement and participatory democracy” (Ashton P, 2015).

The rarity values of the Sirius Building at a state level are enhanced as Sirius and another building in Ritchie Street, Sans Souci, represent the only two known examples of Tao Gofers’ Brutalist style social housing.

Notably, among the government-owned Housing Commission apartments constructed, the Sirius building was one of the few built in the Brutalist architectural style of the late 20<sup>th</sup> century and was the last Housing Commission apartment building incorporating a high-rise element constructed by the Commission. (Hericon 2013, p 56). It is rare as a building commissioned by a public agency prepared to lead and experiment with an alternative aesthetic for public housing. (Goad P, 2015)

The Sirius Apartment Building is of heritage significance because it is a rare, prominent and intact example of social housing, designed in the late Brutalist style.

#### *Heritage Council’s position*

The Heritage Council considers Sirius Apartment Building to be of state heritage significance and worthy of listing on the State Heritage Register. The Heritage Council’s resolution of the meeting of 2 December 2015 is at Attachment C.

In its resolution Heritage Council noted that while it considered all submissions made on the proposed listing it made its recommendation based on heritage significance only.

#### *Next steps*

Under section 34 of the Heritage Act, within 14 days of receipt of a recommendation for listing from the Heritage Council, the Minister must:

- decide whether or not to direct the listing of the item on the State Heritage Register and inform the Heritage Council of that decision, or
- refer the matter to the Planning Assessment Commission for review.

In accordance with section 32(1) of the Heritage Act, the Minister must consider the following matters in reaching a decision to list an item on the State Heritage Register:

- a) the recommendation of the Heritage Council that the item should be listed
- b) whether the long-term conservation of the item is necessary
- c) whether the listing would render the item incapable of reasonable or economic use
- d) whether the listing would cause undue financial hardship to the owner, mortgagee or lessee of the item or the land on which the item is situated.

Consideration of the Heritage Council’s recommendation to list under section 32(1)(b), (c) and (d) of the Heritage Act is provided in a briefing note from the Office of Environment and Heritage (DOC15/505354).

#### **Consultation**

The nomination arose from the National Trust of Australia (NSW).

The proposed listing was advertised for public comment from 15 July 2015 to 8 September 2015. A summary of the comments received is included at Attachment D.

24 submissions were received.

4 objections were received.

A submission was received from the owner, Land and Housing Corporation (LAHC), strongly objecting to the proposed listing.

LAHC opposed the listing on the grounds that


- it is not of state heritage listing under any of the Heritage Council Criteria
- it is not worthy of long term conservation
- listing would render the Sirius Apartment Building incapable of reasonable or economic use

- listing would cause undue financial hardship to the owner, mortgagee or lessee of the item or the land on which the item is situated. (Please note, the OEH Chief Economist's report on the Land and Property Corporation financial analysis is at Annexure E of Attachment B to this Briefing Note.

### Recommendations

1. Note the information provided in the: submissions in response to advertising (Attachment D), proposed curtilage (Attachment E), site images (Attachment F), and assessment of state significance (Attachment G)	Noted / Please discuss
2. Direct the listing of Sirius Apartment Building on the State Heritage Register under section 32(1) of the <i>Heritage Act 1977</i> by signing the direction to list (Attachment H)	Signed / Not Signed
3. Inform the Heritage Council of the Minister's decision	Agreed / Not Agreed
4. Note that under section 37 of the <i>Heritage Act 1977</i> the Heritage Council must gazette the listing within 14 days of receiving notice of the Minister's direction	Noted / Please discuss

### Approvals

Approved: Stephen Davies, Chair of the Heritage Council of NSW	
	
Noted: Ian Hunter, DCE ROH	<a href="#">Click here to enter a date.</a>
Noted: Terry Bailey, Chief Executive	<a href="#">Click here to enter a date.</a>
Contact: Pauline McKenzie, Acting Executive Director, Heritage Division	9873 8584
..... Mark Speakman, Minister	..... Date

**Attachments**

A.	Location map
B.	Heritage Council consideration of listing report
C.	Heritage Council's resolution of the meeting of 2 December 2015
D.	Summary of submissions and submissions received (6 Parts)
E.	Proposed curtilage
F.	Photographs
G.	Assessment of state significance (draft SHR Entry)
H.	Direction to list on the State Heritage Register