

# PLANNING PROPOSAL

**Local heritage listing**

**Four in Hand Hotel, 105 Sutherland Street,  
Paddington**

**11 April 2019**



*Image: Unknown (sourced from the Noel Butlin Archives, ANU)*



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## Part 1 – Introduction

### 1.1 – Description of this planning proposal

This planning proposal is made in relation to the *Four in Hand Hotel* at 105 Sutherland Street, Paddington. The objective of the planning proposal is to amend *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014), to list the *Four in Hand Hotel* as a heritage item. Heritage listing will provide ongoing protection and recognition of the heritage significance of the building and interiors.

This planning proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the two documents prepared by the NSW Department of Planning and Environment titled *A Guide to Preparing Planning Proposals* (December 2018) and *A Guide to Preparing Local Environmental Plans* (December 2018).

The requirements for a planning proposal are provided in sections 2 to 9 as follows:

- 2 Existing site and surrounding context
- 3 Existing planning controls
- 4 Objective of planning proposal
- 5 Explanation of provisions
- 6 Justification
- 7 Mapping
- 8 Community consultation
- 9 Project timeline

Supplementary material is provided in the appendices:

Appendix 1: Heritage Assessment/Inventory Sheet – Four in Hand Hotel - Robert A Moore Pty Ltd

Appendix 2: Owners submission – Four in Hand Hotel

Appendix 3: Response to Owners' submission by Robert A Moore Pty Ltd

## 1.2 – 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.*

Further to the Council resolution from 21 May 2018, the other ten hotels in the Paddington Pub Project are:

	<b>Hotel name</b>	<b>Address</b>	<b>Listed status in Woollahra LEP 2014</b>
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	<b>Yes</b>
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	<b>Yes</b>
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	<b>Yes</b> [listed as the Rose and Crown Hotel]

However, this planning proposal only applies to the listing of the *Four in Hand Hotel*, and interiors, at 105 Sutherland Street, Paddington as a heritage item in Woollahra Local Environmental Plan 2014.

On 4 February 2019 a report on the Heritage Listing of the *Four in Hand Hotel* at 105 Sutherland Street, Paddington was presented to a meeting of the *Environmental Planning Committee* and on 11 February 2019, Council resolved the following:

- 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.*

On 7 March 2019, the *Woollahra Local Planning Panel* considered a report on the planning proposal and provided the following advice to Council:

*THAT the Woollahra Local Planning Panel advises Council that it:*

- A. Supports the planning proposal to list the 'Four in Hand Hotel' including interiors, at 105 Sutherland Street, Paddington, as a local heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014.*
- B. Supports the planning proposal being forwarded to the Minister or the Greater Sydney Commission under section 3.34 of the Environmental Planning and Assessment Act 1979.*

### **Assessment of heritage significance**

In response to parts 1 and 4 of the Council's decision on 21 May 2018 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 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 **Appendix 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"> <li>• cultural or natural places, or</li> </ul>	✓	✗



Criteria		Meets criteria for heritage listing and grading of significance	
		Local	State
	<ul style="list-style-type: none"> <li>cultural or natural environments, (or a class of the local area's</li> <li>cultural or natural places, or</li> <li>cultural or natural environments.)</li> </ul>		

### Statement of heritage 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-20<sup>th</sup> 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 19<sup>th</sup> 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.*

(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 LEP 2014.

The heritage assessment/inventory sheet provides the following recommendations:

1. *Appropriate Heritage Conservation Management Documents be prepared, so that continuing future use and adaptation support the Hotel's heritage significance;*

2. Council officers be available to liaise with owners prior to developing plans for change or development;
3. The *Four in Hand Hotel* including its interiors be listed as a heritage item in Woollahra LEP 2014;
4. Further investigation be undertaken to determine if the group of remaining hotels in Paddington should be listed as a group item on Woollahra LEP 2014 and on the State Heritage Register; and
5. The continued use of the building as a hotel should be supported by Local and State Governments, consistent with its long history of hotel trading and acknowledging the need for suitable periodic upgrading and adaptation to meet contemporary hotel requirements, managed through heritage listing and subject to environmental and heritage impact assessment processes.

