



Office of
Environment
& Heritage

MD18/5843

Mr Andrew Woodhouse
President
Potts Point & Kings Cross Heritage & Residents' Society
12/3 McDonald Street
POTTS POINT NSW 2011

Email: heritageandconservation@hotmail.com

Dear Mr Woodhouse

Subject: Interim Heritage Order for Rushcutters Bay Park

Thank you for your email requesting an Interim Heritage Order (IHO) over Rushcutters Bay Park, Rushcutters Bay pursuant to section 24 of the *Heritage Act 1977* (NSW). Your request was referred to me for consideration under delegation from the Minister for Heritage.

I have resolved to make an IHO for Rushcutters Bay Park because it is likely to be of local or state heritage significance. It is intended that the IHO period of 12 months will allow the Heritage Council of NSW time to assess its heritage significance and determine whether listing on the State Heritage Register is warranted.

Please be advised that the IHO was gazetted in the NSW Government Gazette on 25 January 2019 and is now in place. The gazettal notice is available at:
https://gazette.legislation.nsw.gov.au/so/download.w3p?id=Gazette_2019_2019-7.pdf.

The effect of the IHO is that approval from the Heritage Council is required for any works for the duration of the order. Section 57(1) of the *Heritage Act 1977* (NSW) states:

"When an interim heritage order or listing on the State Heritage Register applies to a place, building, work, relic, moveable object, precinct, or land, a person must not do any of the following things except in pursuance of an approval granted by the approval body under Subdivision 1 of Division 3:

- a) demolish the building or work,
- b) damage or despoil the place, precinct or land, or any part of the place, precinct or land,
- c) move, damage or destroy the relic or moveable object,
- d) excavate any land for the purpose of exposing or moving the relic,
- e) carry out any development in relation to the land on which the building, work or relic is situated, the land that comprises the place, or land within the precinct,
- f) alter the building, work, relic or moveable object,
- g) display any notice or advertisement on the place, building, work, relic, moveable object or land, or in the precinct,
- h) damage or destroy any tree or other vegetation."

Thank you for your interest in our heritage.

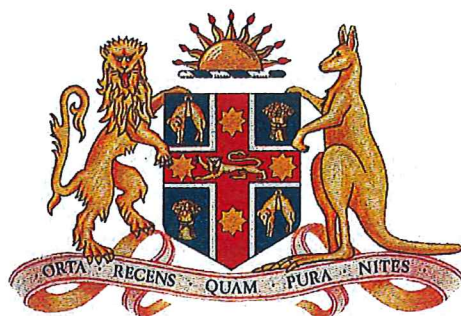
If you have any further questions on this issue, Pauline McKenzie, Executive Director, Heritage Division, Office of Environment and Heritage, can be contacted on 9873 8500.

Yours sincerely



Anthony Lean
Chief Executive

29 JAN 2019



Government Gazette

of the State of
New South Wales

Number 7
Friday, 25 January 2019

The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, private and other notices.

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GOVERNMENT NOTICES

Planning and Environment Notices

HERITAGE ACT 1977

INTERIM HERITAGE ORDER NO. 146

Rushcutters Bay Park

In pursuance of Section 24 as delegated under Section 169 of the *Heritage Act 1977* (NSW), I, the Chief Executive of the Office of Environment and Heritage, do, by this my order:

- (i) make an interim heritage order in respect of the item of the environmental heritage specified or described in Schedule 'A'; and
- (ii) declare that the interim heritage order shall apply to the curtilage or site of such item, being the land described in Schedule 'B'.

Anthony Lean
Chief Executive
Office of Environment and Heritage
Sydney, 25th Day of January 2019

SCHEDULE "A"

The property known as Rushcutters Bay Park, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Part Lot 7321 DP 1165813 in Parish of Alexandria, County of Cumberland shown on the plan catalogued HC 3229 in the office of the Heritage Council of New South Wales.

(n2019-206)



Interim Heritage Order Rushcutters Bay Park. Plan no:3229

Gazettal Date: TBA

0 30 60 90 120

Meters

Scale: 1:3,000

Datum/Projection: GCS GDA 1994

Date: 25/01/2019



Legend

-  IHO Curtilage
-  Land Parcels
-  LGAs
-  Suburbs