

The Hon Penny Sharpe MLC

Minister for Energy, Minister for Climate Change,
Minister for the Environment, Minister for Heritage,
Leader of the Government in the Legislative Council



Your ref: 2023/099418

Our ref: HMD23/94

Mr John McKee
General Manager
Ku-ring-gai Council
Locked Bag 1006
GORDON NSW 8703

By email: afabbro@krg.nsw.gov.au

Dear Mr McKee

I refer to your letter to the former Minister for Environment and Heritage regarding an interim heritage order (IHO) request for 17A Edward Street, Gordon.

I write to advise you, pursuant to section 24 of the *Heritage Act 1977*, I have resolved to make an IHO for the above item because it may, on further inquiry or investigation, be found to be of local heritage significance.

It is intended that an IHO period of 12 months will allow Ku-ring-gai Council adequate time to assess its heritage significance and determine whether listing as a local heritage item on the Ku-ring-gai Local Environmental Plan 2015 is warranted.

The IHO will be gazetted in the next available NSW Government Gazette.

The effect of the IHO is that approval from the Heritage Council under the *Heritage Act 1977* is required for any works for the duration of the order.

Section 57(1) of the *Heritage Act 1977* states:

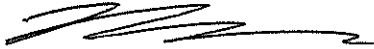
"When an interim heritage order or listing on the State Heritage Register applies to a place, building, work, relic, moveable object, precinct, or land, a person must not do any of the following things except in pursuance of an approval granted by the approval body under Subdivision 1 of Division 3:

- 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."*

I note that the making of an IHO does not impede the ability of an owner to bring forward a proposal for the property, however, it does make the Heritage Council an approval body for the proposed works and that those works would be assessed in terms of the impact on the heritage significance of the property.

If you have any enquiries regarding this matter, please do not hesitate to contact Mary Ann Hamilton, Acting Manager, Heritage Programs at Heritage NSW, on 9873 8565 or at maryann.hamilton@environment.nsw.gov.au.

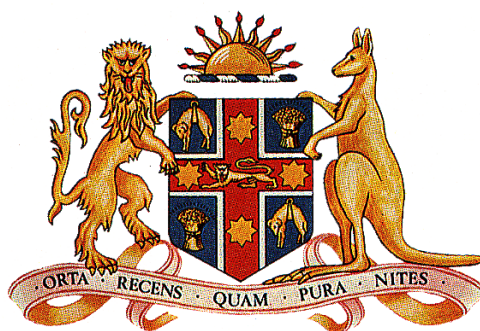
Sincerely



Penny Sharpe MLC

Minister for Energy, Minister for Climate Change,
Minister for the Environment, Minister for Heritage

26/4/23



Government Gazette

of the State of

New South Wales

Number 185—Planning and Heritage

Friday, 28 April 2023

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

Each notice in the Government Gazette has a unique reference number that appears in parentheses at the end of the notice and can be used as a reference for that notice (for example, (n2019-14)).

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW legislation website (www.legislation.nsw.gov.au) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

To submit a notice for gazettal, see the Gazette page.

HERITAGE ACT 1977

INTERIM HERITAGE ORDER No. 169

‘Denholm’ 17A Edward Street, Gordon

In pursuance of section 24 of the *Heritage Act 1977*, I, the Minister for Heritage, do, by this order:

- (i) make an interim heritage order in respect of the item of environmental heritage specified 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”.

The Hon. Penny Sharpe MLC
Minister for Heritage

Sydney, 26 Day of April 2023

SCHEDULE “A”

The item known as ‘Denholm’ at 17A Edward Street, Gordon, situated on the land described in Schedule “B”.

SCHEDULE “B”

All those pieces or parcels of land known as Lot 2 of DP 504958 in the Parish of Gordon, County of Cumberland shown on the plan catalogued HC 3311 in the office of the Heritage Council of New South Wales.