

Item No: R1 Recommendation to Council
Subject: **PLANNING PROPOSAL - HERITAGE LISTING OF SEVEN (7) PUBS IN PADDINGTON (PADDINGTON PUBS STUDY) & DCP AMENDMENTS**
Author: Flavia Scardamaglia, Strategic Heritage Officer
Approvers: Anne White, Acting Manager - Strategic Planning
Allan Coker, Director - Planning & Development
File No: 19/154567
Reason for Report: To obtain Council's approval to prepare a Planning Proposal to list seven (7) pubs in Paddington as heritage items in Schedule 5 of 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.

To obtain Council's approval to exhibit the draft development control plan to amend the Woollahra Development Control Plan 2015.

Recommendation

- A. THAT a Planning Proposal be prepared to amend the *Woollahra Local Environmental Plan 2014* to include the following sites as heritage items in Schedule 5:
- i. Bellevue Hotel at 157-159 Hargrave Street, Paddington;
 - ii. Grand National Hotel at 33 Elizabeth Street (161 Underwood Street), Paddington;
 - iii. Imperial Hotel at 252 Oxford Street, Paddington;
 - iv. London Tavern Hotel at 85 Underwood Street, Paddington;
 - v. The Paddington (former Paddington Arms Hotel) at 384 Oxford Street, Paddington;
 - vi. Paddington Inn Hotel at 338 Oxford Street, Paddington; and
 - vii. Unicorn Hotel at 102-106 Oxford Street, Paddington.
- 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.
- D. THAT the draft development control plan to amend the Woollahra Development Control Plan 2015, as described in *Annexure 4* of the report to the Environmental Planning Committee meeting on 18 November 2019 is endorsed for exhibition.

1. Background

On 21 May 2018, the Council adopted the following notice of motion (Item No.11.1):

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.*

The following notice of motion was also adopted by the Council on 21 May 2018 (Item No.11.3):

THAT Council

Requests staff to urgently complete DPOP Item 4.3.1.1 (Carry out a study of hotels in Paddington to determine and establish more specific conservation controls) and include in their report a recommendation to Council on how to protect all pubs in the Paddington Heritage Conservation area to the same standard.

Furthermore, on 21 May 2018, the Council adopted the following notice of motion (Item No.11.5):

THAT Council

1. *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 items’; 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);*
2. *Further notes its resolution on 27 November 2017, giving ‘next priority’ to the Paddington Pub Project;*

3. *Expedites the Paddington Pub Project and gives urgent priority to it (including the allocation of additional funding and staff resources);*
4. *In preparing the Paddington Pub Project, gives consideration to 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;*

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 of 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. Dr Mark Dunn, professional historian, undertook the historic research on the pubs, researching primary evidence from the Noel Butlin Archive in Canberra, the State Library of NSW, the NSW State Archives and Council's archives.

The heritage assessment and subsequent Planning Proposal for heritage listing of the *Four in Hand Hotel* has progressed separately from the remaining pubs in the Paddington Pub Project in accordance with NOM 11.1 (1). The Four in Hand heritage listing has not been gazetted by the *Department of Planning Industry and Environment (DPIE)* at the time of writing this report, but we expect this to be imminent.

This report responds to point 5(a) and (b) of NOM 11.1, points 2, 3 and 4 of NOM 11.3 and NOM 11.3 by:

- Recommending the preparation of a planning proposal to heritage list the remaining unlisted pubs in the Paddington Pub Project, as explained in the following sections; and
- Recommending an amendment of the Woollahra Development Control Plan (DCP) 2015 to include objectives and controls specific to the pubs typology to ensure controls and objectives apply to pubs regardless of any change in use (as explained below in Section 6).

2. The Sites

All hotels assessed in this study are of historic significance to Paddington and Woollahra as early and successful examples of Paddington's suburban hotels, having been variously but continuously operating since their construction.

The assessment of heritage significance for each hotel was undertaken by Robert A. Moore Pty Ltd Architects and Conservation Consultants in accordance with the document titled *Assessing heritage significance*, published by the NSW Heritage Office in 2001.

Some, such as the *Grand National Hotel*, are examples 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.¹ Other hotels are stylistic exemplars of a particular style or occupy corner landmarks of Paddington, such as the *Unicorn Hotel* or the *Imperial Hotel* or the *Lord Dudley Hotel*.

¹ Robert A. Moore Architects and Conservation Consultants, *Paddington Hotels Study*, Section 4.0

All of the hotels have historic and aesthetic significance as examples of evolved period hotels, still reflecting their original design, many re-styled and all updated. They are vibrant elements of Paddington's urban fabric and local streetscapes, contributing to its distinctive urban "village" character.

