



Heritage Pubs Planning Proposal

June 2024

Prepared by Inner West Council

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Version 1.0 – August 2023	Inner West Local Planning Panel Meeting 14 September 2023 (Pre-Gateway)
Version 2.0 – October 2023	Council Meeting 21 November 2023 (Pre-Gateway)
Version 3.0 – March 2024	Exhibition Version (including minor edits as required by Gateway Determination)
Version 4.0 – June 2024	Post-Council Decision Version (including amendments in accordance with Council Decision of 25 June 2024)

1. Introduction

Inner West Council has endorsed a Planning Proposal (PP) to amend the *Inner West Local Environmental Plan 2022* (IWLEP 2022).

The PP seeks to identify 22 properties (pubs) across the Inner West local government area (LGA) as heritage items of local significance, under Schedule 5 of the IWLEP 2022.

The PP is made in relation to the following pubs in the LGA:

- | | |
|---|--|
| 1. Annandale Hotel, Annandale | 13. The Royal Exchange Hotel, Marrickville |
| 2. Dick's Hotel, Balmain | 14. Carlisle Castle Hotel, Newtown |
| 3. Cricketers Arms Hotel, Balmain | 15. Websters Bar, Newtown |
| 4. Unity Hall Hotel, Balmain | 16. Sandringham Hotel (former), Newtown |
| 5. Town Hall Hotel, Balmain | 17. Livingstone Hotel, Petersham |
| 6. Cat & Fiddle Hotel, Balmain | 18. The Welcome Hotel, Rozelle |
| 7. The Balmain Hotel, Balmain | 19. 3 Weeds Hotel, Rozelle |
| 8. East Village Hotel, Balmain East | 20. Sackville Hotel, Rozelle |
| 9. Duke of Enmore Hotel, Enmore | 21. Garry Owen Hotel, Rozelle |
| 10. Queens Hotel, Enmore | 22. Native Rose Hotel, Rozelle |
| 11. Warren View Hotel, Enmore | |
| 12. Vic on the Park Hotel, Marrickville | |

These properties were identified as having potential heritage significance in the *Inner West Heritage Study – Pubs* (originally published May 2023, updated March 2024), prepared for Council by independent heritage consultants GML Heritage. This study contained detailed heritage assessments and inventory sheets of each pub, as well as a broader thematic history of pubs in the Inner West LGA.

The study identifies and recommends the listing of 26 Inner West pubs. At its meeting of 25 June 2024, Council resolved to proceed with the heritage listing of 22 pubs listed above, but to not proceed with the 4 remaining pubs identified in the study, being:

- North Annandale Hotel, Annandale;
- Milestone Hotel, Leichhardt;
- Kelly's on King, Newtown; and
- The Bridge Hotel; Rozelle.

Refer to **Appendix 1** for GML's study including inventory sheets for the pubs subject of this PP.

The PP is aligned with the following action of Inner West's *Local Strategic Planning Statement: Our Place Inner West* (LSPS):

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.

The PP has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Local Environmental Plan Making Guideline* (August 2023) prepared by the NSW Department of Planning, Housing and Infrastructure (DPHI).

2. Background

At a meeting on 3 July 2018, Council considered a Notice of Motion on the heritage listing of Inner West pubs and resolved to conduct an investigation of pubs across the LGA with the highest architectural, historical and social heritage and are most in need of further heritage protection.

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

On 25 October 2022, Council considered a draft version of this study and resolved to adopt the following Notice of Motion:

That Council:

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
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 originally subject of the PP, 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 finalisation stage.

In May–June 2023, preliminary engagement was undertaken with owners and operators of the 27 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 were received under the Love Your Pub campaign. Contributors expressed support for vibrancy and a 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 property values as a result of the proposed heritage listings.

Following the engagement, Council staff prepared a draft PP to list 26 pubs identified in GML's study (excluding Lewisham Hotel). At its meeting on 21 November 2023, Council resolved to submit the PP to DPHI for a Gateway Determination.