*The significant heritage attributes and elements of the Four in Hand Hotel, modified and adapted as outlined above and confirmed through preparation of an appropriate heritage management document (ideally a CMP) should be appropriately conserved, adapted and retained. Proposals for new work should reflect identified conservation policies and demonstrate that they are contributing to the conservation of the Hotel's significance and commercial viability. Council and the Hotel owners should liaise regarding any proposed changes and the management options set out in Clause 5.10 of the Woollahra LEP 2014 remain available.*

*Existing alterations and additions, which may be considered detrimental to the identified heritage significance of the hotel, should be evaluated for removal, allowing reconstruction to original or early detail or a more sympathetic treatment. All reconstruction and repair work to the significant fabric of the building should be carried out using traditional materials and techniques and in accordance with best contemporary conservation practice. For example, there should be no further enlargement or filling-in of window or external door openings, and no additions or alterations to the building should break through the current roofline or rise above the parapets – so as not to affect its external integrity, scale and character, and relationships with the streetscapes of which it is an important contributory element. Externally mounted plant and equipment should also be carefully considered to avoid detrimental impacts.*

### **Other significance listings**

The *Four in Hand Hotel* is in the Paddington Heritage Conservation Area, local item C8 in the Woollahra LEP 2014.

The *Four in Hand Hotel* is in the Paddington Urban Conservation Area identified by the National Trust of Australia (NSW) in 1974 and has been individually classified by the Trust in 2018.

## Part 2 – The site and context

### 2.1 – The Four In Hand Hotel

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.

Surrounded by residential properties, 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, 2, 3 4 and 5** below for site and context images.

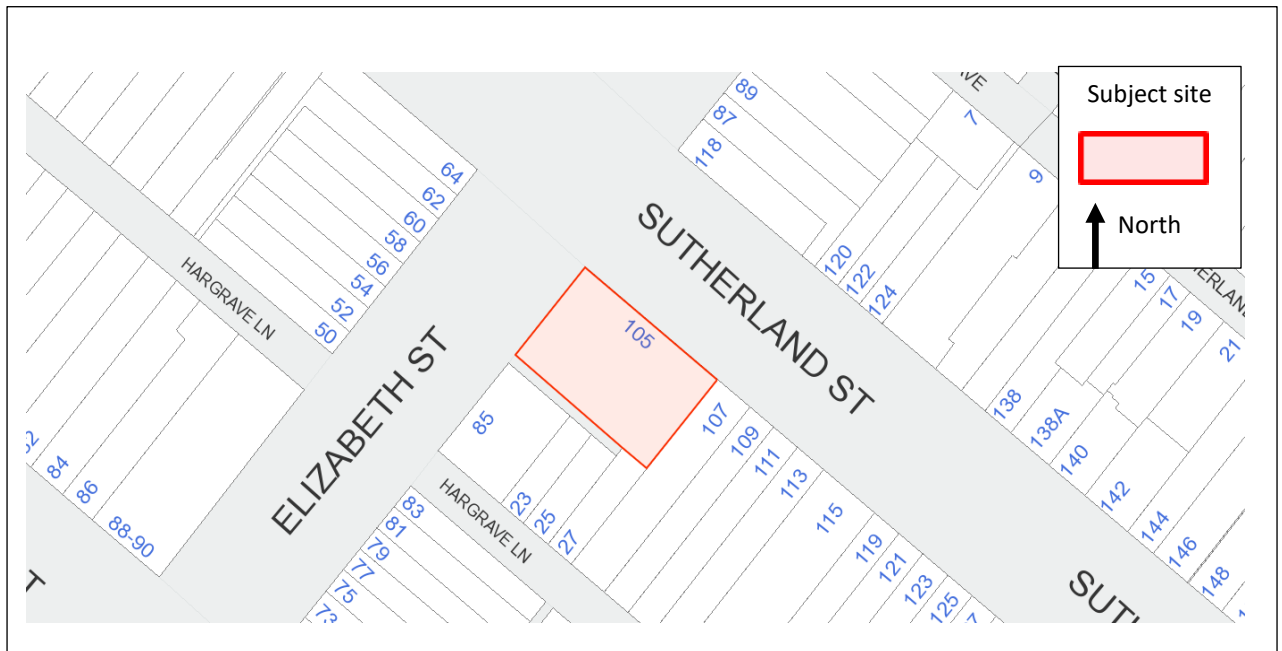


(Source: Robert A. Moore Pty Ltd Architects and Conservation Consultants)

**Figure 1: The Four In Hand Hotel as viewed from Sutherland Street, looking towards the north eastern and north western elevations**

Initially constructed in 1878, the *Four in Hand Hotel*, previously known as *Humberstone's Hotel* and the *Solferino Hotel*, is a two-storey, corner-sited Victorian period hotel building, which through campaigns of additions and alterations over 140 years, has continued in its original use until the present day. Built to address Sutherland and Elizabeth Streets, with its long side elevation to Sutherland Street, the hotel is of rendered brick construction with corrugated iron roofs concealed by the parapets to its street frontages.





