

Planning and Assessment

IRF20/2092

Gateway determination report

LGA	Woollahra
PPA	Woollahra Municipal Council
NAME	Listing of seven pubs in the suburb of Paddington as local heritage items.
NUMBER	PP_2020_WOOLL_005_00
LEP TO BE AMENDED	Woollahra Local Environmental Plan 2014
ADDRESS	Bellevue Hotel, 157-159 Hargrave Street, Paddington, Grand National Hotel, 33 Elizabeth Street, Paddington, Imperial Hotel, 252 Oxford Street, Paddington, London Tavern Hotel, 85 Underwood Street, Paddington, Paddington Hotel, 384 Oxford Street, Paddington, Paddington Inn Hotel, 338 Oxford Street, Paddington, Unicorn Hotel, 102-106 Oxford Street, Paddington
DESCRIPTION	Lot 11 DP 1124608, Lot 1 DP 902766, Lot 3 DP 51538, Lot 1 DP 391 and Lot 11 DP 1001328, Lot 1 DP 68955, Lot 1 DP 85869, Lot 1 DP 84534
RECEIVED	9 March 2020 (adequate 31 March 2020)
FILE NO.	IRF20/2092
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

1. INTRODUCTION

1.1 Description of planning proposal

The planning proposal seeks to amend Schedule 5 of the Woollahra Local Environmental Plan (LEP) 2014 to list seven pubs/hotels in Paddington as local heritage items. The subject pubs are:

- The Bellevue Hotel and interiors, 157-159 Hargrave Street, Paddington
- The Grand National Hotel and interiors, 33 Elizabeth Street, Paddington
- The Imperial Hotel and interiors, 252 Oxford Street, Paddington
- The London Tavern Hotel and interiors, 85 Underwood Street, Paddington

- (e) The Paddington Hotel and interiors, 384 Oxford Street, Paddington
- (f) The Paddington Inn Hotel and interiors, 338 Oxford Street, Paddington
- (g) The Unicorn Hotel and interiors, 102-106 Oxford Street, Paddington

1.2 Site description

The planning proposal applies to seven pubs across the suburb of Paddington.

(a) The Bellevue Hotel

The Bellevue Hotel is located at the intersection of Hargrave and Taylor Streets, Paddington. The building occupies all of the site bounded by Hargrave Street, Taylor Street and Windsor Lane with address of 157-159 Hargrave Street, Paddington. The site is legally identified as Lot 11 DP 1124608. The Bellevue Hotel is a landmark corner commercial building constructed specifically for use as a hotel. Constructed in c1878, it has been in continuous operation since its construction.

The building is 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 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.



Figure 1: The Bellevue Hotel as viewed from Hargrave Street, looking towards the north eastern and south eastern elevations (source: DPIE)



Figure 2: Public bar area on the ground floor (source: Robert A Moore P/L)



Figure 3: 2018 aerial photograph indicating the site (in red) within its immediate context. (source: Woollahra Municipal Council)

(b) Grand National Hotel

The Grand National Hotel is located at the intersection of Elizabeth and Underwood Streets, Paddington. The building occupies all of the site at 33 Elizabeth Street (alternate address: 161 Underwood Street). The site is legally described as Lot 1 in DP 902766.

The Grand National Hotel is a landmark corner commercial building constructed specifically for use as a hotel. Constructed in 1890, 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 houses contemporary with the Hotel extending eastwards down Elizabeth Street.

The Hotel is an example of an impressively scaled evolved 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 19th century urban streetscapes.

The exterior remains legible and relatively intact, reflecting its history of minor changes. While the ground floor interiors have been modified and updated, the hotel retains significant interiors in the substantially intact bedrooms of its upper floor residential areas.



Figure 4: The Grand National Hotel as viewed from the intersection of Elizabeth and Underwood Streets, looking towards the north western and south western elevations (source: DPIE).



Figure 5: The public bar area on ground floor (source: Robert A Moore P/L)

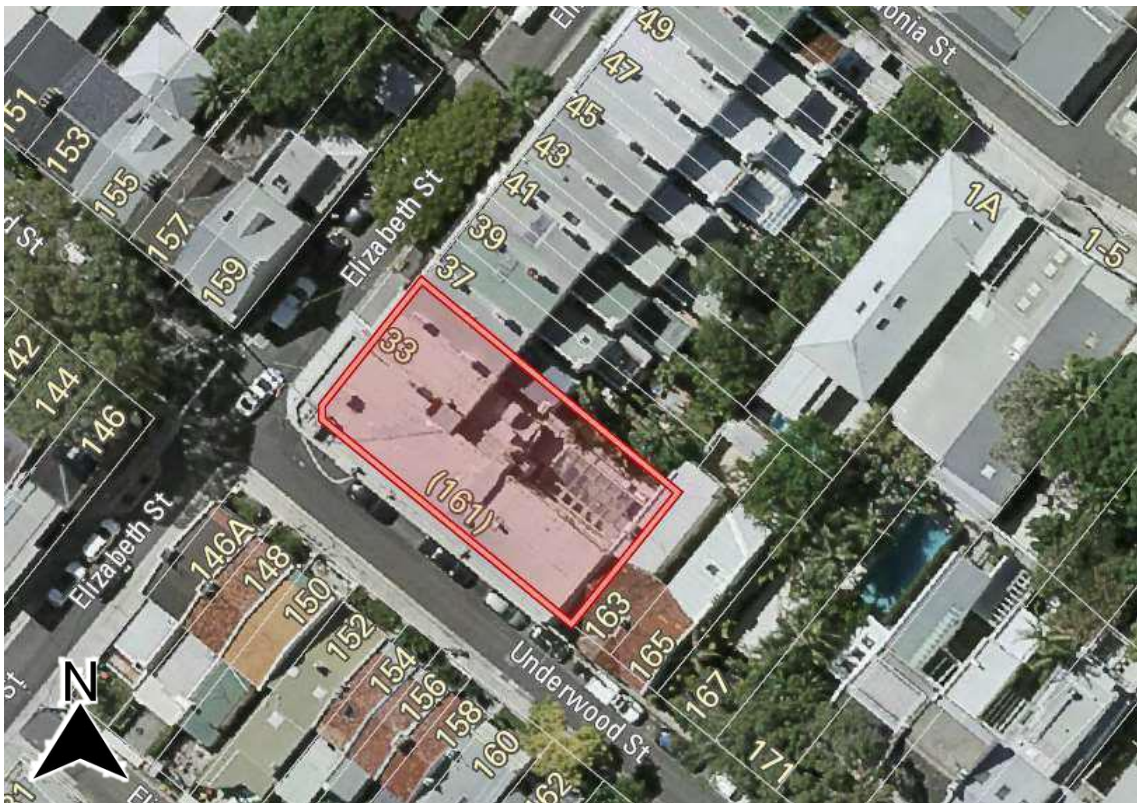


Figure 6: 2018 aerial photograph indicating the site (in red) within its immediate context (source: Woollahra Municipal Council).

(c) Imperial Hotel

The Imperial Hotel is located at the intersection of Oxford and Underwood Streets, Paddington. The building occupies all of the site with address of 252 Oxford Street (alternate address: 2 Underwood Street). The site is legally described as Lot 3 in DP 51538.

