

Director
Key Sites Assessments, Planning Services
Department of Planning and Environment
GPO Box 39, Sydney, NSW 2001

12 December 2017

LETTER OF OBJECTION TO PLANNED REDEVELOPMENT OF AGNSW – HERITAGE

Dear Director of Key Sites Assessments

I am writing to object to the likely adverse heritage impacts associated with the redevelopment of the Art Gallery of New South Wales (AGNSW), entitled “Sydney Modern” and advertised at: <http://www.planning.nsw.gov.au/Assess-and-Regulate/Projects/Sydney-Modern/Documents>. In my opinion the consent authority should not approve of this development in this location.

I am a heritage consultant based in Sydney, previously employed at NSW Heritage Office/ Heritage Branch/ Heritage Division where I was a project manager for the World Heritage nomination of the Sydney Opera House in 2005. During the rest of my employment there I was a listings officer for the State Heritage Register (SHR)—including working on a curtilage extension for the Royal Botanic Gardens to include the Tarpeian Way in 2011. More recently, while working for the eminent heritage architects Clive Lucas Stapleton, I was responsible for an interpretation plan for NSW Parliament House and the conservation plan history for Hyde Park Barracks, both major historic sites located adjacent to the Domain. As an independent researcher, I recently undertook a large oral history project with the National Library of Australia about the drafting of the *Burra Charter*—Australia's widely accepted guideline for heritage practice. My training was as an Australian art and architectural historian and during my academic years I co-authored two books on Australian women architects with two eminent built environment academics (Professor Robert Freestone and Professor Julie Willis). I have sat on the National Trust's Built Heritage Committee since 2008. My particular expertise lies in Australian historical place research, the history of Australian heritage practice and heritage significance assessment.

In my opinion the advertised “Sydney Modern” redevelopment of the AGNSW will have major adverse heritage impacts on both the surrounding Royal Botanic Gardens & Domain and the AGNSW itself. The Heritage Impact Assessment (HIS) by GML Heritage, which accompanies the proposed redevelopment, **fails to adequately acknowledge the “significance” of both places** and thus does not provide an adequate account of the likely adverse heritage should the plan go ahead in this form.

The GML HIS states, accurately but incompletely, that the AGNSW is listed on the local heritage register of the City of Sydney LEP (GML, 2017, p61). To be fair, the report goes on to offer a much more comprehensive statement of the place's heritage significance than the local listing's “statement of significance” but it does not acknowledge the place as certainly meeting the threshold for “state” significance and possibly meeting the threshold for “national”

significance. In order to properly inform its readers, the HIS should also have alerted us to the fact that **for many years the AGNSW has been earmarked for state listing on the SHR and the affected area of the Royal Botanic Gardens & Domain has been earmarked for national listing on the National Heritage List**. It is on the public record that the Heritage Council of NSW declared, at its meeting of 2 September 2011, that the AGNSW was a place which is "indisputably of State heritage significance" (along with Sydney Grammar School, Sydney Hospital and Royal Australian College of Physicians). At that meeting the council delegated its authority to the Director of the Heritage Division progress the listing of these four places on the SHR—a delegation which has not yet been exercised.

At that meeting in 2011, Heritage Council of NSW recognised the Royal Botanic Gardens & Domain as part of the suite of places in the vicinity of Macquarie Street under investigation for inclusion in the large central Sydney precinct listing for National Heritage Listing then called "Colonial Sydney" (see minutes at: www.environment.nsw.gov.au/resources/heritagebranch/heritage/heritagecouncil/hcminutes2011September374.pdf, p4).

This national nomination is now being progressed under the title, "Governor's Domain and Civic Precinct." Its assessment documents may be viewed on the Australian Heritage Council's webpage at: www.environment.gov.au/heritage/organisations/australian-heritage-council/national-heritage-assessments/governors-domain-and-civic-precinct-proposed-national-heritage-listing. The draft map for this nomination shows the AGNSW as excluded from the listing but the proposed site of its Sydney Modern extension as included within the proposed curtilage (see attached map).

On 4 May 2016 an early version of the Sydney Modern redevelopment proposal was presented to the Heritage Council of NSW, presumably because it was understood that the council had an interest in the heritage management of the AGNSW as a place slated for listing on the SHR. The Heritage Council minutes noted (in part):

- "The importance of an analysis of the impact to the landscape, views and access, particularly in relation to the Domain and RBG.
- "The importance of maintaining the main entrance.
- "Concern about converting public space to private space and the setting of a precedent.

