

**Item No:** C1123(1) Item 8  
**Subject:** DRAFT PLANNING PROPOSAL: HERITAGE PUBS  
**Prepared By:** Daniel East - Acting Senior Manager Planning  
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**RECOMMENDATION**

1. That the draft Planning Proposal be submitted to the Department of Planning and Environment for a Gateway Determination pursuant to section 3.34 of the *Environmental Planning and Assessment Act 1979*.
2. That the planning proposal is placed on community consultation should it receive a favourable Gateway Determination.
3. That Council receive a post exhibition report for its consideration.

**STRATEGIC OBJECTIVE**

This report supports the following strategic directions contained within Council’s Community Strategic Plan:

- 2: Liveable, connected neighbourhoods and transport
- 3: Creative communities and a strong economy

**EXECUTIVE SUMMARY**

The purpose of this report is to:

- update Council on the outcomes of preliminary engagement held in relation to the proposal to list 26 pubs across the Inner West as new items of local heritage significance
- update Council on the recommendations provided by the Inner West Local Planning Panel (IWLPP) on the proposed heritage amendments
- seek its approval to proceed with a Planning Proposal to amend Schedule 5 and the Heritage Map of the *Inner West Local Environmental Plan 2022 (IWLEP 2022)*.

Inner West Council is committed to protecting places of heritage significance. The adopted *Local Strategic Planning Statement (LSPS)* and *Local Housing Strategy (LHS)* contain actions requiring Council to review heritage significance across the local government area (LGA) and inform amendment to the IWLEP 2022 and DCPs. This report details the pubs component of the heritage review. The draft Planning Proposal (refer to *Attachment 1*) responds to recommendations provided by expert consultants, GML Heritage, in the *Inner West Heritage Study – Pubs* (May 2023) (Heritage Study).

The proposed amendments include new items of local heritage significance on 26 pub sites across the Inner West. It is recommended that Council agrees to proceed with the plan-making process to make these amendments, including seeking a Gateway Determination from DPE and undertaking a concurrent review of relevant DCP provisions.

**BACKGROUND**

At the Council meeting held on 3 July 2018, Council resolved the following:

1. *Provide information on which pubs in the Inner West Council local government area have heritage protection and which do not;*
2. *Identify a program for an investigation into which pubs in the area have the highest architectural, historical and social heritage and are most in need of further heritage protection; and*
3. *Liaise with architectural schools and departments to enquire whether they would be interested in carrying out pro bono heritage assessments as a study of this niche area of Sydney history.*

In 2021, after an initial review of existing pubs, Council engaged heritage consultants to prepare a more detailed study and provide recommendations on pubs that warrant heritage listing. The resulting Heritage Study recommends 27 pubs for listing as items of local heritage significance and includes detailed heritage assessments of each venue.

At the Council meeting held on 25 October 2022, Council resolved the following:

1. *Note the Inner West Heritage Study – Pubs report prepared by GML Heritage that responds to the Council resolution dated 3 July 2018;*
2. *Commence community engagement with landowners and patrons on the proposed heritage listing of the 27 pubs identified in the report; and*
3. *Prioritise the preparation of a standalone Council-led planning proposal that gives effect to the heritage protections identified in the report.*

The 27 pubs recommended in GML’s study for listing include the 26 properties subject of this draft Planning Proposal, as well as Lewisham Hotel (794 Parramatta Road, Lewisham), which is being considered separately under Council’s Planning Proposal for Parramatta Road Corridor (Stage 1), currently at formal public exhibition stage.

Detailed heritage assessments were carried out for each property identified, against NSW Heritage Council criteria for assessing heritage significance. Draft inventory sheets for the proposed heritage items, prepared by GML Heritage, are enclosed in the Heritage Study (refer to *Attachment 2*).

This Heritage Study and the broader heritage review implement the following actions of Inner West’s LSPS and LHS:

- **LSPS Planning Principle 6, Action 6.2:** *Continue to protect the heritage and character values of the Inner West by: ensuring significant existing or desired character is identified and protected through LEP and DCP provisions:*
  - *Undertaking targeted heritage studies to identify new heritage items and conservation areas across the LGA and use these studies to inform future LEP and DCP provisions for their protection.*
- **LHS Principle 2, Action 1B:** *Continue to identify and conserve items of environmental heritage, and heritage conservation areas:*
  - *Identify this action in the Local Strategic Planning Statement*
  - *Undertake a heritage review across the LGA in conjunction with place-based studies*
  - *Consult with the community and other key stakeholders*

- Amend LEP Schedule 5 and LEP heritage maps as needed

**DISCUSSION**

**Draft Planning Proposal**

The draft Planning Proposal seeks to amend the Heritage Map of the IWLEP 2022 to introduce the following new items of local heritage significance:

