

Item No: R1 Recommendation to Council
Subject: **PLANNING PROPOSAL - HERITAGE LISTING OF THE FOUR IN HAND HOTEL AT 105 SUTHERLAND STREET, PADDINGTON**
Author: Catherine Colville, Strategic Heritage Officer
Approvers: Chris Bluett, Manager - Strategic Planning
Allan Coker, Director - Planning & Development
File No: 19/11126
Reason for Report: To obtain Council's approval to prepare a planning proposal to list the 'Four In Hand Hotel' at 105 Sutherland Street, Paddington, as a heritage item in the Woollahra Local Environmental Plan 2014.

To obtain Council's approval for the planning proposal to be referred to the Woollahra Local Planning Panel for advice.

Recommendation:

- A. THAT a planning proposal be prepared to list the *Four In Hand Hotel* at 105 Sutherland Street, Paddington, as a heritage item in the Woollahra Local Environmental Plan 2014.
- B. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- C. THAT the advice of the Woollahra Local Planning Panel be reported to the Environmental Planning Committee.

1. Background

On 21 May 2018 the Council adopted the following notice of motion:

THAT Council:

1. *Requests staff to undertake an assessment of heritage significance for the 'Four in Hand Hotel' (located at 105 Sutherland Street, Paddington) (the Property) and report to the Environmental Planning Committee on whether the Property has sufficient heritage significance to be listed as:*
 - (a) *a local heritage item in the Woollahra Local Environmental Plan 2014 (WLEP);*
and
 - (b) *an item on the State Heritage under the Heritage Act 1977;*
2. *Notes the following priorities contained in its Delivery Program 2013 to 2018 and Operation Plan 2017/2018 (the DPOP):*
 - (a) *4.3.1 – 'Develop policies, including a Heritage Item Register and a Significant Tree Register, to maintain cultural and natural heritage item's; and*
 - (b) *4.3.1.1 – 'Carry out a study of hotels in Paddington to determine and establish more specific conservation controls' (the Paddington Pub Project);*
3. *Further notes its resolution on 27 November 2017, giving 'next priority' to the Paddington Pub Project;*

4. *Expedites the Paddington Pub Project and gives urgent priority to it (including the allocation of additional funding and staff resources);*
5. *In preparing the Paddington Pub Project, gives consideration to:*
 - a) *including a recommendation to Council on how to protect all pubs in the Paddington Heritage Conservation Area to the same standard; and*
 - b) *exploring what mechanisms (including but not limited to amending the Woollahra Development Control Plan 2015 (the DCP) are available to ensure that existing controls and protections that currently apply to pubs continue to apply regardless of any change in use;*
6. *Requests that the Mayor write to the Hon Gabrielle Upton, Minister for the Environment, Local Government and Heritage to:*
 - a) *raise community concerns over the loss of historic pubs in the Woollahra Municipality and elsewhere throughout the state of New South Wales; and*
 - b) *request the State Government to explore what legislative changes can be introduced to mirror the legislative reforms recently introduced by the UK Parliament concerning the protection of pubs.*

In response to parts 1 and 4 of the Council's decision the consultant firm Robert A. Moore Pty Ltd Architects and Conservation Consultants was engaged to carry out an assessment of heritage significance of the eleven hotels in Paddington, with a priority being given to completing the assessment for the *Four in Hand Hotel* at 105 Sutherland Street Paddington. Robert Moore, the director of the firm, is a highly qualified and experienced heritage consultant with extensive and specialised experience in the identification, assessment, management and interpretation of heritage assets.

The other hotels in the Paddington Pub Project are:

#	Hotel name	Address	Listed status in Woollahra LEP 2014
1	Bellevue Hotel	157-159 Hargrave Street, Paddington	No
2	Grand National Hotel	33 Elizabeth Street (161 Underwood Street), Paddington	No
3	Imperial Hotel	252 Oxford Street, Paddington	No
4	London Tavern Hotel	85 Underwood Street, Paddington	No
5	Lord Dudley Hotel	236 Jersey Road, Paddington	Yes
6	Paddington Arms Hotel	384 Oxford Street, Paddington	No
7	Paddington Inn Hotel	338 Oxford Street, Paddington	No
8	Royal Hotel	237 Glenmore Road, Paddington	Yes
9	Unicorn Hotel	102-106 Oxford Street, Paddington	No

10	Village Inn Hotel (formerly Dirty Nelly's Hotel and the Rose and Crown Hotel)	9-11 Glenmore Road, Paddington	Yes – listed as the Rose and Crown Hotel
----	-------------------------------------------------------------------------------------	--------------------------------	------------------------------------------------

Assessments for these pubs have been undertaken in draft form and are currently being finalised prior to being released to the land owners for their comment. Following this process, a report will be prepared for the Environmental Planning Committee.