The Imperial Hotel is an architecturally refined, landmark corner commercial building constructed specifically for use as a hotel. 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.

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.



Figure 7: The Imperial Hotel as viewed from Oxford Street, looking towards the western and south elevations (source: DPIE)



Figure 8: View of the Imperial Hotel's ground floor public bar; in the background are the fireplace and modern stairs within the former No. 254 Oxford Street, now integrated with the hotel (source: Robert A Moore P/L)

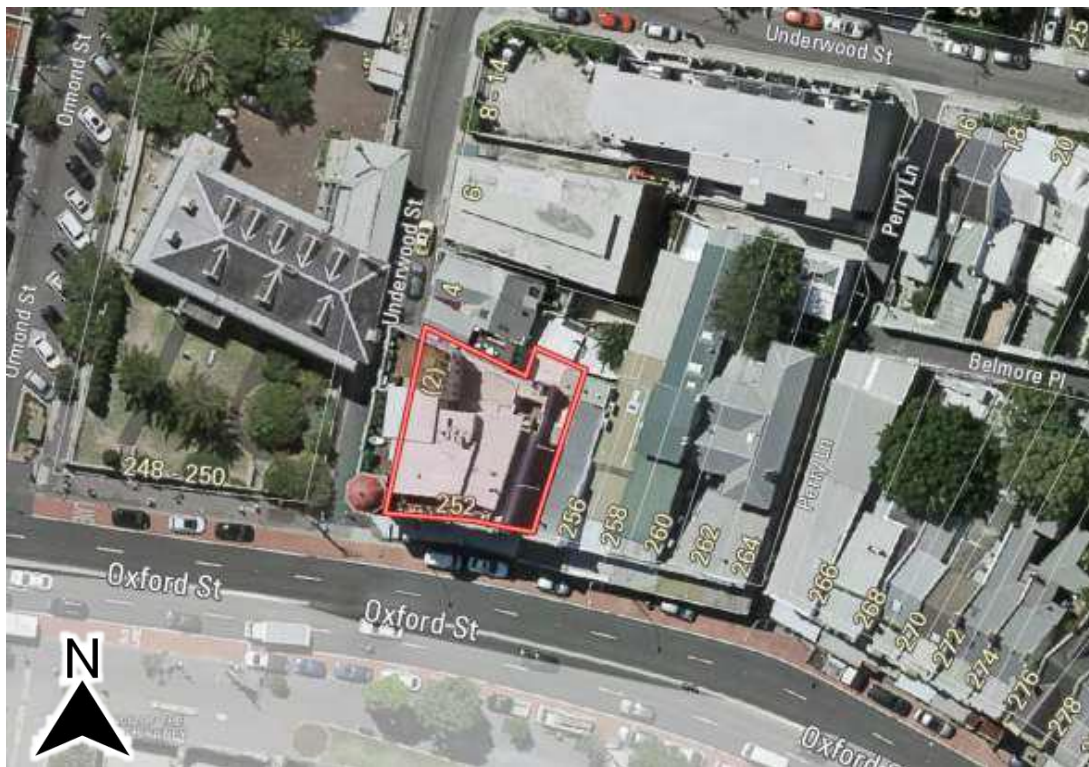


Figure 9: 2018 aerial photograph indicating the site (in red) within its immediate context (source: Woollahra Municipal Council)

(d) The London Tavern Hotel

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

The planning proposal report incorrectly states that the Hotel is at the intersection of Oxford Street and Underwood Street (page 22). A Gateway condition is recommended to require this minor error to be rectified prior to public exhibition.

The London Tavern Hotel is a landmark corner commercial building. It is one of Paddington's distinctive older and successful examples of hotels that has been continuously operational since its construction in the late 1870s-80s. On the William Street frontage, the Hotel is incorporated into a row of terrace houses.

The Hotel is an architecturally distinctive example of an evolved Late Victorian period hotel with its street frontages retaining the original design featuring Queen Anne styling. The expansion through take-over of an adjoining house 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.



Figure 10: The London Tavern Hotel as viewed from the intersection of William and Underwood Streets, looking towards the north western and south western elevations (source: DPIE)

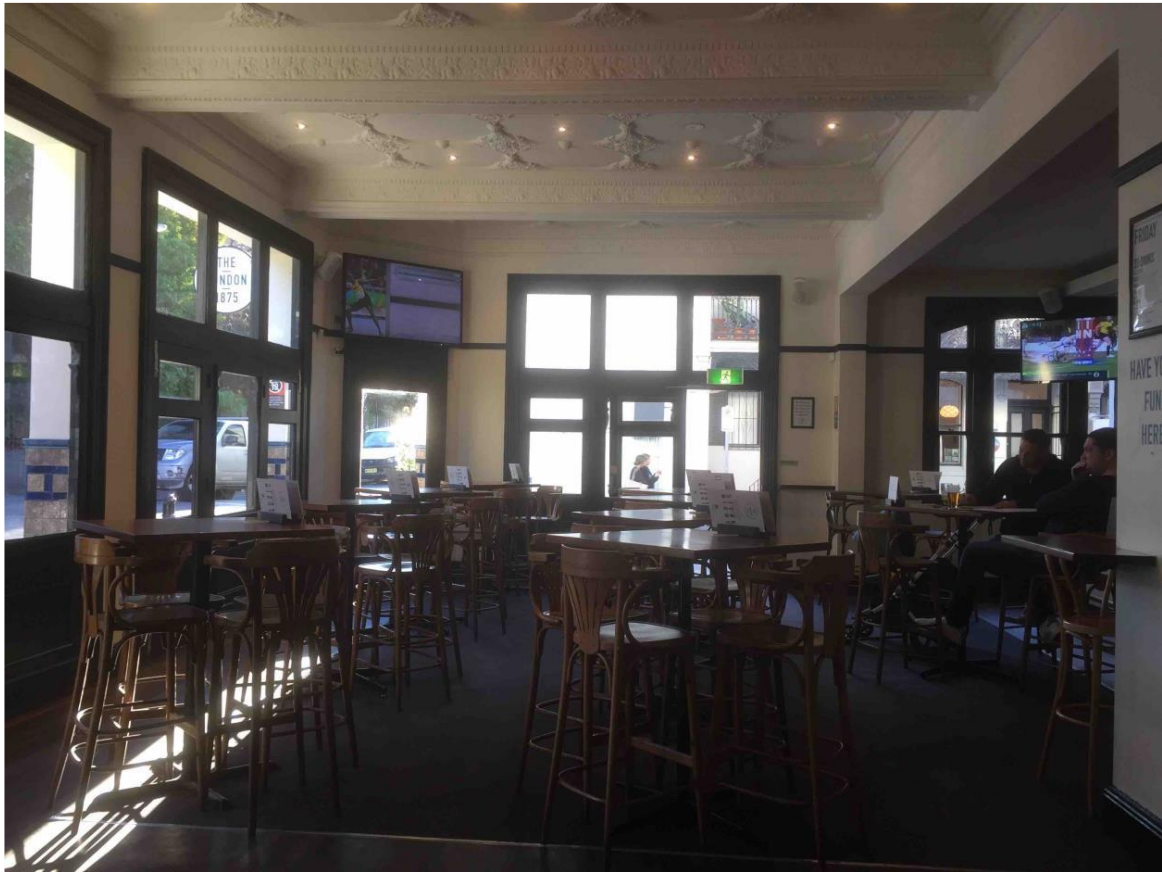


Figure 11: The ground floor public bar area, the former partition walls and spaces can be read in the beams and bulkheads above (source: Robert A Moore P/L)



Figure 12: 2018 aerial photograph indicating the site (in red) within its immediate context (Source: Woollahra Municipal Council)

(e) The Paddington Hotel (former Paddington Arms Hotel)

The Paddington Hotel (former Paddington Arms Hotel) is located at 384 Oxford Street between Elizabeth and William Streets, with a rear frontage to Victoria Street. The site is legally 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 Paddington features Edwardian / Federation - Queen Anne Revival (Arts and Crafts) styling. While its interiors have sustained much change, they continue to illustrate its history and evolution, and support its contributory importance in the Paddington Heritage Conservation Area.