(Source: Council's in-house mapping system)

**Figure 2: Cadastral map showing the Four In Hand Hotel site outlined in red**



(Source: Council's in-house mapping system)

**Figure 3: Aerial map showing the Four In Hand Hotel site outlined in red**



(Source: Google Street view – July 2017)

**Figure 4: Image of the adjoining residential properties to the east along Sutherland Street**



(Source: Google Street view – July 2017)

**Figure 5: Image of the adjoining properties to the south along Elizabeth Street**



## 2.2 – Existing context

*The Four in Hand Hotel* is located in the centre of the residential precinct of the Paddington Heritage Conservation Area.

The site is zoned R2 Low Density Residential under the Woollahra LEP 2014.

*Chapter C1 Paddington heritage Conservation Area*, describes the objectives and controls for the Heritage Conservation Area including the conservation philosophy.

Section C1.3.9 identifies the significance of pubs in the Paddington Heritage Conservation Area

*Most pubs in Paddington are substantial buildings ranging in height from two to four storeys. They date from the 1840s through to the 1940s and are prominent place markers, often located on corner sites.*

*The pubs have an imposing presence with distinctive parapet profiles, modulated façades, window and door openings and ornate architectural detailing. Building materials include stone, brick, stucco, timber, glazed tiles and terracotta. The pubs display a diverse range of architectural styles including Victorian, Federation and Inter-War buildings.*

*Some buildings exhibit original elevation detail and a few retain their original interior detail.*

*Pubs owe their survival to their ability to offer the latest in comfort, service and amenities, consistent with the demands of their customers. To meet these situations and to also comply with legislative requirements relating to matters such as trading hours and public amenity, alterations and additions to pubs occur from time to time. Despite the fact that pubs are prone to physical change, a number of Paddington pubs remain close to their original configuration, appearance and use.*

## Part 3 – Existing relevant planning controls

The existing relevant planning controls to this planning proposal are heritage planning controls. The *Four in Hand Hotel* is not currently listed as a State or local heritage item. The *Four in Hand Hotel* is located in the Paddington Heritage Conservation Area which is identified as local item C8 in Part 2 (Heritage conservation areas), Schedule 5 (Heritage items) in Woollahra LEP 2014.

## Part 4 – Objective of planning proposal

The objective of the planning proposal is to amend Woollahra LEP 2014, to list the *Four in Hand Hotel*, including its interiors, at 105 Sutherland Street, Paddington as a local heritage item. Heritage listing will provide ongoing protection and recognition of the heritage significance of the item.

## Part 5 – Explanation of provisions

The planning proposal seeks the following amendments to Woollahra LEP 2014:

- Insert a listing for *the Four in Hand Hotel*, including its interiors, in Part 1 Heritage Items of Schedule 5 Environmental Heritage. The exact wording of the amendment will be determined by the Parliamentary Counsel prior to the making of the amending LEP.
- Amend the Heritage Map (Sheet HER\_003A) to identify a heritage item on the site of the *Four In Hand Hotel* at 105 Sutherland Street, Paddington.

## Part 6 – Justification

The planning proposal has strategic merit. The key reasons to amend Woollahra LEP 2014 are that heritage listing of the *Four in Hand Hotel* will provide ongoing protection and recognition of the heritage significance of the item.

These matters are further discussed below in part 6.1 to 6.3.

### 6.1 – Need for planning proposal

#### 1. Is the planning proposal a result of any strategic study or report?

Yes. The planning proposal is the result of the recommendations of the heritage assessment/ inventory sheet, prepared by Robert A Moore Pty Ltd. The report concluded that the *Four in Hand Hotel* meets the criteria for listing as a local heritage item. The report recommended that the *Four in Hand Hotel*, including its interiors, be listed as a heritage item in Woollahra LEP 2014.

#### 2. Is the planning proposal the best means of achieving the objectives, or is there a better way?

Yes. The objective of the planning proposal is to amend the Woollahra LEP 2014, to list the *Four in Hand Hotel* at 105 Sutherland Street, Paddington as a heritage item. The best, and only, means of achieving this objective is through the planning proposal process.