Excluding the *Four in Hand Hotel*, the remaining 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	Paddington Arms Hotel	384 Oxford Street, Paddington	No
6	Paddington Inn Hotel	338 Oxford Street, Paddington	No
7	Unicorn Hotel	102-106 Oxford Street, Paddington	No

Annexure 1 includes a brief overview of all the seven pubs listed above.

The following hotels are already listed as local heritage items in the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014). During the Paddington Pub Study, the heritage consultants updated and reviewed the heritage inventory forms of the following heritage listed hotels:

#	Hotel name	Address	Listed status in Woollahra LEP 2014
8	Lord Dudley Hotel	236 Jersey Road, Paddington	Yes
9	Royal Hotel	237 Glenmore Road, Paddington	Yes
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

Heritage Inventory sheets of all ten hotels are included at *Annexure 2*.

According to Robert Moore, a range of thematic perspectives can be applied to the hotels in the group, such as:

- Grand Victorian Italianate Hotels: the *Grand National*, the *Paddington Inn*, the *Royal Hotel*;
- Suburban Corner Hotels (domestic scale): the *London Tavern*, the *Village Inn*;
- Corner Landmarks: the *Imperial Hotel*, the *Lord Dudley Hotel* (and all the group);
- Stylistic Exemplars: the *Unicorn Hotel*, the *Imperial Hotel*;
- Archaeological sites: the *Paddington Arms*.