(www.environment.nsw.gov.au/resources/heritagebranch/heritage/heritagecouncil/council-minutes-may2016-429.pdf)

In June 2017 the Australian Heritage Council's latest publication of places for "priority assessment" noted "Colonial Sydney" at the top of the list and gave it an assessment timeframe of 30 June 2018 (www.environment.gov.au/system/files/pages/8ac00639-6069-454e-a191-e6b8a3eed9a2/files/fpal-amalgamated-june2017.pdf). A press release by Josh Frydenberg, Federal Minister for the Environment and Energy, dated 10 September 2017, confirmed: "The [Australian Heritage] Council is also currently assessing Colonial Sydney for National Heritage listing . . . The Minister has requested the Council prioritise this assessment and consider it as part of the broader review of ensuring the protection of Australia's places and monuments that relate to our early colonial history." (www.environment.gov.au/minister/frydenberg/media-releases/mr20170910.html)

Most recently the Heritage Council of NSW's State Heritage Register Committee resolved, on 28 September 2017, that the Heritage Division should progress the SHR listing of the AGNSW by consulting with its owner to develop site specific exemptions prior to the NOI (Notice of Intention to List report).

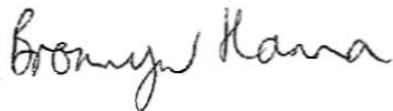
<http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/heritagecouncil/state-heritage-register-committee-minutes-september2017.pdf>

It is good heritage practice that a place under investigation for a higher level heritage listing should be treated as if it already has that higher heritage listing status. Certainly the owner-managers of both the AGNSW and the Royal Botanic Gardens & Domain have been well informed of these state and national heritage listing nominations over the years and they should have informed their heritage consultant GML. Even if they hadn't, GML would be independently aware of the Colonial Sydney listing because they have been engaged to provide expert advice to it. (For example, I read GML's draft history for the Colonial Sydney listing last year when working on Hyde Park Barracks, another property affected by the national nomination.)

It is a fundamental principle of the Australia ICOMOS *Burra Charter* that the heritage significance of a place be properly understood when considering making changes to it. Yet the GML HIS, dated November 2017, described only the established legislative status of the two affected places but did not mention these imminent state and national listings affecting both places. It did not reference the research and analysis about the two places that must have been undertaken in relation to both state and national listing proposals. **The GML HIS has not presented a proper description of the heritage status or analysis of the heritage significance of the AGNSW or the Royal Botanic Gardens & Domain. Therefore its consequent analysis of the heritage impacts of the proposed Sydney Modern development cannot be relied upon.**