Heritage listing will provide ongoing protection and recognition of the heritage significance of the item. Options, such as adding site-specific objectives and controls to *Woollahra Development Control Plan 2015*, or including heritage conservation conditions to a development consent for the *Four in Hand Hotel*, will not provide the same level of heritage protection and recognition.

## 6.2 – Relationship to strategic planning framework

### 3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional, subregional strategy or district plan or strategy (including exhibited draft plans or strategies)?

Yes. The planning proposal is consistent with the relevant objectives of the *Greater Sydney Region Plan: A Metropolis of Three Cities* (2018) and the relevant actions of the *Eastern City District Plan* (2018), as discussed below.

#### Greater Sydney Regional Plan: A Metropolis of Three Cities

The planning proposal is consistent with the directions and objectives of *Greater Sydney Regional Plan: A Metropolis of Three Cities*, particularly Objective 13: Environmental heritage is identified, conserved and enhanced.

Heritage listing of the *Four in Hand Hotel House* will provide ongoing protection and recognition of the heritage significance of the item.

#### Eastern City District Plan

The planning proposal is generally consistent with the actions of the *Eastern City District Plan*, particularly actions 20, 54 and 63 by:

- Identifying, conserving and enhancing the environmental heritage of the local area through:
  - engaging with the community early to understand heritage values
  - enhancing the interpretation of heritage to foster distinctive local places
  - managing the cumulative impact of development on the heritage values and character of places
- Assisting Council in preparing plans for tourism and visitation by protecting heritage to enhance cultural tourism.
- Identifying and protecting scenic and cultural landscapes.

### 4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Yes. The planning proposal is consistent with the Council's Community Strategic Plan titled *Woollahra 2030 – our community, our place, our plan*. Notably, the planning proposal meets the following strategy within Goal 4 (Well planned neighbourhood) under the theme Quality places and spaces:

*4.3 Protect local heritage and residential amenity, including protection of significant architecture and the natural environment.*

### 5. Is the planning proposal consistent with applicable State environmental planning policies?

Yes. The planning proposal is consistent with the *Standard Instrument – Principal Local Environmental Plan* and other applicable State environmental planning policies (refer to **Schedule 1**).



**6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?**

Yes. The planning proposal is consistent with applicable section 9.1 directions (refer to **Schedule 2**).

**6.3 – Environmental, social and economic impact**

**7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No. There are no critical habitat areas, threatened species, populations or ecological communities or their habitats present on the subject land. Accordingly, the proposal will not have any impact in this regard.

**8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

No. There are no likely environmental effects that would arise as a result of the planning proposal. Protection of the item, will be required when development is proposed for the *Four in Hand Hotel* or in the vicinity of the site. Protection measures are not likely to result in environmental harm and will be managed through the development assessment process.

**9. Has the planning proposal adequately addressed any social and economic effects?**

Yes. The heritage assessment / inventory sheet measured the *Four in Hand Hotel* against the criteria for 'cultural significance' as defined in the Australia ICOMOS Burra Charter, as meaning the aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

The assessment found that the *Four in Hand Hotel* is of heritage significance at the local level. 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).	✓	✗

Criteria		Meets criteria for heritage listing and grading of significance	
		Local	State
(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"> <li>• cultural or natural places, or</li> <li>• cultural or natural environments, (or a class of the local area's</li> <li>• cultural or natural places, or</li> <li>• cultural or natural environments.)</li> </ul>	✓	✗

Therefore, it is considered that the planning proposal will have a positive social and economic effects because:

- Heritage listing will provide ongoing protection and recognition of the social heritage significance of the item.
- Heritage listing will not preclude future development of the *Four In Hand Hotel* which is undertaken in accordance with heritage requirements.
- It is not anticipated that the planning proposal will have any negative social and economic effects which need to be addressed as part of the proposal.

## 6.4 – State and Commonwealth interests

### 10. Is there adequate public infrastructure for the planning proposal?

Yes. The planning proposal involves the local heritage listing of the *Four in Hand Hotel*. It does not involve amendments to the planning controls that will facilitate intensified development.

The *Four in Hand Hotel* has access to adequate public infrastructure such as water, sewer, electricity and telephone services. The site is in proximity to regular and frequent public transport services.