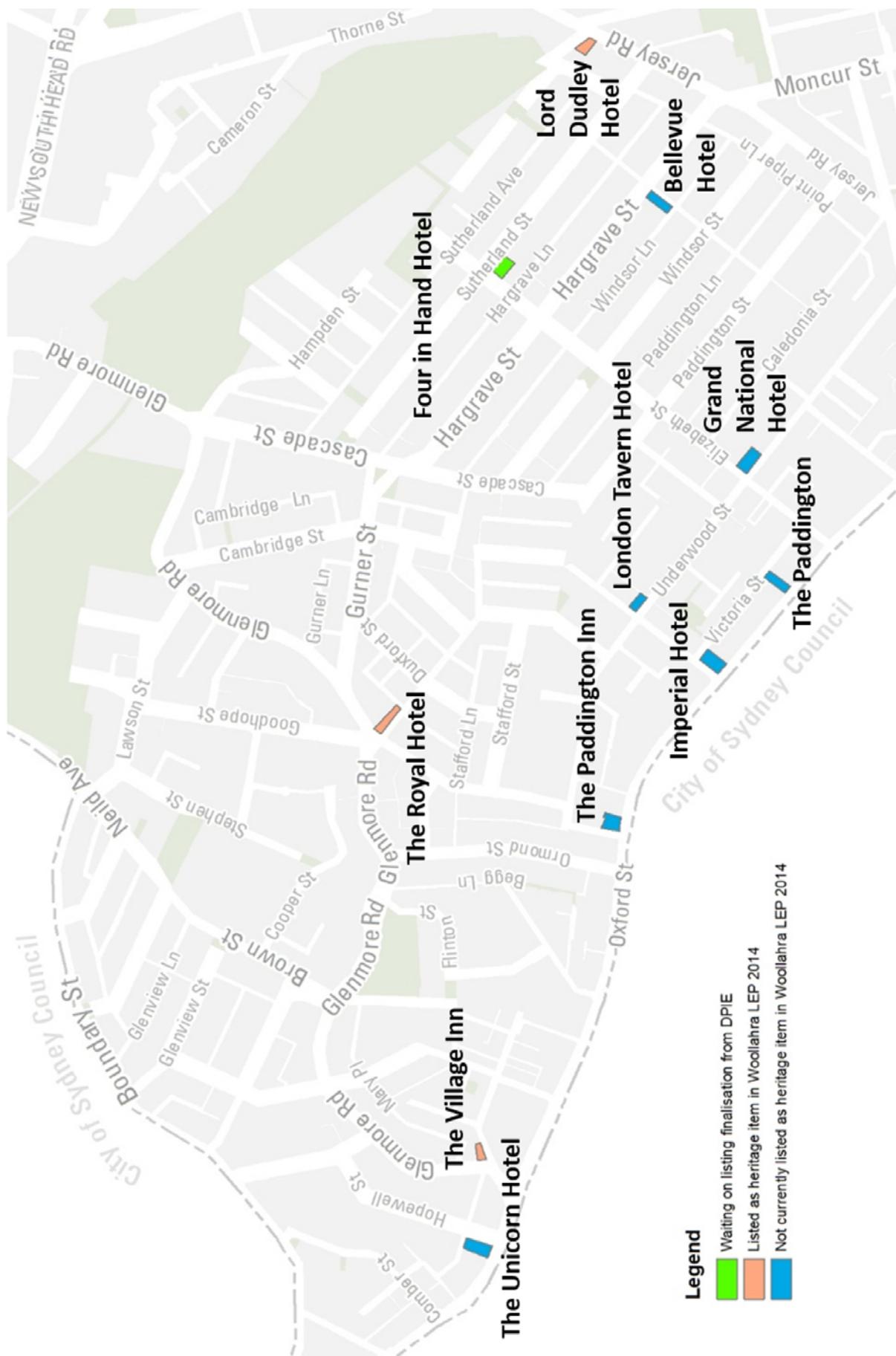


Figure 1: Map of Paddington showing the locations of the pubs included in this study (Source: Woollahra Municipal Council, 2019).

3. Assessment of Heritage Significance:

There are seven criteria used in the process of assessing heritage significance, as set out in the NSW Heritage Office publication:

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. If an item meets one of the seven heritage criteria at a local level, and retains the integrity of its key attributes, it can be considered to have local heritage significance. To be assessed for State significance an item will meet more than one of the seven heritage criteria at a State level, or if an item satisfies only one of the criteria, the item is of such particular significance to NSW that it should be listed.

The assessment by Robert A. Moore concludes that the *Bellevue Hotel*, the *Grand National Hotel*, the *Imperial Hotel*, the *London Tavern Hotel*, *The Paddington (formerly Paddington Arms Hotel)*, the *Paddington Inn Hotel*, and the *Unicorn Hotel* meet **all** the seven criteria for heritage listing at a **local** level and recommends their listing in Schedule 5 of the Woollahra LEP 2014. Below, we have included the Statement of Significance for each hotel.

A copy of the inventory sheets for each of the seven sites prepared by Robert A. Moore Pty Ltd, including assessment against all heritage criteria, is included at **Annexure 2**.

3.1 Bellevue Hotel

The hotel is located at the intersection of Hargrave and Taylor Street, Paddington. The building occupies all of the site bounded by Hargrave Street, Taylor Street, Windsor Lane with address of 157-159 Hargrave Street, Paddington. The land title of the site is described as Lot 11 in DP 1124608.

The *Bellevue Hotel* is a landmark corner commercial building constructed specifically for use as a hotel in c1878, it has been in continuous operation since its construction.

The heritage assessment provides the following statement of significance for the *Bellevue Hotel*:

The Bellevue Hotel is of cultural heritage 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 local 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 the community of the suburb through demographic changes leading to its re-emergence as a popular, desirable and fashionable area. The Hotel's long association with Tooth and Co - until its relatively recent sale - is well documented archivally in local, state and national repositories, which also record the building's history of change in response to community changes.

The Bellevue Hotel is of aesthetic significance as an example of an evolved Late Victorian period hotel with its principal exteriors still reflecting their original design, in a distinctive Classic Revival style. The expansion through take-over of an adjoining house, a common theme with Paddington's hotels, is legible in its main façade together with the works made to integrate the two buildings, The Hotel's interiors have been serially and comprehensively modified and updated, evolving over time as tastes and commercial imperatives changed.

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 Bellevue Hotel is now uncommon, though still a vibrant element of the area's urban fabric and local streetscapes. It is arguably representative as well as rare, being one of the locally important, aesthetic/physical and social landmark corner hotel buildings 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 distinctive group of hotels in Paddington, it may also prove, on further investigation, to have significance as part of an unusual group of hotels, important in their suburban context.

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

3.2 Grand National Hotel

The *Grand National Hotel* is located at the intersection of Elizabeth and Underwood Street, Paddington. The building occupies all of the site bounded by Elizabeth Street and Underwood Street with address of 33 Elizabeth Street (aka 161 Underwood Street). The land title of the site is described as Lot 1 in DP 902766.

The *Grand National Hotel* is a landmark corner commercial building constructed in 1890 specifically for use as a hotel. It has been in continuous operation since its construction. On the Elizabeth Street frontage, the Hotel incorporates the adjacent former terrace house at No.35, which was developed as part of the attached row of such houses contemporary with the Hotel that extend eastwards down Elizabeth Street. The heritage assessment provides the following statement of significance for the *Grand National Hotel*:

The Grand National 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 1890. It is a surviving example of the type of larger, landmark corner commercial development, prominent in the emerging suburb, having been incorporated into the building of terrace row housing during Paddington's boom era of suburban development. Its long association with Tooth and Co is well documented archivally in local, state and national repositories.

It is of social significance as an enduring reference point for community identity, together with the similar older and long-trading hotels of Paddington.