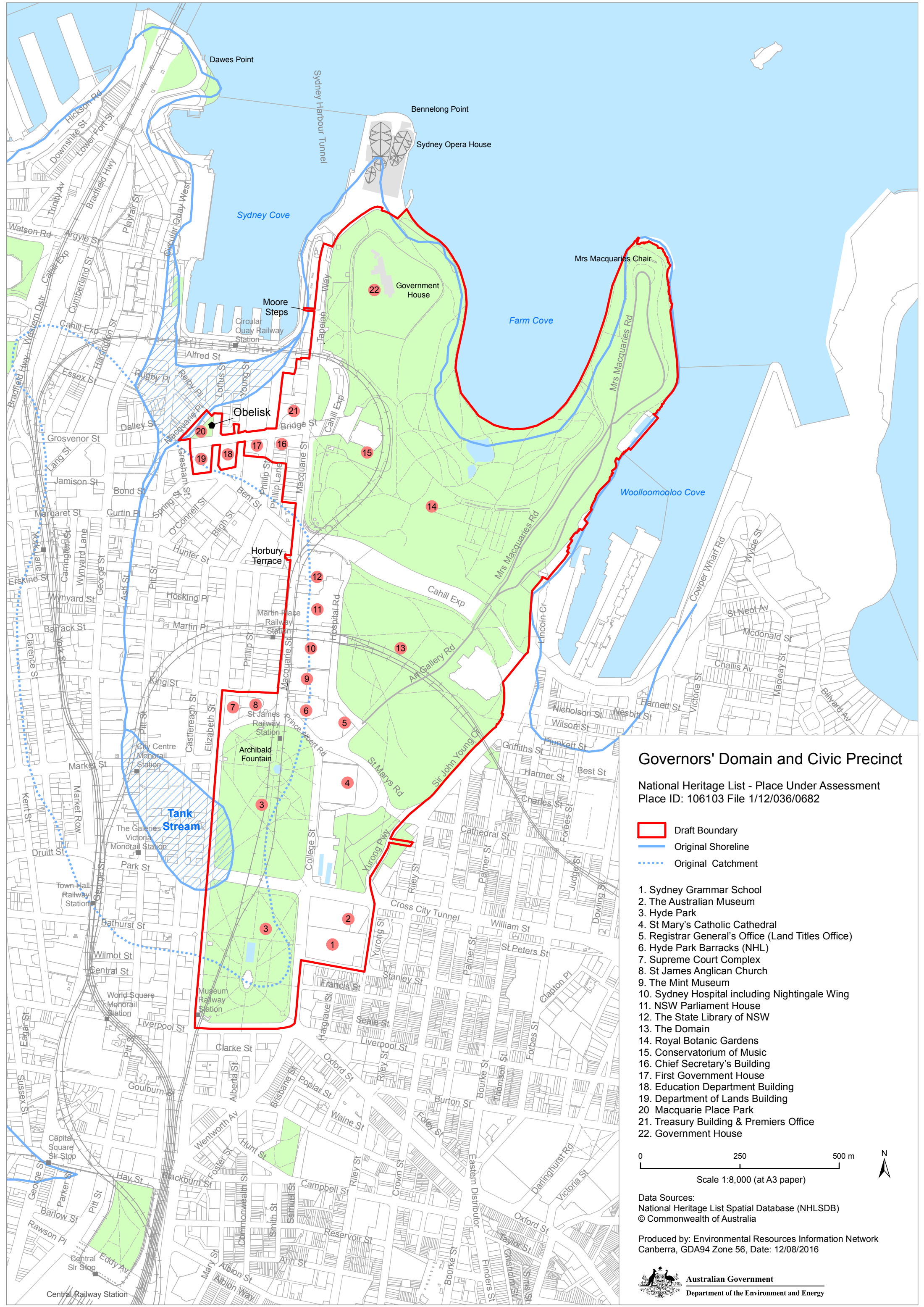
Like other critics of the proposal, I object to the loss of open public space from the Domain and Royal Botanic Gardens. I believe that this alone is a major and unacceptable heritage impact on a place of recognised local, state and national significance. Moreover, the latest submission by the National Trust of NSW (to the Director, Key Sites Developments, dated 8 December 2017) observed there are no plans to increase recurrent funding to the AGNSW although the redevelopment will more than double the space of the gallery. This suggests the new space will have to pay for itself through corporate and other private functions. This issue seemed to occurred to the Heritage Council of NSW in 2016 when they expressed "Concern about converting public space to private space" (see above). If so, I consider this to be a further major and unacceptable heritage impact. Thirdly I consider the undermining of the functioning and prominence of the historic entrance of the AGNSW to be another major and unacceptable heritage impact.

Sincerely



(Dr) Bronwyn Hanna

cc: Bruce Donald AM
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Governors' Domain and Civic Precinct

National Heritage List - Place Under Assessment
Place ID: 106103 File 1/12/036/0682

- Draft Boundary
- Original Shoreline
- Original Catchment

1. Sydney Grammar School
2. The Australian Museum
3. Hyde Park
4. St Mary's Catholic Cathedral
5. Registrar General's Office (Land Titles Office)
6. Hyde Park Barracks (NHL)
7. Supreme Court Complex
8. St James Anglican Church
9. The Mint Museum
10. Sydney Hospital including Nightingale Wing
11. NSW Parliament House
12. The State Library of NSW
13. The Domain
14. Royal Botanic Gardens
15. Conservatorium of Music
16. Chief Secretary's Building
17. First Government House
18. Education Department Building
19. Department of Lands Building
20. Macquarie Place Park
21. Treasury Building & Premiers Office
22. Government House

0 250 500 m
Scale 1:8,000 (at A3 paper)

Data Sources:
National Heritage List Spatial Database (NHLSDb)
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