There is no significant infrastructure demand that will result from the planning proposal. The existing services that are available to the site are suitable for the proposal and appropriate for the requirements of a local centre.

# 11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

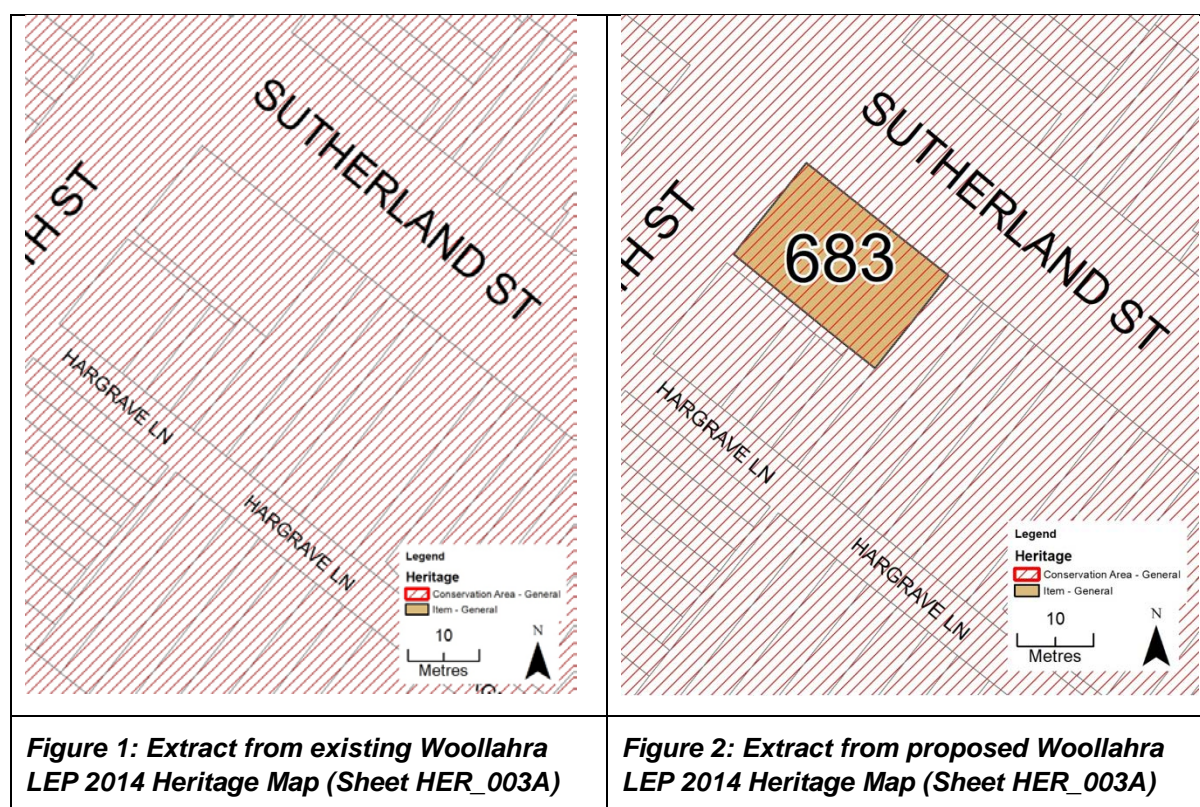
This section will be completed following consultation with public authorities identified in the gateway determination. Public authorities, including but not limited to, will be notified:

- Office of Environment and Heritage, Heritage Division.
- NSW Heritage Council.
- The National Trust of NSW

## Part 7 – Mapping

The planning proposal seeks to amend the Woollahra LEP 2014 Heritage Map (Sheet HER\_003A) by applying an “Item – General” classification to *the Four in Hand Hotel*.

Extracts of the existing and proposed heritage maps are shown in Figure 1 and Figure 2.



## Part 8 – Community consultation

### 8.1 – Consultation with landowner

Council has involved the landowner and their consultants in the assessment of heritage significance and reporting stages. This has included:

- Notice of the Council's initial decision made on 21 May 2018 to investigate the heritage significance of the hotel.
- Meeting with the owner to discuss the heritage assessment process.
- A site inspection of the hotel involving the Council's heritage consultant, the landowner and the landowner's consultants.
- Providing a draft version of the assessment of heritage significance to the landowner for comment. The owner's heritage consultant provided a submission dated 21 December 2018 (see **Appendix 2**). The Council's heritage consultant provided a response to the submission (see **Appendix 3**).
- Inviting the landowner to attend and make a presentation at the meeting of the Council's Environmental Planning Committee meeting on 4 February 2019.