The subject report deals specifically with the assessment for the *Four In Hand Hotel*.

2. The Site

The hotel is located at the intersection of Sutherland and Elizabeth Streets, Paddington. The building occupies all of the site bounded by Sutherland Street, Elizabeth Street, a small private lane and the neighbouring site at 107 Sutherland Street, Paddington. The site has a street address of 105 Sutherland Street, Paddington, and a land title described as Lot A in DP 330465.

The *Four In Hand Hotel* is a landmark corner commercial building constructed specifically for use as a hotel. Constructed in 1878, it has been in continuous operation since its construction. Refer to Figure 1 and 2 below.



Figure 1: The Four In Hand Hotel viewed from Sutherland Street, looking towards the north eastern and north western elevations (Source: Robert A. Moore Pty Ltd Architects and Conservation Consultants, July 2018)

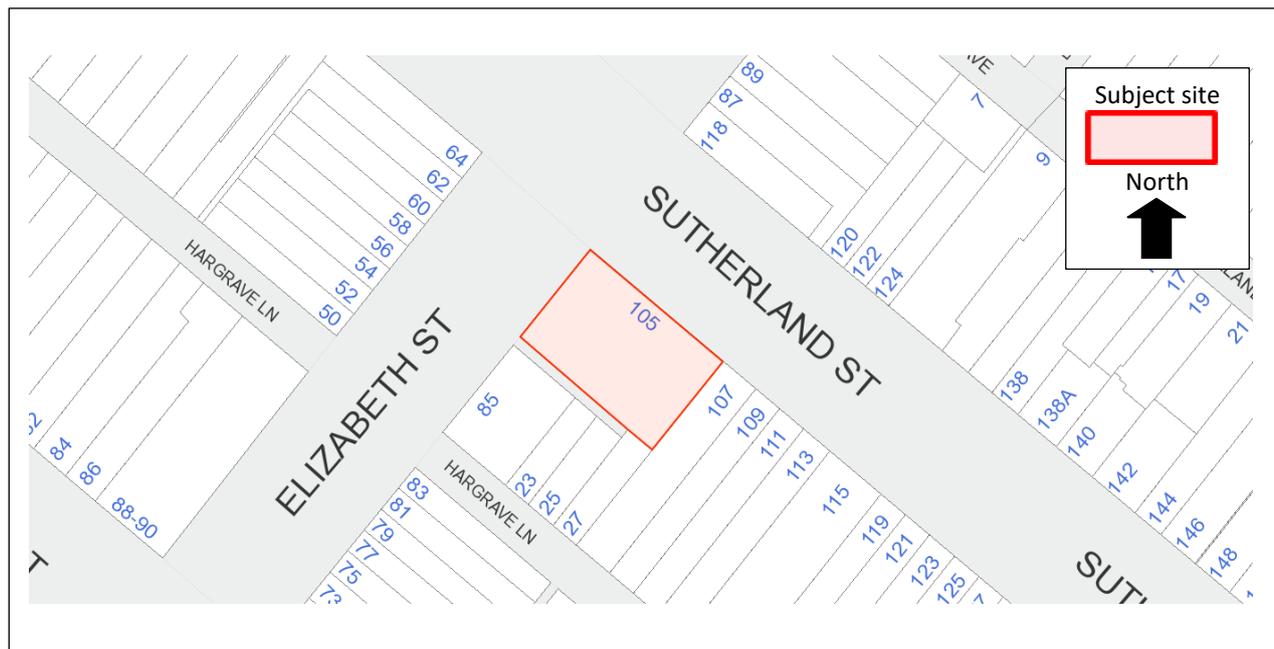


Figure 1: Cadastral map showing the Four In Hand Hotel site outlined in red

3. Assessment of heritage significance

The assessment of heritage significance was undertaken in accordance with the document titled *Assessing heritage significance*, published by the NSW Heritage Office in 2001. The assessment used the process and criteria set out in that document. There are seven criteria used in the process of assessing heritage significance:

Criterion (a)

An item is important in the course, or pattern of NSW's cultural or natural history (or the cultural or natural history of the local area).