The Grand National Hotel is of aesthetic significance as an example of an evolved and impressively scaled Late Victorian era hotel. Still reflecting its original design externally, it illustrates blending of Classic Revival and Italianate styles in an ambitious building which commands the distinctively 19th century urban streetscapes in which it features. It is a Paddington landmark. The exterior remains legible and relatively intact, reflecting its recorded history of minor changes. While the ground floor interiors have been modified and updated, typically evolving over time as pubs must, to meet the tastes and interests of their clientele, the hotel retains significant interiors in the substantially intact bedrooms of its upper floor residential areas.

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 Grand National Hotel remains an important structuring element of the suburb's urban fabric and local streetscapes, well known as a lively "gastro-pub".

The Grand National Hotel is now a building of uncommon scale and purpose amongst Paddington's older hotels. It is arguably rare as well as representative, being one of the locally important, aesthetic/physical and social landmark corner hotel buildings. It retains the potential for guest accommodation to remain part of its operations. The hotels are a key element of the character of the Paddington Heritage Conservation Area, contributing to its individuality and distinction as an important urban environment in Australia. As an element of the Paddington Heritage Conservation Area, and one of the distinctive group of hotels in Paddington, it may also prove, on further investigation, to have significance as part of an unusual group of hotels, important in their suburban context.

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

3.3 Imperial Hotel

The hotel is located at the intersection of Oxford and Underwood Street, Paddington. The building occupies all of the site bounded by Elizabeth Street and Underwood Street with address of 252 Oxford Street (aka 2 Underwood Street). The land title of the site is described as Lot 3 in DP 51538.

The *Imperial Hotel* is a landmark corner commercial building constructed specifically for use as a hotel. Constructed in 1909-10, it replaced an earlier hotel known as the Duke of Rothsay and the Cross Guns, which was built in 1873. The design of the existing building is by Architect Ernest Lindsay Thompson.

The heritage assessment provides the following statement of significance for the *Imperial Hotel*:

An imposing, landmark corner hotel, the Imperial Hotel is an architecturally refined, substantial hotel building which asserts a commanding presence amongst civic buildings at the western entry to Paddington's main street. Individually styled with richly detailed, complex facades to its Oxford and Underwood Street frontages, the Imperial contributes strongly to the aesthetic interest of Oxford Street and the Paddington Heritage Conservation Area.

The hotel is of historical and social history significance for the long tradition of hotel trade on this site. Paddington has a long history of community activism and vibrant local politics, and this has inevitably been built upon and encouraged by the tradition of meeting and socialising locally in the network of corner pubs in the area. The Imperial's balcony was a popular "spruiking point" for campaigning local politicians, recorded in the newspapers of the early 20th Century. As an element of the Paddington HCA, and one of the distinctive hotels within Paddington, the Imperial Hotel may also be part of a significant and unusual hotel group important in their suburban context, and itself worthy of listing.

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

3.4 London Tavern Hotel

The *London Tavern Hotel* is located at the intersection of Oxford and Underwood Street, Paddington. The building occupies all of the site bounded by William Street and Underwood Street with address of 85 Underwood Street. The land title of the site is described as Lot 1 in DP 391 and Lot 11 in DP 1001328.

The *London Tavern Hotel* is a landmark corner commercial building and is one of Paddington's distinctive older and successful examples of hotels that has been continuously operational since its construction in the late 1870s/1880s. On the William Street frontage, the Hotel is incorporated into a row of terrace houses.

The heritage assessment provides the following statement of significance for the *London Tavern*:

The London Tavern Hotel is of cultural heritage significance to Paddington and the Woollahra LGA as one of Paddington's distinctive older and successful examples of mainly 19th Century suburban hotels, which have been continuously operational since their construction in the late 1870s/1880s. It is a surviving example of the type of local landmark, corner site, commercial development - and particularly hotels - that were incorporated into the building of terrace row housing during Paddington's boom era of suburban development.

The suburb has continued to gather appeal, affection and desirability, and its retained heritage fabric, such as the hotels like the London Tavern, is of both historic and social history value. The hotels like the London Tavern are prominent in this esteem, and have social significance as a reference point for community identity, having served the community of the suburb through 140 years of consolidation and demographic changes leading to its re-emergence as a popular, desirable and fashionable area.

The London Tavern's long association with Toohey's Brewers is well documented archivally in local, state and national repositories, which also record the building's history of change in response to community changes.

The London Tavern is also of aesthetic significance as an architecturally distinctive example of an evolved Late Victorian period hotel ; its frontages to Elizabeth and Underwood Streets still retain their original design, featuring Queen Anne styling. The expansion through take-over of an adjoining house, a common theme with Paddington's hotels, has been concealed through the careful alteration of its main façade, combined with the works made to functionally integrate the two buildings. Despite that growth, the Hotel remains modest and compatible with the domestic scale of its context.