### 8.2 – Public exhibition

The public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2000*.

The planning proposal will be exhibited for a minimum of 28 days.

Public notification of the exhibition will comprise:

- A weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period.
- A notice on Council's website.
- A letter to the land owner of the site.
- A letter to land owners in the vicinity of the site.
- Local community and business groups such as the Paddington Society. Bay.

During the exhibition period the following material will be available on Council's website and in the customer service area at Woollahra Council offices:

- The planning proposal, in the form approved by the gateway determination.
- The gateway determination.
- Information relied upon by the planning proposal, such as relevant Council and consultant reports.

## Part 9 – Project timeline

If Council is authorised to exercise the functions of the Minister for Planning under section 3.36 of the *Environmental Planning and Assessment Act 1979*, the proposed timeline for completion is as follows:

Plan-making step	Estimated completion
Local Planning Panel advice	March 2019
Council resolution to proceed	March 2019
Gateway determination	May 2019
Completion of technical assessment	Usually none required
Government agency consultation	July 2019
Public exhibition period	July 2019
Submissions assessment	August 2019
Council assessment of planning proposal post exhibition	September 2019
Council decision to make the LEP amendment	October 2019
Council to liaise with Parliamentary Counsel to prepare LEP amendment	November 2019
Forward LEP to Department of Planning and Environment for notification	December 2019
Notification of the approved LEP	February 2019

## Schedules

### Schedule 1 – Consistency with state environmental planning policies

State environmental planning policy	Comment on consistency
SEPP No 1 – Development Standards	Not applicable
SEPP No 19 – Bushland in Urban Areas	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 21 – Caravan Parks	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 30 – Intensive Agriculture	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 33 – Hazardous and Offensive Development	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 36 – Manufactured Home Estates	Not applicable
SEPP No 44 – Koala Habitat Protection	Not applicable
SEPP No 47 – Moore Park Showground	Not applicable
SEPP No 50 – Canal Estate Development	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable
SEPP No 55 – Remediation of Land	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 62 – Sustainable Aquaculture	Not applicable
SEPP No 64 – Advertising and Signage	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.



<b>State environmental planning policy</b>	<b>Comment on consistency</b>
SEPP No 65 – Design Quality of Residential Apartment Development	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 70 – Affordable Housing (Revised Schemes)	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Affordable Rental Housing) 2009	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Building Sustainability Index: BASIX) 2004	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Coastal Management) 2018	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Exempt and Complying Development Codes) 2008	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Housing for Seniors or People with a Disability) 2004	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Infrastructure)	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	Not applicable
SEPP (Kurnell Peninsula) 1989	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Miscellaneous Consent Provisions) 2007	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Penrith Lakes Scheme) 1989	Not applicable
SEPP (Rural Lands) 2008	Not applicable

<b>State environmental planning policy</b>	<b>Comment on consistency</b>
SEPP (State and Regional Development) 2011	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (State Significant Precincts) 2005	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable
SEPP (Sydney Region Growth Centres) 2006	Not applicable
SEPP (Three Ports) 2013	Not applicable
SEPP (Urban Renewal) 2010	Not applicable
SEPP (Vegetation in Non-Rural Areas) 2017	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Western Sydney Employment Area) 2009	Not applicable
SEPP (Western Sydney Parklands) 2009	Not applicable

<b>Sydney regional environmental plans – now deemed State environmental planning policies</b>	<b>Comment on consistency</b>
SREP No 8 (Central Coast Plateau Areas)	Not applicable
SREP No 9 - Extractive Industry (No 2 - 1995)	Not applicable
SREP No 16 – Walsh Bay	Not applicable
SREP No 20 - Hawkesbury- Nepean River (No 2 - 1997)	Not applicable
SREP No 24 - Homebush Bay Area	Not applicable
SREP No 26 – City West	Not applicable
SREP No 30 - St Marys	Not applicable
SREP No 33 - Cooks Cove	Not applicable