Figure 13: The Paddington Hotel's main elevation to Oxford Street (source: DPIE)



Figure 14: Interior view from the ground floor entry area and bar through to the rear dining room and stairs to the first floor; note that fittings are woven around original structural elements (source: Robert A Moore P/L)



Figure 15: 2018 aerial photograph indicating the site (in red) within its immediate context (source: Woollahra Municipal Council)

(f) The Paddington Inn Hotel

The Paddington Inn Hotel is located at the intersection of Oxford and William Streets in Paddington. The building occupies all of the site bounded by Oxford, William and Victoria Streets with address of 338 Oxford Street. The legal description of the site is Lot 1 in DP 85869.

The Paddington Inn Hotel is a landmark corner commercial building. It 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 in the Paddington area.

The Paddington Inn is a purpose-built late Victorian era hotel. It illustrates the late 19th Century blending of Classic Revival and Italianate styles in an grand, commanding hotel building. The exterior of the hotel remains legible and relatively intact, reflecting its recorded history of growth. The interiors have been successively modified over time.



Figure 16: The Paddington Inn Hotel as viewed from Oxford Street looking to its north western and south western elevations (source: DPIE)



Figure 17: Recently renovated, modern dining area within the Paddington Inn Hotel
(source: Daily Telegraph)



Figure 18: 2018 aerial photograph indicating the site (in red) within its immediate context
(source: Woollahra Municipal Council)

(g) The Unicorn Hotel

The Unicorn Hotel is located at the intersection of Oxford and Hopewell Streets in Paddington. The building occupies all of the site bounded by Oxford Street, Hopewell Street and Hopewell Lane with address of 102-106 Oxford Street. The site is legally 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 or Moderne style 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's policy to invest in modern hotel buildings in the post-Depression era.

The Hotel is both historically and aesthetically significant as an accomplished work of mid-20th Century commercial design, set within a historic urban context.



Figure 19: *The Unicorn Hotel as viewed from Oxford Street looking to its southern and eastern elevations (source: DPIE)*



Figure 20: The public bar on the ground floor, showing the front of the island bar at the left, new stairs to the basement restaurant in the foreground, and general bar area with pool table beyond (source: Robert A Moore P/L)



Figure 21: 2018 aerial photograph indicating the site (in red) within its immediate context (Source: Woollahra Municipal)

1.3 Existing planning controls

All sites are subject to existing planning controls within the Woollahra LEP 2014.

	Land Use Zone	Maximum Height of Buildings	Minimum Lot Size	Floor Space Ratio
Bellevue Hotel	R2: Low Density Residential	9.5 metres	230m ²	N/A
Grand National Hotel	R2: Low Density Residential	9.5 metres	230m ²	N/A
Imperial Hotel	B4: Mixed Use	9.5 metres	Not applicable	1:1
London Tavern	B4: Mixed Use	9.5 metres	Not applicable	1:1
Paddington Hotel	B4: Mixed Use	9.5 metres	Not applicable	1:1
Paddington Inn Hotel	B4: Mixed Use	9.5 metres	Not applicable	1:1
Unicorn Hotel	B4: Mixed Use	9.5 metres	Not applicable	1:1

1.4 Surrounding area

The seven pubs are located across the suburb of Paddington, with most located along the main thoroughfare of Oxford Street. All seven pubs are located within the Paddington Heritage Conservation Area (HCA) under the Woollahra LEP. The location of the pubs and the Paddington HCA boundaries can be seen in **Figures 22** and **23**.

The built environment of Paddington is an excellent example of the process of 19th century inner city urbanisation of Sydney which was largely completed by 1890. The predominant Victorian built form is an excellent representative example of the phenomena of land speculation and a 'boom' building period between 1870 and 1895. The areas surrounding the pubs retain many significant types of buildings that represent all phases of the suburb's historical development. These building types range from modest, small-scale, single-storey timber and masonry cottages, to remnant examples of former gentry mansions, boom style middle-class terrace houses, apartment blocks and contemporary infill development, all of which are set in a varied network of streets, lanes and pedestrian accessways which reflect the phases of subdivision and development.



Figure 22: An aerial view over Paddington showing the location of the seven pubs (Source: Nearmap)

Heritage Map

- Conservation Area - General
- Item - General
- Item - Archaeological
- Paddington HCA

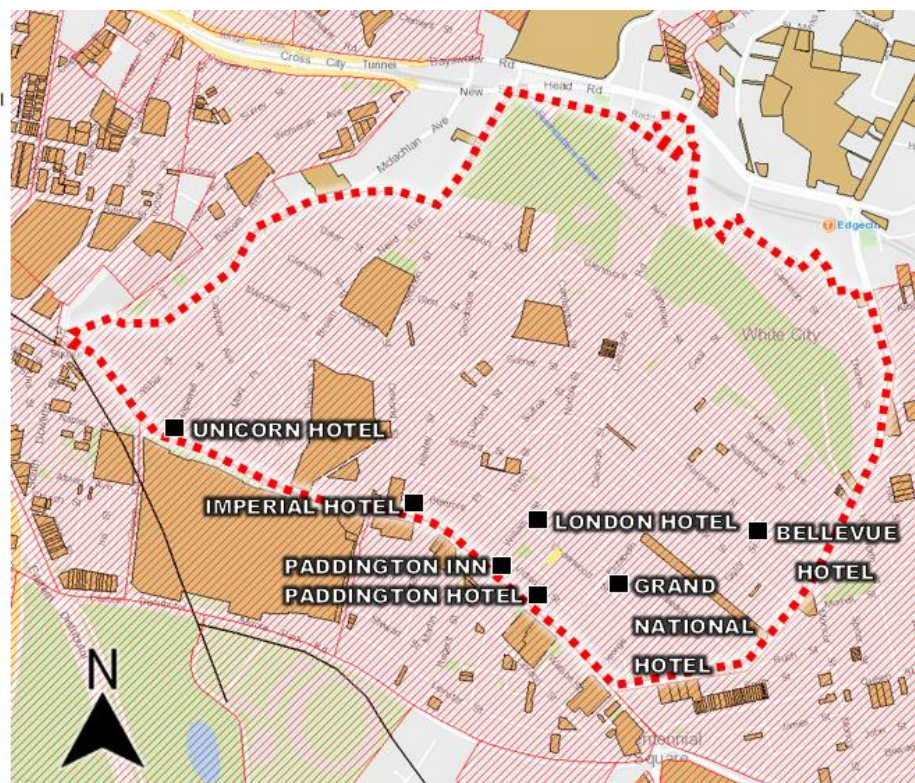


Figure 23: A map showing the location of the seven pubs within the Paddington HCA (Source: NSW Planning Portal)