On 16 January 2024, DPHI issued a Gateway Determination allowing the PP to proceed to public exhibition, subject to meeting the following condition:

- 1. Prior to exhibition, the planning proposal and supporting documentation be updated to reflect the current Assessment Heritage Significance guidelines (NSW Environment and Heritage, June 2023) including an assessment against all heritage significance criteria.*

In response to this condition, the *Inner West Heritage Study – Pubs* (**Appendix 1**) was updated to insert the following statement:

Note: In May 2023, when the Inner West Heritage Study – Pubs was finalised, the current Assessing Heritage Significance manual was the NSW Heritage Office 2001 version. In June 2023, an updated version of the manual was released. Under this new version of the manual, the assessment methodology and resulting outcomes would not alter. The difference between the manuals is minor, with substantive matters such as wording of the criteria remaining consistent. Changes include minor amendment to thresholds and recommended use of language. The requirement for items to meet one of the seven criteria to achieve local significance remains the same and each of the pubs proposed for listing achieve a minimum of two to three criteria and are likely to meet further criteria.

This PP was also updated to include further elaboration on how each heritage significance criterion has been adequately addressed (refer to 6. Part 3 – *Justification of Strategic and Site-specific Merit*).

DPHI has reviewed this approach and is satisfied that the Gateway condition has been met.

Following statutory public exhibition of the PP, held between 25 March and 30 April 2024, Council considered a post-exhibition report at its meeting on 25 June 2024. Council resolved:

1. That Council, as local plan-making authority, endorse the amendments to Schedule 5 and the Heritage Map of the Inner West Local Environmental Plan 2022 to list 22 pubs as items of local significance and not include the Milestone Hotel in Leichhardt, the Bridge Hotel in Rozelle, Kelly's on King Hotel in Newtown and the North Annandale Hotel in Annandale.
2. That Council authorise the General Manager to finalise the Planning Proposal under section 3.36 of the Environmental Planning and Assessment Act 1979, including any necessary minor/technical modifications to the proposal and supporting documentation, and forward the Planning Proposal to Parliamentary Counsel's Office for publication.
3. That Council officers set up a round table to meet with interested pub proprietors to review the heritage inventories for the pubs to ensure they are an appropriate representation of each premises.

Accordingly, the PP has been amended to exclude 4 pubs – the Milestone Hotel, Bridge Hotel, Kelly's on King and North Annandale Hotel.

3. Statutory Planning Framework Overview

Local Environmental Plan

Schedule 5 of the IWLEP 2022 contains a list of recognised heritage items, heritage conservation areas and archaeological sites. These can be of local or State significance. The items and areas listed in this Schedule are also depicted on the IWLEP 2022's accompanying Heritage Map.

Clause 5.10 of the IWLEP 2022 outlines objectives for the conservation of heritage significance and requirements for proposed development within, or which would have an impact on, items and areas listed in Schedule 5 and depicted on the Heritage Map. The listing of items and areas of heritage significance under the IWLEP 2022 also has implications for types of development that can be carried out on affected properties, with or without consent, under State policies such as the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

It is important that the IWLEP 2022's Schedule 5 and Heritage Map are kept up to date, to reflect recognised heritage values across the Inner West LGA and to give certainty to owners of properties containing heritage significance as to the types of development that can and cannot be carried out on these properties.

4. Part 1 – Objectives and Intended Outcomes

The objective of this PP is to amend Schedule 5 Environmental Heritage, Part 1 Heritage Items of the IWLEP 2022 to identify properties containing pubs across the Inner West LGA as items of local heritage significance.

The intended outcomes of this PP are:

- statutory heritage protection to a number of pubs across the Inner West LGA
- preservation of local heritage in the Inner West LGA by providing statutory protection and recognition to historically significant pubs
- ensuring future generations can observe items of historical significance.