<b>Suburb</b>	<b>Item name</b>	<b>Address</b>
Annandale	North Annandale Hotel*	105 Johnston Street
Annandale	Annandale Hotel*	17-19 Parramatta Road
Balmain	Dick’s Hotel*	89 Beattie Street
Balmain	Cricketers Arms Hotel*	255 Darling Street
Balmain	Unity Hall Hotel*	292-294 Darling Street
Balmain	Town Hall Hotel*	366 Darling Street
Balmain	Cat & Fiddle Hotel*	456 Darling Street
Balmain	The Balmain Hotel*	72-74 Mullens Street
Balmain East	East Village Hotel*	82-84 Darling Street
Enmore	Duke of Enmore Hotel*	148 Enmore Road
Enmore	Queens Hotel	167 Enmore Road
Enmore	Warren View Hotel*	2 Stanmore Road
Leichhardt	The Milestone Hotel*	140 Marion Street
Marrickville	Vic on the Park Hotel*	2 Addison Road
Marrickville	The Royal Exchange Hotel*	203 Marrickville Road
Newtown	Carlisle Castle Hotel*	17 Albermarle Street
Newtown	Kelly’s on King	283-285 King Street
Newtown	Websters Bar	323 King Street
Newtown	Sandringham Hotel (former)*	387 King Street
Petersham	Livingstone Hotel*	116 New Canterbury Road
Rozelle	The Welcome Hotel*	91 Evans Street
Rozelle	3 Weeds Hotel*	197 Evans Street
Rozelle	Sackville Hotel*	599 Darling Street
Rozelle	Garry Owen Hotel*	778 Darling Street
Rozelle	Native Rose Hotel*	68 Victoria Road
Rozelle	Bridge Hotel*	119 Victoria Road

\* Including interiors

The specific amendments to Schedule 5 and the Heritage Map of the IWLEP 2022 are contained in the draft Planning Proposal at Attachment 1 (refer to Part 2 – Explanation of Provisions and Part 4 – Mapping of the Planning Proposal) and the Proposed Heritage Maps are included at *Attachment 3*.

**Review of DCPs**

This draft Planning Proposal will be accompanied by a review of DCPs for the former Leichhardt and Marrickville Councils (where the proposed 26 items are located). This will ensure consistency between the proposed IWLEP 2022 amendments and any relevant DCP provisions and will result in a future consolidated set of DCP provisions.

The review of DCPs will also take into account a recommendation that the relevant DCPs be amended to reflect the listings to be identified in the IWLEP 2022.

## Merit Assessment

The draft Planning Proposal has been prepared in accordance with the NSW Government's Local Environmental Plan Making Guideline (August 2023). This includes an assessment of:

- Site specific merit – a proposal's demonstrated environmental, social and economic impact on the site and surrounds and ability to be accommodated within the capacity of the current and/or future infrastructure and services; and
- Strategic merit – a proposal's demonstrated alignment with the NSW strategic planning framework or current government priority.

This assessment is contained in the draft Planning Proposal (at Attachment 1) and a more detailed assessment of the proposal against State and local strategic planning frameworks is contained in *Attachment 4*.

## Relevance to other Strategic Planning projects

This draft Planning Proposal is part of Council's broader heritage review, which includes a separate standalone draft Planning Proposal for Residential Heritage (subject of a separate future report).

## Preliminary Engagement

In May-June 2023, preliminary engagement was undertaken with owners and operators of the pubs identified in GML's study. Concurrently, a broader 'Love Your Pub' campaign was run on Council's Your Say Inner West website, seeking community feedback on the Inner West's pubs and pub culture.

In total, there were 840 visitors to the Your Say website and 20 contributions during the Love Your Pub campaign. Contributors expressed support for vibrancy and sense of community in pubs, as well as some improvements to pub culture and safety, but raised concerns about the loss of live music, noise impacts and loss of atmosphere to gambling areas. One contributor urged Council to recognise important elements without resorting to heritage listing.

The consultation with owners and operators of pubs identified for heritage listing resulted in responses from three owners. Feedback received included concern over potential restrictions to development and refurbishment potential and impacts on property values as a result of the proposed heritage listings.

The preliminary engagement comments do not preclude the draft Planning Proposal from proceeding to Council for consideration. The matters raised will continue to inform the proposal as it progresses, including at post-Gateway and statutory public exhibition stages.

## Local Planning Panel Recommendations

The draft Planning Proposal was considered by the IWLPP at its meeting on 14 September 2023. The IWLPP supports the draft Planning Proposal. The minutes to this meeting are included at *Attachment 5*.

## Conclusion

The draft Planning Proposal implements the recommendations of the Heritage Study, prepared by GML Heritage, and also responds to Council's resolution of 25 October 2022. Part of the broader Inner West heritage review, it addresses LSPS Planning Principle 6, Action 6.2, and LHS Principle 2, Action 1B. In doing so, the proposal will help to preserve the historic significance of the Inner West's pubs. It is recommended that Council agrees to forward this proposal to the DPE for a Gateway Determination.

### Next Steps





Submit to DPE for Gateway Determination	November 2023
Gateway Determination issued	February 2024
Completion of DCP review and any further justification required by Gateway Determination	February 2024
Commencement and completion for public exhibition period	March-April 2024
Completion of post-exhibition review	April 2024
Council Meeting (post-exhibition) to determine whether to adopt the proposed amendments	June 2024
Submission to DPE to finalise the LEP	June 2024
Gazettal of LEP amendment	July 2024

### FINANCIAL IMPLICATIONS

There are no financial implications associated with the implementation of the proposed recommendations outlined in the report.

**Attachments 2, 3 and 4 have been published separately in the Attachments Document on Council's Website <https://www.innerwest.nsw.gov.au/about/the-council/council-meetings/current-council-meetings>**

### ATTACHMENTS

1.  Planning Proposal - Heritage Pubs
2.  Heritage Study – Pubs - **Published separately on Council's website**
3.  Heritage Pubs – Maps - **Published separately on Council's website**
4.  Consistency with Strategic Planning Framework - **Published separately on Council's website**