1.5 Summary of recommendation

The planning proposal for the local heritage listing of the seven pubs in Paddington should proceed as:

- The proposed heritage listing is supported by a heritage study (titled Paddington Hotels Study) and inventory sheets prepared by a heritage consultant for Woollahra Municipal Council, which determined that all seven pubs are of local heritage significance. The heritage assessment has been undertaken in accordance with the NSW Heritage Office Guidelines, *Assessing Heritage Significance*, 2001;
- The proposal will recognise and provide on-going protection of the heritage significance of the items and retain the heritage character of Paddington; and
- The proposal is consistent with the objectives, directions and planning priorities of the Greater Sydney Region Plan, Eastern City District Plan and Council's local strategic plans, and relevant State Environmental Planning Policies and Section 9.1 Directions.

2. PROPOSAL

2.1 Objectives or intended outcomes

The objective of the planning proposal is to amend the Woollahra LEP 2014 to recognise the heritage significance of the pubs / hotels and provide them with statutory heritage protection.

The objectives of the planning proposal are clear and do not require amendment prior to community consultation.

2.2 Explanation of provisions

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

- Insert a listing for each of the subject pubs including interiors in Part 1 (Heritage Items) of Schedule 5 (Environmental Heritage). The exact wording of the amendment will be determined by Parliamentary Counsel prior to the making of the LEP; and
- Amend the Heritage Map (Sheet HER_001, HER_003A and HER_003B) to identify seven additional heritage items at their relevant addresses.

2.3 Mapping

The planning proposal amends the Woollahra LEP 2014 Heritage Maps (Sheet HER_001, HER_003A, HER_003B) by applying an "Item – General" classification to each of the sites occupied by the subject hotels (including interiors).

Extracts of the existing and proposed heritage maps are shown in the following figures.

The Bellevue Hotel, 157-159 Hargrave Street, Paddington

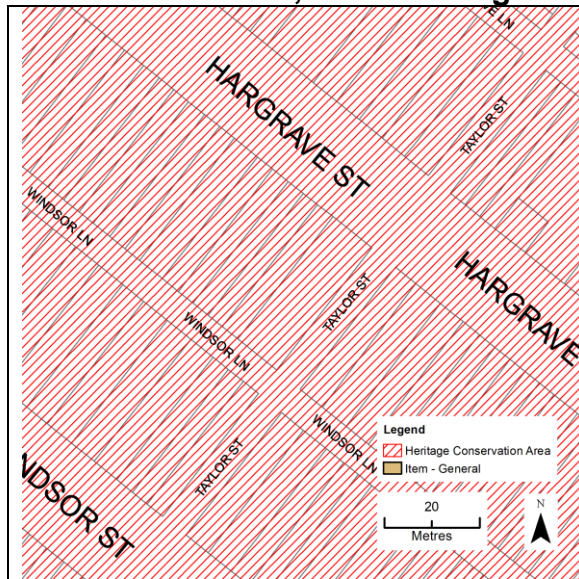


Figure 24: Extract from existing Woollahra LEP 2014 Heritage Map (Sheet HER_003A)

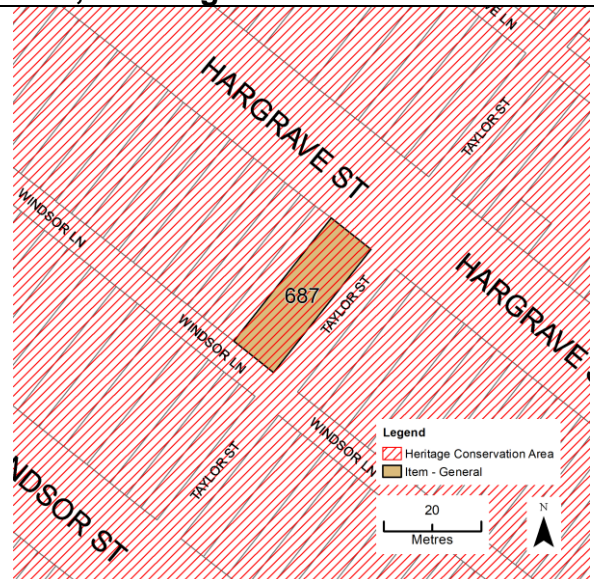


Figure 25: Extract from proposed Woollahra LEP 2014 Heritage Map (Sheet HER_003A)

The Grand National Hotel, 33 Elizabeth Street, Paddington

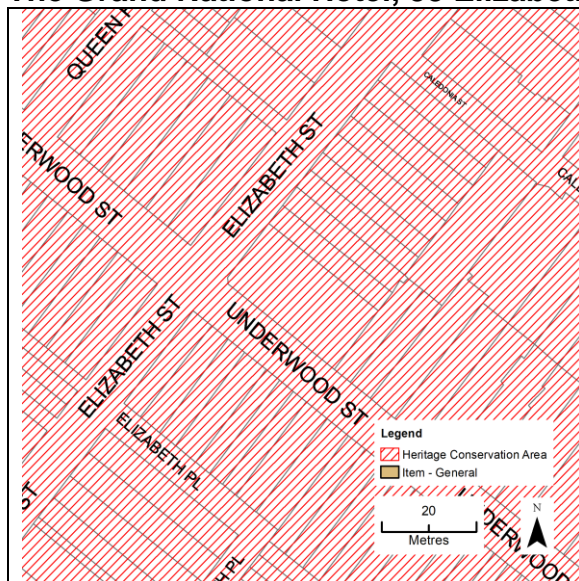


Figure 26: Extract from existing Woollahra LEP 2014 Heritage Maps (Sheet HER_003A and 003B)

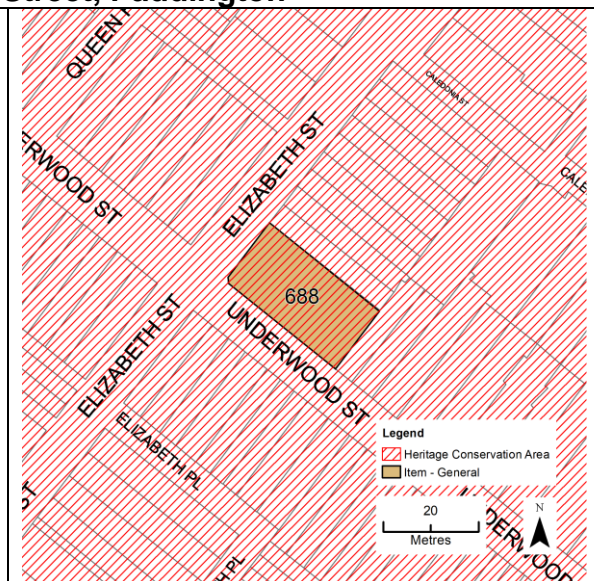


Figure 27: Extract from proposed Woollahra LEP 2014 Heritage Maps (Sheet HER_003A and 003B)