The Hotel's interiors have been modified and updated, evolving over time as taste and commercial imperatives have changed. They still retain much of their original fabric and the original layout of the Hotel, together with the changes made to it, can be read by visitors to the building.

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 London Tavern Hotel is now uncommon, but still a vibrant element of the area's urban fabric and local streetscapes. It is arguably representative as well as rare, being one of the locally important, aesthetic/physical and social landmark corner hotel buildings 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.¹ As an element of the Paddington Heritage Conservation Area, and as one of the distinctive group of hotels in Paddington, it may also prove, on further investigation, to have significance as part of an unusual group of hotels, important in their suburban context.

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

3.5 Paddington Hotel (former Paddington Arms Hotel)

The *Paddington Hotel* is located at 284 Oxford Street between Elizabeth and William Street with a rear frontage on Victoria Street. The land title of the site is described as Lot 1 in DP 68955.

The *Paddington Hotel* is one of Paddington's distinctive older and successful examples of hotels that has been continuously operational since the 1860s, when it operated as the *Tradesman's Arms*. The existing building was rebuilt as the *Canberra Hotel* to the design of Spain & Cosh in 1913.

The heritage assessment provides the following statement of significance for the *Paddington Hotel*:

The Paddington Arms Hotel is of cultural heritage significance to Paddington and the Woollahra LGA as one of Paddington's older, successful and enduring hotels. It occupies a site that has been in continuous hotel use since the urban consolidation of Oxford Street in the

1860s, when the building that formerly occupied this site, the Tradesman's Arms, was established as one of the emerging commercial area's first hotels.

While it is not a prominent physical or corner landmark in the way some other Paddington Hotels are, "The Paddington" is a part of Oxford Street's tapestry of development across 150 years, and a signifier of Paddington's emerging and growing importance in Nineteenth and Twentieth Century Sydney.

As with other early hotels of Paddington, The Paddington is of historical and social significance as a reference point for community identity, as Paddington's early pubs were and remain, serving their evolving community across more than 150 years of demographic change until its re-emergence in the later Twentieth Century as a popular, desirable and fashionable area to live, close to the city.

The Paddington has a particular interest in the longevity of its operation and the complex archaeology of its site, the building including stone fabric in its basement and other built-in elements retained from the former Tradesman's Arms, the earlier hotel established on the site in the 1860s. The Hotel's long association with brewer/hoteliars Tooth & Co means that the building is well-documented archivally in local, state and national repositories, whose records together with those of Woollahra Council support interpretation of the building's history of change in step with its community.

The Paddington is of aesthetic significance, having a modest, individual streetscape and townscape presence in its locality, derived of its simple, individual but sophisticated architectural design and construction. Its Edwardian/Federation - Queen Anne Revival (Arts and Crafts) styling make it individual in the locality. While its interiors have sustained much change, they continue to illustrate its story and evolution, and support its contributory importance in the Paddington Heritage Conservation Area. Its ambitious, high-quality recent interior fit-out and adroit management have seen it assume a high-profile place in Paddington's commerce as well as its evolving heritage identity.

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

3.6 Paddington Inn Hotel

The *Paddington Inn Hotel* is located at the intersection of Oxford and William Street in Paddington. The building occupies all of the site bounded by Oxford, William and Victoria Street with address of 338 Oxford Street. The land title of the site is described as Lot 1 in DP 85869.

The *Paddington Inn Hotel* is a landmark corner commercial building and is one of Paddington's distinctive older and successful examples of hotels that has been continuously operational since its construction in 1848. This makes it one of the longest continuously-serving hotel site in the Paddington area.

The heritage assessment provides the following statement of significance for the *Paddington Inn*:

The Paddington Inn is of local heritage significance to Paddington and the Woollahra LGA as an enduring and successful example of Paddington's 19th Century suburban corner hotels, having been continuously operational since its construction in 1896, and occupying a site established in hotel use in 1848, making it potentially the longest continuously-serving hotel site in the Paddington area.

It is one of the few surviving examples of the larger, landmark corner commercial or hotel developments, prominent in the consolidating suburb of Paddington and Oxford Street at the end of the Nineteenth Century. Its long association with Tooth and Co, for whom the current hotel was built as one of the company's early and few purpose-built hotels, is well documented archivally in local, state and national repositories.

The Paddington Inn is of social significance as an enduring reference point for community identity, together with the similar older and long-established trading hotels of Paddington. The Paddington Inn is of aesthetic significance as an important Paddington example of an evolved, impressively-scaled and purpose-built late Victorian era hotel. Like the comparable, earlier-built Grand National Hotel, the Paddington Inn illustrates the late 19th Century blending of Classic Revival and Italianate styles in an ambitious, commanding hotel building. It is an Oxford Street and Paddington landmark.

