



Our ref: DOC19/872088

Mr Andrew Woodhouse
Potts Point and Kings Cross Heritage & Residents' Society

heritageandconservation@hotmail.com

Dear Mr Woodhouse

Notice of Intention to consider listing on the State Heritage Register of:

Item: Rushcutters Bay Park and Yarranabbe Park
Address: Waratah Street and New South Head Road, Rushcutters Bay; and New Beach Road, Darling Point

I am writing to advise that the Heritage Council of NSW resolved, at its meeting of 2 October 2019, to give notice of its intention to consider listing **Rushcutters Bay Park and Yarranabbe Park** on the State Heritage Register in acknowledgement of its heritage significance to the people of New South Wales. This advice is in accordance with section 33(1)(a) of the *Heritage Act 1977 (NSW)*.

Any members of the community, owners, managers, organisations or other interested parties are invited to make a written submission regarding the proposed listing and significance of **Rushcutters Bay Park and Yarranabbe Parks**. Submissions should be posted or emailed to the Heritage Council of NSW at the following address during the public submission period commencing on **16 October 2019** and closing on **20 November 2019**:

Heritage Council of NSW
Locked Bag 5020
PARRAMATTA NSW 2124
heritagemailbox@environment.nsw.gov.au

Please note that the Heritage Council is unable to accept submissions received after the above closing date.

Rushcutters Bay Park and Yarranabbe Park are potentially state significant examples of reservation of land for public recreation by councils in response to community lobbying in the late 19th century. Both demonstrate the importance placed on inalienable and accessible public lands in Sydney from the mid to late-19th century and are amongst the largest harbour reclamation schemes for public recreation undertaken in the history of NSW.

Both parks have historic significance marking the second wave of municipal park creation, part of 95 public parks created between 1863 and 1902 in Sydney, and of 50 created in the four-year lead up to 1888's centenary of the English colony. They reflect the influence of James Jones, Overseer for the Domains who laid out Victoria Park then Wentworth Park, incorporating sports ovals, greens and paths with lines or avenues of trees into the design, which was innovative and reflected practice in England and France in the 1870s. Rushcutters Bay Park was designed by engineer Frederick Augustus (F.A.) Franklin who won a design

competition for this in 1886. Franklin also designed Sydney's Centennial Park. Both parks retain their structure and layout, little changed since the 1940s and their associated footpath and park provide the public an opportunity to approach, experience and enjoy sweeping views of inner Sydney Harbour.

Rushcutters Bay Park is representative of late 19th century parks in its informal layout, structures and landscaped areas for both passive and active recreation. Yarranabbe Park is representative of late 19th century parks but with a simpler layout for passive and active recreation. The current sandstone seawall built in the late 19th century forms a significant part of the creation and expansion of both parks and the identity of the foreshore. Both parks have played a central role in the evolving landscape of leisure, sports and sports spectating in this densely-populated quarter of the city over the past 150 years and have strong, potentially state significant associations with a number of sporting events, including the start of the Sydney to Hobart Yacht Race since 1945 and the international boxing events hosted at the adjacent Sydney Stadium from 1908.

Rushcutters Bay Park and Yarranabbe Park have research potential to inform our knowledge over Aboriginal-settler contact and possible conflict in the early colonial period and 19th century cultural interactions in inner Sydney, shifting camps and settlement, interactions with colonists and increasing suburbanisation. Both have research potential on early and ongoing Aboriginal resistance to colonialization, lobbying for equal rights and for better living conditions. The role of visiting World Champion heavyweight boxer, African-American Jack Johnson in 1908, his winning fight in the adjacent Sydney Stadium in front of 20,000 people, his meetings with Sydney Aboriginal activists and advocates and influence is but one topic. Rushcutters Bay Park east may retain important archaeological remnants of early colonial rush-cutting skills and implements.