Sydney regional environmental plans – now deemed State environmental planning policies	Comment on consistency
SREP (Sydney Harbour Catchment) 2005	<p>Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.</p> <p>The planning proposal applies to land within the Sydney Harbour Catchment. Therefore the planning principles under Part 2, clause 13 Sydney Harbour Catchment of the SREP have been considered during its preparation. The planning proposal is consistent with the principles.</p> <p>The sites are not land in the Foreshores and Waterways Area, therefore the principles of clause 13 Foreshores and Waterways Area are not applicable to this planning proposal.</p>

**Schedule 2 –  
Compliance with section 9.1 directions**

<b>Compliance with section 9.1 directions</b>		
<b>Direction</b>		<b>Applicable/comment</b>
<b>1</b>	<b>Employment and resources</b>	
1	Business and industrial zones	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.
1.2-1.5	Directions 1.2-1.5	Not applicable. These directions are not relevant to the Sydney metropolitan area.
<b>2</b>	<b>Environment and heritage</b>	
2.1	Environment protection zones	Not applicable. The planning proposal does not apply to land within an environmental protection zone or land identified for environmental protection.
2.2	Coastal protection	Not applicable. The planning proposal does not apply to land within the coastal zone.
2.3	Heritage conservation	Applicable. Consistent. Heritage listing of the <i>Four in Hand Hotel</i> will provide ongoing protection and recognition of the heritage significance of the item.
2.4	Recreation vehicle areas	Not applicable. The planning proposal will not allow land to be developed for a recreation vehicle area.
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable. The planning proposal does not apply to land in the Far North Coast.
<b>3</b>	<b>Housing, infrastructure and urban development</b>	
3.1	Residential zones	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.
3.2	Caravan parks and manufactured home estates	Not applicable. The planning proposal does not affect caravan parks and manufactured home estates.
3.3	Home occupations	Not applicable. The planning proposal does not affect home occupations in dwelling houses.

Compliance with section 9.1 directions		
Direction		Applicable/comment
3.4	Integrating land use and transport	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.
3.5	Development near licensed aerodromes	Not applicable. The planning proposal does not apply to land near a licensed aerodrome.
3.6	Shooting ranges	Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range.
<b>4</b>	<b>Hazard and risk</b>	
4.1	Acid sulfate soils	Applicable. Consistent. Existing acid sulfate soils provisions will not be altered by the planning proposal.
4.2	Mine subsidence and unstable land	Not applicable. The planning proposal does not apply to land within a proclaimed Mine Subsidence District or to land identified as unstable.
4.3	Flood prone land	Applicable. Consistent. Existing flood planning provisions will not be altered by the planning proposal.
4.4	Planning for bushfire protection	Not applicable. The planning proposal does not apply to land mapped as bushfire prone land.
<b>5</b>	<b>Regional planning</b>	
5.1 - 5.9	Strategies 5.1-5.9	Not applicable. These strategies do not apply to the Woollahra LGA.
5.10	Implementation of Regional Plans	<p>Applicable. The planning proposal is consistent with the objectives of the <i>Greater Sydney Regional Plan: A Metropolis of Three Cities</i>, particularly Objective 13: Environmental heritage is identified, conserved and enhanced.</p> <p>Heritage listing of the <i>Four in Hand Hotel</i> will provide ongoing protection and recognition of the heritage significance of the item.</p> <p>Refer to Section 6.2 of this report and direction 7.1 of this table.</p>

Compliance with section 9.1 directions		
Direction		Applicable/comment
<b>6</b>	<b>Local plan making</b>	
6.1	Approval and referral requirements	Not applicable. The proposal does not include provisions that require development applications to be referred externally and is not related to designated development.
6.2	Reserving land for public purposes	Not applicable. The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.
6.3	Site specific provisions	Not applicable. The planning proposal does not allow a particular development to be carried out.
<b>7</b>	<b>Metropolitan Planning</b>	
7.1	Implementation of <i>A Metropolis of Three Cities</i> (March 2018)	Applicable. The planning proposal is consistent with the objectives of <i>A Metropolis of Three Cities</i> , particularly Objective 13: Environmental heritage is identified, conserved and enhanced.  Heritage listing of the <i>Four in Hand Hotel</i> will provide ongoing protection and recognition of the heritage significance of the item.  Refer to section 6.2 of this report and direction 5.10 of this table.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable.

## **Supplementary material**

Appendix 1: Heritage Assessment/Inventory Sheet – Four in Hand Hotel - Robert A Moore Pty Ltd

Appendix 2: Owners submission – Four in Hand Hotel

Appendix 3: Response to Owners' submission by Robert A Moore Pty Ltd