The exterior of the hotel remains legible and relatively intact, reflecting its recorded history of growth. The ground floor interiors have been serially modified and in recent years smartly updated, reflecting the established cyclic and competitive pattern of renewal in Paddington's hotels to meet the tastes and interests of their clientele. The condition and integrity of the hotel's upper floor residential areas are not known, as they were not able to be inspected for this assessment.

As one of the small and decreasing number of historically significant hotels still trading commercially in the historic urban "village" of Paddington, the Paddington Inn is still an important structuring element of the suburb's historic urban fabric and of the Oxford Street streetscapes. It is well known as a thriving "gastro-pub".

As a building of unusual scale amongst Paddington's older hotels, The Paddington Inn is arguably rare as well as representative, being one of the locally important, aesthetic/physical and social landmark corner hotel buildings which are a key element of the character of the Paddington Heritage Conservation Area, contributing to its individuality and distinction as an important urban environment in Australia.¹ As an element of the Paddington Heritage Conservation Area, and one of the distinctive group of hotels in Paddington, it may also prove, on further investigation, to have significance as part of an unusual group of hotels, important in their suburban context.

The Paddington Inn is also important for its association with the origins of the Paddington Council, as the first three meetings of that Council were held in Jane Beard's Paddington Inn in 1860.

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

3.7 Unicorn Hotel

The *Unicorn Hotel* is located at 102-106 Oxford Street Paddington, at the intersection of Oxford and Hopewell Street in Paddington. The building occupies all of the site bounded by Oxford Street, Hopewell Street and Hopewell Lane. The land title of the site is described as Lot 1 in DP 84534.

The *Unicorn Hotel* is a landmark corner commercial building that was built in a distinctive Inter-War Functionalist Moderne Style built in the 1940s to the design of Architects R. M. Joy and Pollitt. It replaced the former *Prince of Wales Hotel*, which was established in 1864. It is an

important signifier of Tooth & Co policy to invest in modern hotel buildings in the post-depression era.

The heritage assessment provides the following statement of significance for the *Unicorn Hotel*:

The Unicorn Hotel is one of the earlier established hotels in Paddington, and as such it is of heritage significance for Paddington and the Woollahra Municipality. It occupies one of the longest serving hotel sites in the suburb, on which the Prince of Wales Hotel was established in c.1864. As an hotel, its longevity is camouflaged by the distinctive 1940s Moderne style building which now carries on the historic use, in one of the more recent pub buildings in Paddington, but also one of the more distinctive for its architecture.

As one of the Paddington hotels which were part of the important NSW hotel empire of hotelier-brewers Tooth & Co., The Unicorn occupies a high-profile Oxford Street site, and is amongst the important landmark hotels which also relates to the relative domesticity of Paddington's closely-scaled streets at its very rear. The Unicorn is an important signifier of Tooth & Co policy to invest in modern hotel buildings in the post-depression late 1930s/1940s when the company chose to both meet the new demographics of its clientele, and also to reinvigorate trade on sites where it could see that some of its older hotels might be more advantageously replaced than renovated.

The distinctive architectural styling of the building is the work of experienced hotel architects RM Joy and Pollitt, who designed other bold and brave new buildings across Sydney for Tooth & Co. Drawing on European Modernism and an experienced understanding of hotel design, the architects delivered what remains a powerful, eye-catching and exciting building in the diversity of the Oxford Street retail strip. It is both historically and aesthetically significant as an accomplished work of mid 20th Century commercial design, set within an important, historic urban context, which is also underlaid by its historic use associations with its site, in the suburb and conservation area of Paddington, and with its operators and the community which it has long-served.

The Unicorn Hotel is of a contemporary social significance for its continuing contribution to the sense of identity within Paddington and for the local and wider community, being part of the hotel network which structures the urban and social fabric of the suburb. Paddington has a history of community activism which has historically been facilitated by the tradition of meeting and socialising locally in the network of corner pubs in the area.

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

4. Consultation with Land Owners

Council staff informed the land owners of all seven pubs of the study and provided them with a copy of the relevant draft heritage inventory sheet. We requested input from the owners via correspondence dated 4 July 2019. The deadline for the owners to make a submission was 30 August 2019.

We received submissions from three hotel owners and their consultants, being the Bellevue Hotel, the Grand National Hotel and the Paddington Hotel. A copy of all submissions received is included in **Annexure 3**.

5. Staff responses to issues raised in owners' submissions

The following tables summarise the owners' overall response to the listing.