Yarranabbe Park is significant for its strong historic associations with the Navy, from its early international engagements in the Boer War and Boxer Rebellion in China, across the Great War and WW2, with HMAS Rushcutter stationed in the park, training, resting and embarkation taking place from this base. This naval association continues today.

The broad expanse of open foreshore land punctuated with rows of huge Moreton Bay figs form a mature and magnificent southern boundary to this bayside common and form a distinctive entry into the Municipality of Woollahra along New South Head Road. A central line of plane trees and another of Hill's and Port Jackson figs along New Beach Road, which forms both parks' eastern edge - contributes to the significant aesthetic values and green-belt values of these parks, located beside the most densely populated area of Sydney for much of its history.

The Grandstand at Reg Bartley Oval has historic and aesthetic significance as an important built and recreational facility since 1894. It demonstrates characteristics of this type of building and is a rare surviving example of a grandstand associated with a suburban park generally and in the City of Sydney. Its overall form and detailing are typical of suburban grandstands built between the 1890s and 1930s.

Rushcutters Bay Park stormwater canal has historic and rarity values as one of the first such canals built in Sydney, from 1882-97. It was one of nine purpose-built stormwater channels in Sydney that decade, formalising natural water courses that had become receptacles of sewage and stormwater from the large population settled in the inner Sydney suburbs.

A copy of the draft curtilage map for this item is enclosed for your reference, as well as a summary of the effects of listing. Further details on the nominated item, the State Heritage

Register, listing criteria, making a submission and the benefits of listing can be viewed on the Heritage website at:

<http://www.environment.nsw.gov.au/heritageapp/NominationsOfStateHeritageRegister.aspx>

If you have any questions, require further information, or if you do not have internet access and would like paper copies of the documents referred to above, please do not hesitate to contact Dr Emma Dortins, Senior Team Leader, South Metro, Southern Region at Heritage NSW, Department of Premier and Cabinet on (02) 9585 6465 or by email: emma.dortins@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steven Meredith', written in a cursive style.

Steven Meredith
Manager
Regional Heritage Operations - Southern
Heritage NSW, Community Engagement
Department of Premier and Cabinet
As Delegate of the Heritage Council of NSW
10 October 2019

Encl.

Introduction to the State Heritage Register

What is the State Heritage Register?

The State Heritage Register is a list of places and items of particular importance to the people of New South Wales, protected under the *Heritage Act 1977*.

The register lists a diverse range of items, in both private and public ownership. To be listed, an item must be significant for the whole of NSW.

The State Heritage Register, in its current form, was established in 1999.

The State Heritage Register forms part of the online State Heritage Inventory, a publicly available electronic database of all statutorily protected heritage items in New South Wales.

What does it mean for a heritage item to be listed on the Register?

Listing on the State Heritage Register means that the heritage item:

- is of particular importance to the state and enriches our understanding of the history of NSW;
- is legally protected under the NSW Heritage Act;
- requires approval from the Heritage Council of NSW for certain kinds of works; and
- is eligible for financial incentives.

This is explained in further detail in [Heritage listing explained - What it means for you](#).

What is “state significance”?

State heritage significance, means a place, building, work, relic, moveable object or precinct (known as a heritage item), has significance to the people and state of NSW in relation to its historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic values.

The NSW Heritage Council has developed seven [criteria](#) by which heritage items are assessed for listing on the State Heritage Register. To be listed on the State Heritage Register an item must meet the threshold of at least two of these criteria.

What kinds of heritage items are listed on the State Heritage Register?

The Register lists a diverse range of places, buildings and objects including: public buildings, shops, factories, houses, religious buildings, schools, conservation precincts, monuments, jetties, bridges, gardens, archaeological sites and movable items such as Church organs and ferries.

Who decides whether a place is listed on the State Heritage Register?

Items are added to the State Heritage Register by the Minister for Heritage on the recommendation of the Heritage Council, following an assessment of their significance and consultation with owners and the broader community.

How can I access the State Heritage Register? How can I obtain a nomination form?