The Imperial Hotel, 252 Oxford Street, Paddington

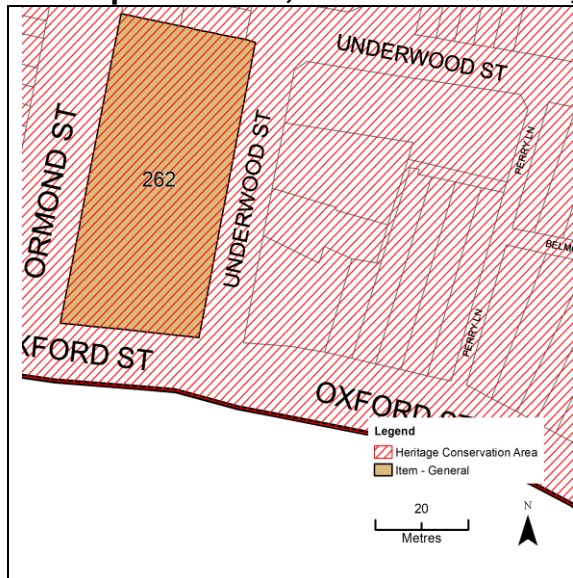


Figure 28: Extract from existing Woollahra LEP 2014 Heritage Map (Sheet HER_001)

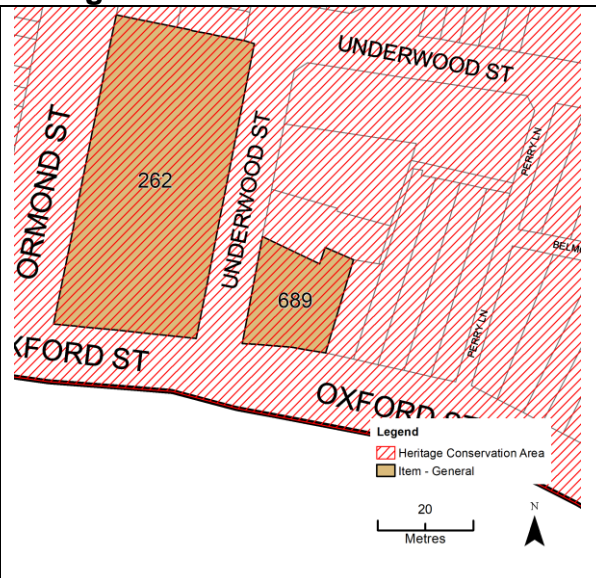


Figure 29: Extract from proposed Woollahra LEP 2014 Heritage Map (Sheet HER_001)

The London Tavern Hotel, 85 Underwood Street, Paddington

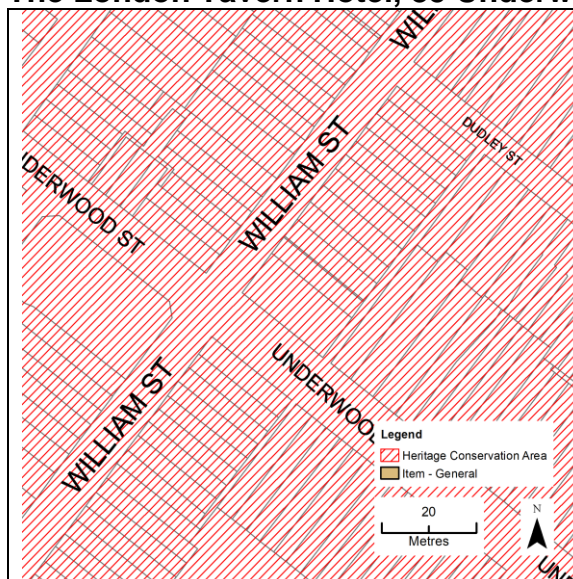


Figure 30: Extract from existing Woollahra LEP 2014 Heritage Map (Sheet HER_003A)

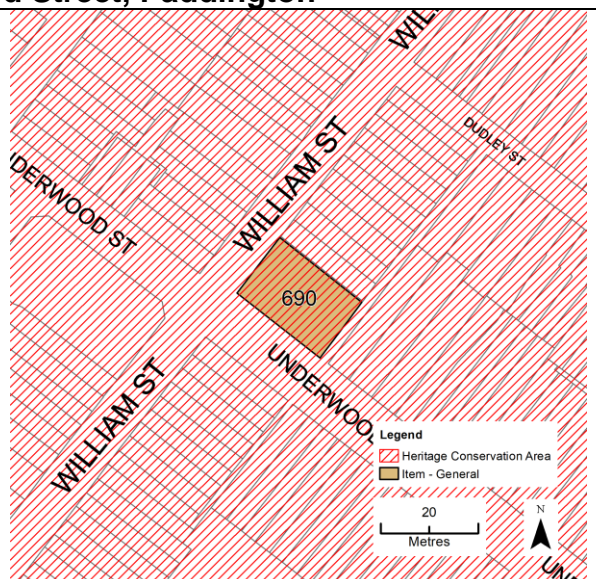


Figure 31: Extract from proposed Woollahra LEP 2014 Heritage Map (Sheet HER_003A)

The Paddington Hotel, 384 Oxford Street, Paddington

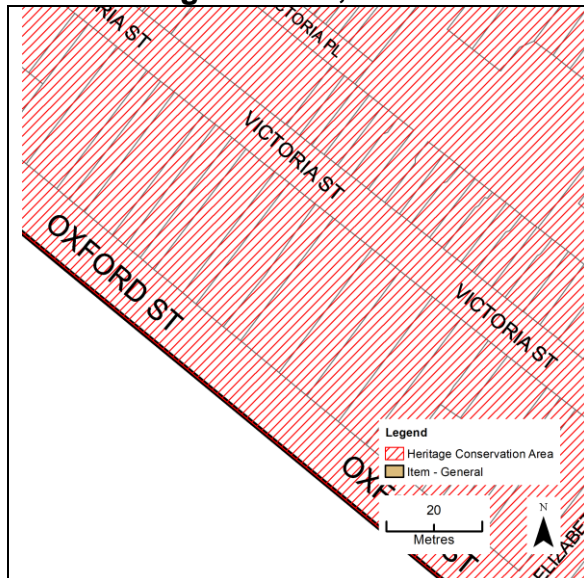


Figure 32: Extract from existing Woollahra LEP 2014 Heritage Map (Sheet HER_003B)