Bellevue Hotel

	Issues raised in submissions	Council Staff Response
A	The Inventory sheet provides a thorough investigation of the heritage qualities of the Hotel though does not adequately reflect the level of change that has occurred to the original hotel and the current state of the interiors.	<p>The Heritage inventory sheet acknowledges that there have been changes to the original hotels under Modification and Dates and Integrity. However, it also states that 'some important original structural elements remain' which contribute to the building's heritage fabric.</p> <p>It is beyond the capacity of a heritage inventory sheet to identify and assess significant building fabric at heritage listing stage. In fact, the recommendations of the inventory sheet recommend a separate Conservation Management Document be prepared to inform future changes to the building. This would analyse the current condition of the building and establish guidelines for a responsible strategy to be prepared to assess it.</p>
B	Property would meet two of the Heritage Manual criteria for identification as a heritage item of local significance (Criteria (a) and (g)) and partly meet the Criterion (c) - original elevations only	The Heritage Manual prescribes that an item will be considered of heritage significance if it meets one or more of the prescribed criteria. Meeting of criteria (a), (g) and partially (c) would make it worth of local heritage listing.
C	Hotel is adequately protected by the heritage provisions in the Woollahra LEP 2014 and the Woollahra DCP 2015	Listing a heritage item in the LEP offers a higher level of statutory protection than is afforded by the Development Control Plan.
D	Hotel is not significant at a state level	The hotel has been assessed as having local significance. The lack of comparative information on other hotels in Sydney makes an assessment of potential State significance difficult to discern at this stage.
E	Listing of the Paddington hotels as a group in the Woollahra LEP 2014 schedule is not well founded and would serve little purpose	Council is proposing individual listing of the <i>Bellevue Hotel</i> in the Woollahra LEP 2014. Should this site be listed, it will be managed through Clause 5.10 of the LEP and the Paddington Chapter of the Woollahra DCP 2015.
F	<p>Should the proposal for listing proceed we would recommend that:</p> <ul style="list-style-type: none"> - Analysis of the interiors be carried out to identify significant spaces and fabric and this be the subject of agreement with Woollahra Council. 	As mentioned above, it is beyond the scope of an inventory sheet to undertake a fabric analysis of the building. The recommendations of the inventory sheet recommend a separate Conservation Management Document be prepared to inform future changes to the building. This would analyse the current condition of the building and establish guidelines for a responsible strategy to be prepared to assess it.

	Issues raised in submissions	Council Staff Response
	- The Management Guidelines in the Inventory Sheet be the subject of further discussion with Council and an agreed set of recommendations be included in the Inventory Sheet for the Hotel.	It is noted that there will be more opportunities for the owner to provide their feedback throughout the listing process.

Grand National Hotel

	Issues raised in submissions	Council Staff Response
A	Intactness of the interiors. There is not a single room on either the first or second floors which present fabric in an intact manner. About 60-70% of internal detail elements are lost or degraded to a point where replacement is required.	The Heritage inventory sheet acknowledges that there have been changes to the original hotels under Modification and Dates and Integrity. However, it also states that 'the accommodation areas on the upper floors are more intact and offer valuable opportunities for interpretation and a conservation based, sympathetic adaptive re-use, to support their continued use. Council and the Robert A. Moore team are aware of the Court approved development which is referenced in the inventory sheet. Council staff are also aware of two more recent approvals and believe that these approvals would not affect the building's heritage significance.
B	Degraded state of the interiors should be recognised in the heritage inventory sheet and reflected in the Recommended Management of the heritage inventory sheet.	The Heritage Inventory sheet recommends a separate Conservation Management Document be prepared to inform future changes to the building. This would analyse the current condition of the building and establish guidelines for a responsible strategy to be prepared to assess it. It is beyond the scope of an inventory sheet to undertake a fabric analysis.
C	Strong opposition to group listing and listing on the State heritage listing.	The hotel has been assessed as having local significance and an individual heritage listing is proposed. The lack of comparative information on other hotels in Sydney makes an assessment of potential State significance difficult to discern at this stage.
D	Financial incentives for heritage items.	No financial incentives are proposed.
E	Incorporate the hotel use into the heritage listing.	The proposed listing describes the building as the Grand National Hotel, including interiors. This description recognises the use of the building as a hotel.
F	The listing of the use of the Hotel as a pub places an unjustified restriction on the potential uses of the building.	The proposed listing does not change the uses which are permissible under the WLEP 2014. However, the listing brings into operation clause 5.10(10) of the LEP. This clause permits, with consent, any use, provided, among other things, that the conservation of the building is achieved.