Criterion (b)

An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

Criterion (c)

An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

Criterion (d)

An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

Criterion (e)

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

Criterion (f)

An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

Criterion (g)

An item is important in demonstrating the principal characteristics of a class of NSW's

- cultural or natural places, or
- cultural or natural environments,

(or a class of the local area's

- cultural or natural places, or
- cultural or natural environments.)

Each criterion has inclusion and exclusion guidelines which are used to assist in the assessment process. An item is considered to be of local or State heritage significance if it meets one or more of the criteria. However, an item that is of local heritage significance might not meet the threshold for listing on the State Heritage Register.

A copy of the assessment prepared by Robert A. Moore Pty Ltd, which includes the assessment against all criteria, is attached as **annexure 1**.

Table 1 below provides a summary of the assessment of the heritage significance of the *Four In Hand Hotel* against the seven criteria, at the local and State levels.

Table 1: NSW Heritage assessment criteria summary

Criteria		Meets criteria for heritage listing and grading of significance	
		Local	State
(a)	An item is important in the course, or pattern of NSW's cultural or natural history (or the cultural or natural history of the local area).	✓	✗
(b)	An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).	✓	✗
(c)	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).	✓	✗
(d)	An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.	✓	✗
(e)	An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).	✓	✗
(f)	An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).	✓	✗
(g)	An item is important in demonstrating the principal characteristics of a class of NSW's <ul style="list-style-type: none"> • cultural or natural places, or • cultural or natural environments, (or a class of the local area's <ul style="list-style-type: none"> • cultural or natural places, or • cultural or natural environments.) 	✓	✗

The heritage assessment provides the following statement of significance:

The Four In Hand Hotel is of historic significance to Paddington and the Woollahra LGA as an early and successful example of Paddington's suburban hotels, having been continuously operational since its construction in 1878. It is a surviving example of the type of landmark corner commercial development that was incorporated into the building of terrace rows during Paddington's boom era of suburban development.

It is of social significance as a reference point for community identity, having served as a meeting place for the small Sydney Italian community in the 1880s and 1890s, and for political meetings and rallies for local candidates in Council, state and federal elections, as well as for the Federation debates of the 1890s through to 1900. More recently it has been a place of community activism and home for the intellectual sub-cultures of the mid-20th century, including artists, writers and the creative professions who imbued the suburb with a renewed vigour and influenced its re-emergence as a popular, desirable and fashionable area. Its long association with Tooth and Co is well documented archivally in local, state and national repositories.

The Four In Hand Hotel is of aesthetic significance as an example of an evolved Late Victorian period hotel still reflecting its original design, re-styled in a late 19th century fusion of Victorian utility and the emerging Aesthetic Movement and Edwardian Federation styles. While its interiors have been serially modified and updated, typically evolving over time as tastes and commercial imperatives changed, its exterior remains legible and relatively intact to its 1927 appearance.

As one of the small and decreasing number of historically significant hotels still trading commercially in the distinctive and historic urban "village" of Paddington, the Four In Hand Hotel is still a vibrant element of its urban fabric and local streetscapes. The Four In Hand Hotel is now comparatively uncommon, it is arguably rare as well as representative, being one of the locally important, aesthetic/physical and social landmark corner hotel buildings still in operation which are a key element of the character of the Paddington Heritage Conservation Area, contributing to both its individuality and distinction as an important urban environment in Australia. As an element of the Paddington Conservation Area, and as one of the group of hotels in Paddington, it may also have significance at a state level.

(November 2018, Robert A. Moore Pty Ltd, Draft Heritage Inventory Sheet p.1)

The assessment recommends the listing of the *Four In Hand Hotel* as a local heritage item in Schedule 5 of the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014). It is noted that the *Four In Hand Hotel* may meet the criteria for listing at State level as part of a group listing, but does not meet the criteria for listing as an individual item at State level.

