

Thursday 4 October 2018

## **RYDE SEEKS LEGAL INJUNCTION AFTER HERITAGE ORDER DEFIED**

The City of Ryde is seeking an immediate injunction in the Land and Environment Court after it emerged builders caused extensive damage to the interior of a historical home in Denistone, just days after Council had placed an interim heritage order on the property.

Council staff were alerted to the modification work being carried out on the house from reports of what sounded like jackhammers being used at 68 Denistone Road on Wednesday morning. This is despite barricades being placed around the property and regular patrols being conducted by Council.

Council Rangers and the Heritage Officer attended the site immediately, where they observed extensive damage to the house's interior, ceilings and windows with a fire place also removed.

After assessing the damage and speaking to the owners of the property, the City of Ryde has now launched legal action in the Land and Environment Court in which Council is seeking an immediate injunction to protect the site from further damage and the highest possible penalty for breaching the interim heritage order, as well as restitution.

Breaches of the Heritage Act can lead to fines of up to \$1.1 million and/or up to six months imprisonment.

In addition, Council has installed additional barriers around the property and engaged security guards to monitor the property. Signs in multiple languages which provide information on the interim heritage order have also been placed at the property, while Council will also attempt to place a tarpaulin on the house to protect it from water damage with heavy rain forecast over the coming days.

City of Ryde Mayor, Clr Jerome Laxale, said he was appalled at the people responsible for defying the interim heritage order and essentially "gutting" the historic Denistone home beyond repair.

"This abhorrent behaviour shows a complete disregard for Ryde's history, Ryde's heritage and the community values that make Ryde such a great place," Clr Laxale said.

Clr Laxale assured the entire community that Council was taking all action possible to preserve the house from further damage.

"We will ensure those responsible for this damage are held to account, not just to protect this house in Denistone but also to deter anyone from ever contemplating such an act and such a serious breach of heritage legislation in Ryde ever again," Clr Laxale said.

The City of Ryde placed the interim heritage order on the house in Denistone, which was under threat of being demolished and potentially replaced by a duplex and triplex.

Prior to the interim heritage order being placed on the house, it was assessed by Council's Heritage Officer who found that it had cultural heritage significance and to be a good representative example of an Inter-War Californian Bungalow. The Heritage Officer also described the house – which is believed to have been built sometime in the late 1910s or early 1920s – as one of the more prominent dwellings in the streetscape.

An interim heritage order is a temporary protection measure that can stop the demolition of a potential heritage item. It also provides Council with the time to further assess the heritage significance of a potential item and take the appropriate steps to list the item if warranted.

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