	Issues raised in submissions	Council Staff Response
G	Restriction on the potential use through this listing makes the upkeep of the facade less worthwhile.	The proposed listing does not change the uses which are permissible under the WLEP 2014. However, the listing brings into operation clause 5.10(10) of the LEP. This clause permits, with consent, any use, provided, among other things, that the conservation of the building is achieved.
H	There is no historical evidence that the Hotel "operated in concert with other hotels; it was always independently operated...". It follows that it falls outside the group of eleven hotels to which the study applies. The fact that the Hotel has historically been a pub is not, of itself, a good enough reason to list the interiors and use as items of local heritage significance.	The hotel has been assessed against the criteria set out in the document, <i>Assessing Heritage Significance</i> , published by the NSW Heritage Office in 2001.

Paddington Hotel

	Issues raised in submissions	Council Staff Response
A	There is no objection on the proposed heritage listing on the basis that the listing will not cause an obligation to remove the recently undertaken DA approved alterations and additions.	Noted and confirmed. The proposed heritage listing will not oblige an owner to remove previously approved works.

6. Amendments to the Woollahra DCP 2015 – Paddington Chapter C1 of the Woollahra DCP 2015

In response to point 5 (a), (b) of NOM 11.1, NOM 11.3 and point 4 of NOM 11.5, and in consultation with staff from Development Control, we have drafted amendments to *Chapter C1 – Paddington Heritage Conservation Area* of the Woollahra DCP 2015. Amendments are made to the following sections:

C1.3.8 *Commercial and industrial buildings including shops*, and
C1.3.9 *Pubs*

The proposed amendments to the DCP aim to ensure that pub buildings are protected and retained, regardless of their existing uses. The amendments aim to retain the diversity of building types in Paddington, including pub buildings and support the continued role and presence of pub buildings in Paddington. The proposed objectives and controls apply to all buildings that are or were formerly used as a pub in Paddington.

New objectives aim to ensure alterations and additions are sympathetic to the heritage significance of pub buildings, moveable heritage is protected, sympathetic fire upgrade measures are used and mechanical plant equipment is not visible from the public domain.

Section 1.3.8 aims to protect commercial buildings of Paddington, while section 1.3.9 specifically aims to protect pub buildings. Controls related to pub signs and awnings have been included in

section 1.3.9. To make section 1.3.8 tailored to protect commercial buildings and section 1.3.9 tailored to protect pub buildings, references to pubs have been removed from section 1.3.8.

A DCP amendment has been prepared, which is at **Annexure 4**. Recommended changes are shown as follows:

- Inserted text is identified in blue and underlined
- ~~Deleted text is identified in red and strikethrough~~

7. Next steps

If Council decides to support amending the Woollahra LEP 2014 and Woollahra DCP 2015, the next step is to prepare a planning proposal, in accordance with NSW Government Guidelines.

Section 2.19 of the *Environmental Planning and Assessment Act 1979* sets out the functions 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 DPIE for a gateway determination.

Under the terms of the Direction, the planning proposal to list seven (7) Paddington pubs as local heritage items to Schedule 5 of the LEP must be referred to the Woollahra Local Planning Panel (Woollahra LPP) for advice.

If Council decides to proceed with the planning proposal it will be referred to the next available meeting of the Woollahra LPP. The advice will then be provided to a future meeting of the *Environmental Planning Committee* (EPC).

8. Conclusion

The heritage significance of the following Paddington Pubs has been assessed in accordance with the NSW heritage best practice guidelines:

1. *Bellevue Hotel including interiors*
2. *Grand National Hotel including interiors*
3. *Imperial Hotel including interiors*
4. *London Tavern Hotel including interiors*
5. *The Paddington (formerly Paddington Arms Hotel) including interiors*
6. *Paddington Inn Hotel including interiors, and*
7. *Unicorn Hotel including interiors*

The Assessment of Heritage Significance prepared by Robert A. Moore Pty Ltd Architects and Conservation Consultants identifies that all seven hotels are of local heritage significance.

To facilitate listing at the local level, a planning proposal should be prepared to add these hotels to Schedule 5 of Woollahra LEP 2014. The planning proposal should be referred to the Woollahra

LPP 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.

A DCP Amendment has been prepared by Council staff to amend sections 1.3.8 and 1.3.9 of Chapter C1 of the Woollahra DCP 2015 to ensure that pub buildings are protected and retained, regardless of a change of use.

This report recommends that Council:

1. Prepare a planning proposal to list the subject seven hotels in Paddington as local heritage items;
2. Refer the planning proposal to the Woollahra LPP for advice; and
3. Endorse for exhibition the draft DCP to amend Chapter C1 Paddington Heritage Conservation Area of the Woollahra DCP 2015.

Annexures

1. Annexure 1 - Key information about the Paddington Hotels
2. Annexure 2 - Heritage Study Report and Heritage Inventory Sheets (*circulated under separate cover*)
3. Annexure 3 - Owners Submissions
4. Annexure 4 - Paddington Hotels Study - Draft DCP Amendment No.12