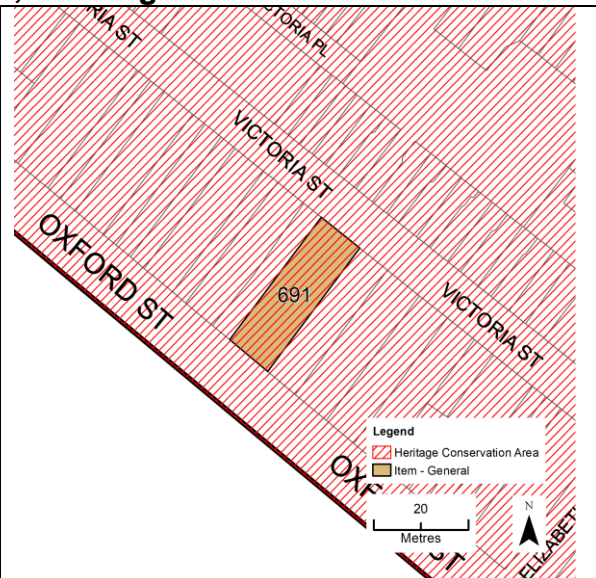


Figure 33: Extract from proposed Woollahra LEP 2014 Heritage Map (Sheet HER_003B)

The Paddington Inn Hotel, 338 Oxford Street, Paddington

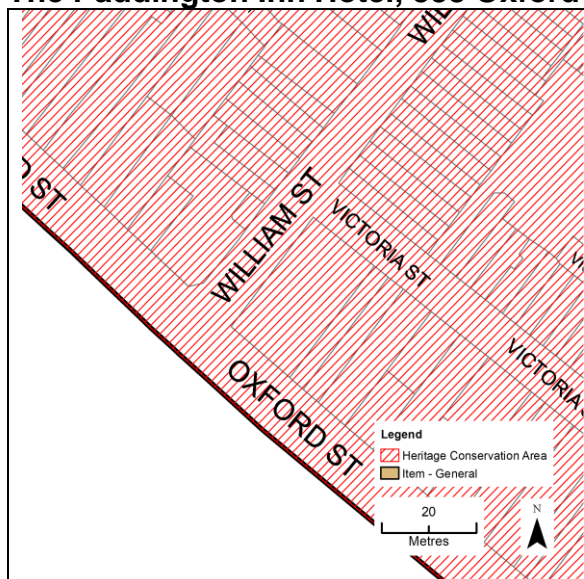


Figure 34: Extract from existing Woollahra LEP 2014 Heritage Map (Sheet HER_001)

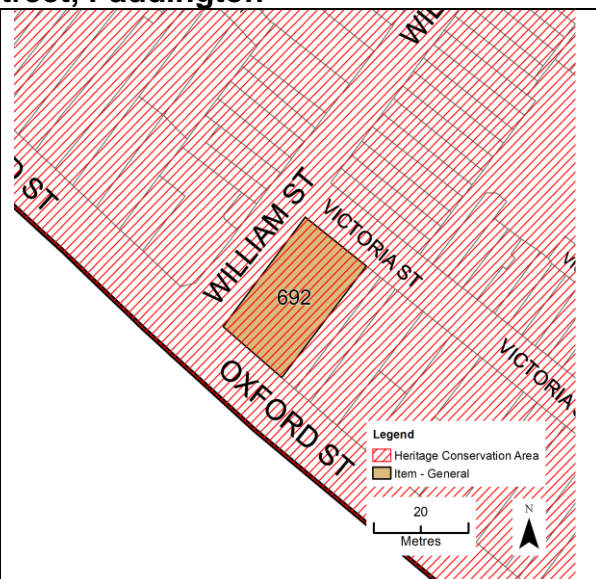
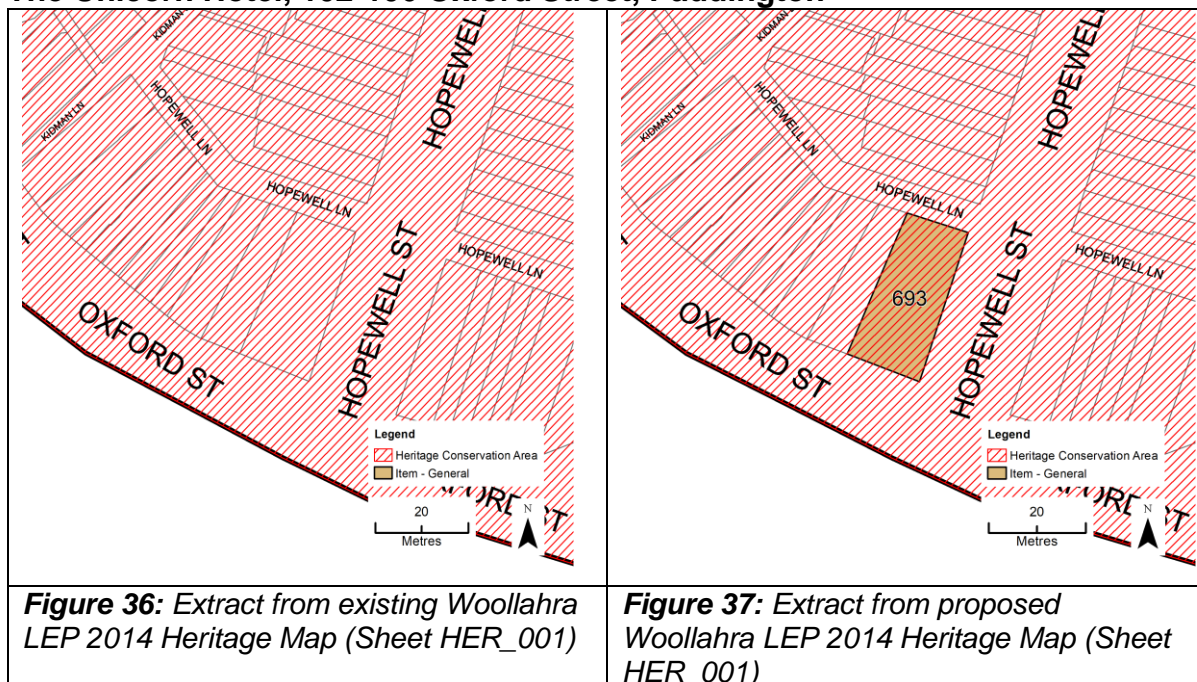


Figure 35: Extract from proposed Woollahra LEP 2014 Heritage Map (Sheet HER_001)

The Unicorn Hotel, 102-106 Oxford Street, Paddington



The image quality and legibility of the “current” and “proposed” mapping in the planning proposal is not adequate. A Gateway condition is recommended to require revised mapping of appropriate resolution to be included in an updated planning proposal. A note should also be included in the revised planning proposal that the item number is indicative only at this stage and will be confirmed upon finalisation.

3. NEED FOR THE PLANNING PROPOSAL

The planning proposal is the result of the recommendations in the heritage study titled “Paddington Hotels Study”, prepared by Robert A Moore Pty Ltd Architects and Conservation Consultants. The study assessed eleven pubs in total, the seven pubs the subject of the planning proposal, as well four other pubs in Paddington (Lord Dudley Hotel, Royal Hotel, Village Inn Hotel and Four in Hand Hotel).

The assessment was undertaken in accordance with the provisions of the Heritage Office Guidelines. The report concluded that the seven pubs meet all seven criteria for heritage listing at a local level pursuant to the Guidelines (being historical significance, associative significance, aesthetic significance, social significance, research potential, rarity and representativeness), and recommended their listing in Schedule 5 of the Woollahra LEP 2014.