The State Heritage Register can be accessed via the Office of Environment and Heritage (OEH) Heritage [website](#).

The nomination form can be downloaded from the [OEH website](#) or obtained by contacting the Heritage Division directly.

What does the listings process involve?

The process for listing a place or item on the NSW State Heritage Register is based upon statutory requirements of the *Heritage Act 1977* and Heritage Division internal procedures. The process is outlined in the below steps:

- Step 1: Heritage Division Internal Consideration. Following nomination, a preliminary assessment is undertaken and consultation with key stakeholders. OEH prioritises nominations based on significance assessments, resourcing, owner consent, etc.
- Step 2: Public Notice of Intention to List and Submission Period. The statutory process set out in the *Heritage Act 1977* is instigated after a Notice of Intention to List report is presented to the Heritage Council. If the Heritage Council resolves to consider listing the item; major stakeholders are notified, the proposed listing is advertised and interested parties are invited to make written submissions regarding the proposed listing.
- Step 3: Heritage Council Recommendation. Following completion of the advertising period all submissions are included in a Recommendation to List Report. The report is considered by the Heritage Council. All stakeholders are notified of the Heritage Council recommendation.
- Step 4: Ministerial Decision. The recommendation (for or against) is then referred to the Minister for Heritage for his/her consideration and final decision. If the Minister decides to list the item it is published in the NSW Government Gazette.

Further information about the State Heritage Register process can be found on the [OEH website](#).

For further information or advice contact:

Heritage Division
Office of Environment and Heritage
Level 6, 10 Valentine Avenue
Parramatta NSW 2150

Postal Address:

Locked Bag 5020
Parramatta NSW 2124
Tel: 02 9873 8500
Fax: 02 9873 8599

Home Page: <http://www.environment.nsw.gov.au/topics/heritage>

Email: heritagemailbox@environment.nsw.gov.au

Effects of listing on the State Heritage Register

Sale of a Property

Listing on the State Heritage Register does not place any restriction on the sale of a property.

Alterations and Additions

Listing of a building or land on the State Heritage Register does not mean that work cannot be carried out. The listing simply seeks to ensure that any new use or work is compatible with and complements the item.

Listing on the State Heritage Register means that the Heritage Council becomes the joint consent authority with authorities such as the local council for works that may affect the item's heritage significance.

Activities listed in s.57(1) of the Heritage Act will require the approval of the Heritage Council in addition to any other approvals such as the local council. An application to change the use of or undertake work to a listed building or land should be submitted to your local council in the form of an *Integrated Development Application*. If the local council does not require a development application, a S.60 Application should be submitted directly to the Heritage Council.

Exemptions for Minor Works

The Minister can grant exemptions from the need to obtain the Heritage Council's approval for specified activities. *Standard Exemptions* apply to all State Heritage Register listed items, except items with Aboriginal cultural heritage values. *Site specific exemptions* can be made for individual heritage items.

The *Standard Exemptions for works requiring Heritage Council approval* can be obtained from the Heritage Division or downloaded from the [OEH website](#).

Some sites are also covered by additional site-specific exemptions that have been approved by the Minister on the recommendation of the Heritage Council. These site-specific exemptions are developed through negotiations with the site owner/manager in order to facilitate day-to-day operational management.

Maintenance and Repair

Minimum standards of maintenance and repair for heritage items listed on the State Heritage Register are set out in the Heritage Regulation 2012. These have been formulated to ensure that these items are inspected regularly, secured and protected against the weather, fire and vandalism. They are based on prudent property management practices, aimed at avoiding expensive 'deferred maintenance'.

The *Minimum Standard of Maintenance and Repair* can be obtained from the Heritage Division or downloaded from the [OEH website](#).

Support Information

Support information for heritage property owners can be found in *Heritage listing explained – What it means for you* (click [here](#) to download) and further information for owners of SHR listed properties can be downloaded from the [OEH website](#) or by contacting the Heritage Division directly.