5. Part 2 – Explanation of Provisions

The PP seeks the following amendments to the IWLEP 2022:

Written instrument:

Amend Schedule 5 Environment Heritage, Part 1 Heritage Items to include the following 22 new listings, shown in **Table 1** below:

Table 1 – Proposed amendments to Schedule 5 of the IWLEP 2022

Suburb	Item name	Address	Property Description	Identification on Heritage Map	Significance
Annandale	Annandale Hotel, including interiors	17-19 Parramatta Road	Lot 51 DP 1248353	11785	Local
Balmain	Dick's Hotel, including interiors	89 Beattie Street	Lot 10 Sec D DP 77, Lot 11 Sec D DP 77	11786	Local
Balmain	Cricketers Arms Hotel, including interiors	255 Darling Street	Lot 1 DP 725459	11787	Local
Balmain	Unity Hall Hotel, including interiors	292-294 Darling Street	Lot 1 DP 75119, Lot 1 DP 72396	11788	Local
Balmain	Town Hall Hotel, including interiors	366 Darling Street	Lot 1 DP 441626	11789	Local
Balmain	Cat & Fiddle Hotel, including interiors	452 Darling Street	Lot 1 DP 660498	11790	Local

Suburb	Item name	Address	Property Description	Identification on Heritage Map	Significance
Balmain	The Balmain Hotel, including interiors	72-74 Mullens Street	Lot 1 DP557468	11791	Local
Balmain East	East Village Hotel, including interiors	82-84 Darling Street	Lot 2 DP 83056	11792	Local
Enmore	Duke of Enmore Hotel, including interiors	148 Enmore Road	Lot A DP 176822	11793	Local
Enmore	Queens Hotel	167 Enmore Road	Lot 10 DP 1120058	11794	Local
Enmore	Warren View Hotel, including interiors	2 Stanmore Road	Lot 12 DP 960694	11795	Local
Marrickville	Vic on the Park Hotel, including interiors	2 Addison Road	Lot 1 DP 774868	11796	Local
Marrickville	The Royal Exchange Hotel, including interiors	203 Marrickville Road	Lot 1 DP 232542	11797	Local
Newtown	Carlisle Castle Hotel, including interiors	17 Albermarle Street	Lot 1 DP 867047	11798	Local
Newtown	Websters Bar	323 King Street	Lot 1 DP 177710	11799	Local
Newtown	Sandringham Hotel (former), including interiors	387 King Street	Lot 1 DP 61256	11800	Local
Petersham	Livingstone Hotel, including interiors	116 New Canterbury Road	Lot 111 DP 838108	11801	Local
Rozelle	The Welcome Hotel, including interiors	91 Evans Street	Lot 1 DP 1018272, Lot 1 DP 165451, Lot 2 DP 1018272	11802	Local
Rozelle	3 Weeds Hotel, including interiors	193 Evans Street	Lot 1 DP 1259168, Lot 70 DP 1259168, Lot 4, DP 1259169,	11803	Local

Suburb	Item name	Address	Property Description	Identification on Heritage Map	Significance
Rozelle	Sackville Hotel, including interiors	599 Darling Street	Lot 1 DP 124984, Lot 1 DP 795779, Lot 1 DP 795780, Lot 1 DP 921944	11804	Local
Rozelle	Garry Owen Hotel, including interiors	778 Darling Street	Lot 180 DP 1279086	11805	Local
Rozelle	Native Rose Hotel, including interiors	68 Victoria Road	Lot 161 DP 1277145	11806	Local

Mapping:

Amend the Heritage Map (various Map Sheets) to identify the above properties as 'Item – General'. This is described in further detail This is described in further detail at Chapter 7. *Part 4 – Maps.*

Proposed amendments to the IWLEP 2022 Heritage Map are included in **Appendix 2**.

6. Part 3 – Justification of Strategic and Site-specific Merit

Section A – Need for the Draft Planning Proposal

Question 1 – Is the planning proposal a result of an endorsed LSPS, strategic study or report?