The key justifications for listing in the study include:

- Historic significance** - The hotels are of historic significance to Paddington and Woollahra as early and successful examples of the area’s suburban hotels, with all having been continuously operational since their construction. Some, such as the Grand National Hotel, are examples of landmark corner commercial development during the boom era of Paddington. Some, such as the Grand National and the Bellevue, had absorbed adjacent terrace houses to extend their footprints.

- **Historic association** - Many of the hotels have had long term associations with community events, local political activity, community activism and the intellectual sub-cultures of the mid-20th century. Many of the hotels have had long commercial associations with Tooth and Co as owners or operators.
- **Aesthetic/technical significance/research potential** - All of the hotels have aesthetic significance as examples of late Victorian evolved period hotels (and Inter-War Functionalist style hotel in the case of the Unicorn), still reflecting their original design, many re-styled and all updated.
- While all of the hotel interiors have been serially modified and updated, typically evolving over time as tastes and commercial imperatives changed, all of the exteriors remain legible and relatively intact to their original appearances. The report also acknowledged that despite the modifications, important structural elements remain which contribute to all of the hotels' heritage fabric.
- **Social significance/rarity/representativeness** - They are arguably rare as well as representative, and are locally important as physical and social landmark which are still in commercial operation.
- They are key elements of the character of the Paddington Heritage Conservation Area.

A statement of significance has been prepared for each of the pubs and is provided in the planning proposal and heritage study.

The objective of the planning proposal is to recognise the heritage significance of all seven pubs, including their interiors, and to provide statutory heritage protection.

The planning proposal states that the best means of achieving this objective is through an amendment to Woollahra LEP 2014 to list the pubs and their interiors as heritage items. Although the buildings are within the Paddington Heritage Conservation Area, individual heritage listing will provide a higher level of protection and recognition of the significance of these items.

Alternative options, such as adding site-specific objectives and controls to *Woollahra Development Control Plan 2015* or including heritage conservation conditions to a potential development consent, will not provide the same level of heritage protection and recognition.

4. STRATEGIC ASSESSMENT

4.1 State/Regional

Greater Sydney Region Plan

In March 2018, the Greater Sydney Commission released the *Greater Sydney Region Plan: A Metropolis of Three Cities*, which aims to manage and coordinate growth in Sydney. The Region Plan contains specific objectives for the region over the next 40 years and informs the actions and directions of the District Plans.

The planning proposal is consistent with the directions and objectives of the Region Plan, particularly:

- *Objective 13: Environmental heritage is identified, conserved and enhanced.*

Identifying and listing these seven hotels as local heritage items will recognise their heritage values and facilitate the conservation of these properties and their significance.

4.2 District

Eastern City District Plan

The Eastern City District Plan operates to give effect to the Region Plan. The Eastern City District Plan encompasses the Woollahra LGA.

The planning proposal is consistent with the relevant directions, priorities and objectives of the Plan, as outlined in the table below:

Planning Priority	Objective	Action	Proposal Consistency
<i>E6 Creating and renewing great places and local centres, and respecting the District's heritage</i>	<i>Objective 13 Environmental heritage is identified, conserved and enhanced.</i>	<p><i>20. Identify, conserve and enhance environmental heritage by:</i></p> <p><i>a. engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place</i></p> <p><i>b. applying adaptive re-use and interpreting heritage to foster distinctive local places</i></p> <p><i>c. managing and monitoring the cumulative impact of development on the heritage values and character of places.</i></p>	The proposal is consistent with the District Plan as it seeks to provide the statutory mechanism to protect and respect the District's heritage. The proposal will recognise the heritage significance of the seven pubs through listing them on the LEP.
<i>E13 Supporting growth of targeted industry sectors</i>	<i>Objective 24 Economic sectors targeted for success.</i>	<p><i>54. Consider the following issues when preparing plans for tourism and visitation:</i></p> <p><i>e. protecting heritage and biodiversity to enhance cultural and eco-tourism.</i></p>	The proposal will facilitate conservation of seven historic pubs in Paddington, which would contribute to cultural tourism and the local economy.

The planning proposal does not explain how it is consistent with the Eastern City District Plan. While Action 54 was noted, the planning priority (E13) and objective (24) under which the Action is identified were not mentioned. There is also a minor error where the report states Planning Priority "E^" instead of "E6". A Gateway condition is therefore recommended to require a commentary addressing

consistency with the relevant priorities, objectives and actions of the District Plan, as well as rectifying the above issues.

4.3 Local

Woollahra 2030 – our community, our place, our plan

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

- *4.3 Protect our heritage, including significant architecture and the natural environment.*

The planning proposal seeks to recognise and protect seven historic pubs in Paddington, which have been found to have local heritage significance in a heritage study. The proposal is considered to be consistent with the above provision in the Plan.

Woollahra Local Strategic Planning Statement (LSPS)

The Woollahra LSPS sets out a 20-year vision and planning priorities for managing future land use and preserving the community's values and special characteristics of the Woollahra LGA.

The planning proposal is consistent with the Woollahra LSPS, particularly with the following planning priority under the theme of *Liveability*:

- *Planning Priority 5 - Conserving our rich and diverse heritage*

The proposal will facilitate the conservation and protection of the seven pubs, all of which have been identified as having local heritage significance in a heritage study commissioned by Council.

The planning proposal report refers to the *Draft Woollahra Local Strategic Statement*. As the *Woollahra LSPS* has been finalised and commenced on 31 March 2020, a Gateway condition is recommended to require Council to update this section prior to public exhibition.

4.4 Section 9.1 Ministerial Directions

The proposal is consistent with the applicable section 9.1 Ministerial Directions, in particular:

Direction 2.3 Heritage Conservation

The Direction applies to the subject planning proposal. It requires that a planning proposal must contain provisions which facilitate the conservation of items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance, as identified in a study of the environmental heritage of the area.

The planning proposal is informed by a heritage study commissioned by Council. The assessment was undertaken in accordance with the Heritage Office Guidelines. The report concluded that all seven pubs meet the criteria for local heritage listing. The proposal will facilitate the conservation and protection of the pubs.

Direction 2.6 Remediation of Contaminated Land

On 17 April 2020, the Minister for Planning and Public Spaces approved the removal of Clause 6 of the State Environmental Planning Policy No. 55 – Remediation of Land and transfer the requirements to a new Ministerial direction - 2.6 Remediation of Contaminated Land.

The planning proposal does not identify the site as having contamination potential.

It is noted that the subject planning proposal pre-dates the above direction. As such, a Gateway condition is recommended to require revision to the planning proposal to address Direction 2.6, prior to exhibition.

4.5 State Environmental Planning Policies (SEPPs)

The proposal is consistent with all relevant SEPPs.

The table in Schedule 1 of the planning proposal, which illustrates the consistency of the proposal with the SEPPs, requires an update to remove repealed SEPPs and to make reference to currently applicable SEPPs, as follows:

- SEPP 1 (Development Standards) – repealed
- SEPP 44 (Koala Habitat Protection) – repealed and replaced with SEPP (Koala Habitat Protection) 2019
- SEPP (Concurrences) 2018 – repealed and replaced by SEPP (Concurrences and Consents) 2018
- SEPP (Miscellaneous Consent Provisions) 2007 - repealed

A Gateway condition is recommended to require the planning proposal to be updated to rectify the above issues, prior to exhibition.