4. Consultation with the land owner

The *Four In Hand Hotel* recently changed ownership and Council staff have engaged in a lengthy consultation process with the new owner. A briefing note (**annexure 2**) was recently provided to councillors that outlined the chronology of the heritage assessment process and the consultation that had occurred to date with the new owner of the property. Following completion of the draft heritage inventory form, several meetings were held with the owners' consultants and, in accordance with Council's standard practices, copies of the assessment were sent to the land owner for comment. On 21 December 2018, Ms Ruth Daniell (heritage consultant) provided a submission to Council regarding the listing of the *Four In Hand Hotel* as a heritage item, on behalf of the land owner (**annexure 3**). Ms Daniell debates the assessment and has suggested that the level of significance of the property should not be determined until the Paddington hotels study is completed. At that point, she submits that the group of eleven hotels will all have been assessed using the accepted criteria and the necessary comparative significance will have occurred allowing the level of significance for the *Four in Hand Hotel* to be determined. Ms Daniell also submits that a conservation management plan is onerous and unnecessary.

On 22 January 2019, Robert Moore provided a response to Ms Daniell's the submission (**annexure 4**), disagreeing with the submission's assessment. We concur with the response provided by Mr Moore. As a result it is not considered appropriate to amend the heritage documentation provided by Robert A. Moore Pty Ltd in relation to the assessment of heritage listing of the *Four In Hand Hotel*. A planning proposal to list the *Four In Hand Hotel* as a heritage item in the Woollahra LEP 2014 should be prepared.

5. Woollahra Local Planning Panel advice

Section 2.19 of the *Environmental Planning and Assessment Act* (the Act) sets out the function of local planning panels. One of those functions is "to advise the council on any planning proposal that has been prepared or is to be prepared by the council under section 3.33 and that is referred to the panel by the council".

Additionally, the Local Planning Panel Direction – Planning Proposals which was issued by the Minister for Planning on 27 September 2018 identifies the types of planning proposals that are to be referred to a local planning panel for advice prior to a planning proposal being sent to the Department of Planning and Environment for a gateway determination.

Under the terms of the Direction, the planning proposal to list the Four in Hand Hotel as a local heritage item must be referred to the Woollahra Local Planning Panel for advice. This step will be undertaken at the next available meeting of the Woollahra LPP should the Council decide to prepare a planning proposal.

6. Next steps

If Council supports the recommendation of this report, the next steps in the process are:

- Prepare a planning proposal under section 3.33 of the Act to list the property as a heritage item in the Woollahra LEP 2014.
- Report the draft planning proposal to the Woollahra LPP for advice;
- Report the advice received from the Woollahra LPP to the Environmental Planning Committee.
- Further steps will depend on advice from the Woollahra LPP and the decision of the Council following the Environmental Planning Committee meeting.

7. Conclusion

The heritage significance of the *Four In Hand Hotel* has been assessed in accordance with the NSW heritage best practice guidelines. The assessment of heritage significance prepared by Robert A. Moore Pty Ltd Architects and Conservation Consultants identifies that the hotel meets the threshold for heritage listing at the local level in Woollahra LEP 2014 on historical, historical association, aesthetic, social and technical values. It is arguably rare as well as representative, being one of the locally important, aesthetic/physical and social landmark corner hotel buildings still in operation which are a key element of the character of the Paddington Heritage Conservation Area. The hotel does not meet the threshold for individual listing at State level on the State Heritage Register.

To facilitate a listing at the local level, a planning proposal should be prepared with the aim of amending Schedule 5 of Woollahra LEP 2014 by adding the *Four In Hand Hotel* to the list of heritage items. The planning proposal should be referred to the Woollahra Local Planning Panel for advice.

Annexures

1. Four In Hand Hotel - Heritage Significance Assessment and Draft Heritage Inventory Form
2. Four In Hand Hotel - Briefing Note
3. Four In Hand Hotel - Owners Submission
4. Four In Hand Hotel - Response to Owner's Submission by Robert A Moore Pty Ltd