5. SITE-SPECIFIC ASSESSMENT

5.1 Social

All seven hotels are an important part of the social fabric of Paddington as popular meeting places and celebrated destinations for locals, tourists and visitors. The hotels have a demonstrated social significance arising from their continued use and their being part of a distinctive and established group of hotels contributing to Paddington's character.

The heritage assessment notes that Paddington has a history of community activism and this has been facilitated by the tradition of meeting and socialising locally in the network of corner pubs in the area. The heritage listing will recognise the social value of the pubs as part of an important facet of local community life.

5.2 Environmental

There are no critical habitat areas, threatened species, populations or ecological communities or their habitats present on any of the subject sites, nor are they in proximity to any habitat areas. There are no likely environmental effects that would arise as a result of the planning proposal.

Future development applications for works within or in the vicinity to the subject pubs will be required to address Clause 5.10 of the Woollahra LEP. The potential impacts

on the heritage significance of the items will be managed through the development assessment process.

5.3 Economic

The planning proposal is not expected to generate any negative economic impacts. The conservation of the seven pubs through heritage listing would protect the unique historic character of Paddington and indirectly contribute to the visitor economy.

5.4 Infrastructure

There is no significant infrastructure demand that will result from the planning proposal. The planning proposal does not involve any amendments to the planning controls that will facilitate intensified development. All sites have access to adequate public infrastructure such as water, sewer, electricity and transport services.

6. CONSULTATION

6.1 Community

Council proposes a public consultation period of a minimum of 28 days. Having regard to the nature of the planning proposal, this is considered an appropriate timeframe for community consultation.

The consultation would include:

- a weekly notice in the local newspaper (Wentworth Courier) for the duration of the exhibition period (note: Council has the option to advertise in a generally circulated newspaper, such as Sydney Morning Herald, during the COVID-19 pandemic);
- a notice on Council's website;
- a letter to the landowner of each site;
- a letter to landowners in the vicinity of the site; and
- a letter to local community groups.

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

- the planning proposal, in the form approved by the Gateway determination;
- the Gateway determination; and
- information relied upon by the planning proposal (such as relevant Council reports).

During the COVID-19 pandemic, Council has the option to exhibit the planning proposal and supporting documents on its website or the NSW Planning Portal, in lieu of making them available at a physical location pursuant to section 10.18 of the *Environmental Planning and Assessment Act*.

A Gateway condition is recommended to require the community consultation information in the planning proposal to be updated to align with Council's current exhibition and notification arrangements during the pandemic.

Consultation with landowners

It is noted that Council staff have informed the landowners of all the pubs in the study and provided them with a copy of the relevant draft heritage inventory sheet.

Submissions were received from the owners of three hotels and their consultants, namely, the Bellevue Hotel, the Grand National Hotel and the Paddington Hotel. Key issues raised in the submissions included:

- the level of change that has occurred to the building interiors as well as their current condition have reduced their heritage value.
- The proposed heritage listing is not well founded.
- The proposed heritage listing would restrict potential uses of the buildings.
- The submission from the Paddington Hotel specifically states there is no objection to the proposed heritage listing, in so far as there is no obligation to remove the recently completed alterations and additions.

Council has addressed these matters in the report to the Environmental Planning Committee meeting of 18 November 2019. The landowners will have the opportunity to provide feedback on the planning proposal during exhibition.

6.2 Agencies

The proposal states that Council intends to consult with NSW Heritage, Department of Premier and Cabinet during exhibition. This is considered adequate for the purposes of this planning proposal.

7. TIME FRAME

The planning proposal includes a project timeline with a projected finalisation date of December 2020. To allow flexibility for Council to finalise the proposal, a time frame of 12 months for completion is recommended.

A Gateway condition is recommended to require the project time frame to be updated prior to exhibition to reflect the current progress.

8. LOCAL PLAN-MAKING AUTHORITY

Council has requested to be the local plan-making authority for this planning proposal. Having regard to the nature of the proposal, it is recommended that authorisation be granted for Council to exercise the plan making functions under section 3.36(2) of the *Environmental Planning and Assessment Act 1979* in this instance.

9. CONCLUSION

The planning proposal for the local heritage listing of seven Paddington pubs, namely;

- (a) The Bellevue Hotel and interiors, 157-159 Hargrave Street, Paddington,
- (b) The Grand National Hotel and interiors, 33 Elizabeth Street, Paddington,
- (c) The Imperial Hotel and interiors, 252 Oxford Street, Paddington,
- (d) The London Tavern Hotel and interiors, 85 Underwood Street, Paddington,
- (e) The Paddington Hotel and interiors, 384 Oxford Street, Paddington,
- (f) The Paddington Inn Hotel and interiors, 338 Oxford Street, Paddington, and
- (g) The Unicorn Hotel and interiors, 102-106 Oxford Street, Paddington,

should proceed subject to conditions as:

- The proposed heritage listing is supported by a heritage assessment and inventory sheets prepared by Robert A. Moore Architects and Conservation Consultants for Woollahra Municipal Council, which determined that all seven pubs are of local heritage significance. The heritage assessment has been undertaken in accordance with the NSW Heritage Office Guidelines;
- The proposal will recognise and provide on-going protection of the heritage significance of the items and retain the heritage character of Paddington; and
- The proposal is consistent with the objectives, directions and planning priorities of the Greater Sydney Region Plan, Eastern City District Plan and Council's local strategic plans, and relevant State Environmental Planning Policies and Section 9.1 Directions.

10. RECOMMENDATION

It is recommended that the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal is to be amended to address the following matters prior to public exhibition:
 - (a) Improve the resolution of the existing and proposed mapping in the planning proposal to ensure legibility and clarity;
 - (b) Include a note to clarify that the heritage item numbers in the proposed mapping are indicative only and will be confirmed upon the finalisation of the proposal;
 - (c) Address an error regarding the location of the London Tavern Hotel in the first paragraph of Part 2.4 of the planning proposal;
 - (d) In Part 6.2 of the planning proposal, include a commentary explaining the proposal's consistency with Priority E6 and E13, Objective 13 and 24, and Action 20 and 54 of the Eastern City District Plan; rectify the typographical error in the second dot point under "Eastern City District Plan";
 - (e) Remove reference to the *Draft Woollahra Local Strategic Planning Statement* and replace with the *Woollahra Local Strategic Planning Statement*, which has been adopted by Council;
 - (f) Remove reference to the repealed SEPPs, including SEPP No. 1 – Development Standards, SEPP No. 44 - Koala Habitat Protection, SEPP (Concurrences) 2018 and SEPP (Miscellaneous Consent Provisions) 2007; make reference to the SEPPs currently in force, being SEPP (Koala Habitat Protection) 2019 and SEPP (Concurrences and Consents) 2018;
 - (g) Include information to address section 9.1 Direction – 2.6 Remediation of Contaminated Land;
 - (h) Update the proposed community consultation requirements to align with current exhibition and notification arrangements during the COVID-19 pandemic; and
 - (i) An updated project timeline.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:

- (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. Consultation is required with NSW Heritage, Department of Premier and Cabinet under section 3.34(2)(d) of the Act.
- The public authority / organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, if reclassifying land).
5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
- (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.



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