Yes.

The PP is aligned with the *Inner West Local Strategic Planning Statement (LSPS)*, in particular the following action:

- ***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.*

The Inner West LSPS was adopted by Council on 25 February 2020 and received a Letter of Support from the Greater Cities Commission (then Greater Sydney Commission) on 25 March 2020.

Consultants GML Heritage were commissioned to undertake a strategic heritage assessment study on Council's behalf, *Inner West Heritage Study – Pubs* (**Appendix 1**). This PP implements the independent recommendations contained in this study.

Assessment of heritage significance

The assessment of heritage significance reviewed the subject sites in accordance with *Assessing heritage significance* (NSW Heritage Office, 2001) and *Investigating heritage significance* (Heritage NSW, 2021). There are seven (7) criteria used in the process of assessing heritage significance:

Criterion (a) – Historic – an item is important in the course or pattern of NSW's cultural or natural history

Criterion (b) – Associative – 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

Criterion (c) – Aesthetic – an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW

Criterion (d) – Social – an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons

Criterion (e) – Technical/Research – an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history

Criterion (f) – Rarity – an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history

Criterion (g) – Representativeness – an item is important in demonstrating the principal characteristics of a class of NSW'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 7 criteria at a local level, and retains the integrity of its key attributes, it can be considered to have local heritage significance. The detailed heritage assessment concluded that the subject sites meet at least one of the criteria, thus confirming their local heritage significance. **Table 2** outlines the criteria met and not met by each site.

Table 2 – Assessment of sites against heritage significance criteria

Location	Heritage Significance Criteria						
	(a) Historic	(b) Associative	(c) Aesthetic	(d) Social	(e) Technical / Research	(f) Rarity	(g) Representativeness
Annandale Hotel	✓	✓	✓	✓*	Potential	x	✓
Dick's Hotel	✓	x	✓	✓*	Potential	x	✓
Cricketers Arms Hotel	✓	x	✓	✓*	Potential	x	✓
Unity Hall Hotel	✓	✓	✓	✓*	Potential	x	✓
Town Hall Hotel	✓	✓	✓	✓*	Potential	x	✓
Cat & Fiddle Hotel	✓	✓	✓	✓*	Potential	x	✓
The Balmain Hotel	✓	x	✓	✓*	Potential	✓	✓
East Village Hotel	✓	x	✓	✓*	Potential	x	✓
Duke of Enmore Hotel	✓	x	x	✓*	Potential	x	✓
Queens Hotel	✓	x	✓	✓*	x	x	✓
Warren View Hotel	✓	✓	✓	✓*	Potential	x	✓
Vic on the Park Hotel	✓	x	✓	✓*	Potential	x	✓
The Royal Exchange Hotel	✓	x	✓	✓*	Potential	x	✓
Carlisle Castle Hotel	✓	✓	✓	✓*	Potential	x	✓
Websters Bar	✓	✓	✓	✓*	Potential	x	✓
Sandringham Hotel (former)	✓	x	✓	✓	Potential	x	✓
Livingstone Hotel	✓	x	✓	✓*	Potential	x	✓
The Welcome Hotel	✓	x	✓	✓*	Potential	x	✓
3 Weeds Hotel	✓	x	✓	✓*	Potential	x	✓
Sackville Hotel	✓	✓	✓	✓*	Potential	x	✓
Garry Owen Hotel	✓	x	x	✓*	Potential	x	✓
Native Rose Hotel	✓	x	x	✓*	Potential	x	✓

Notes:

(d) Social, cultural or spiritual significance – As outlined in the Thematic History of Inner West Pubs and the individual Heritage Inventory Sheets, hotels are identified as important social institutions and are a celebrated part of the area's culture. On this basis the hotels are considered likely to meet the threshold of significance at a local level under this criterion.

(e) Technical/Research Significance – The detailed heritage assessment found that:

- One pub did not meet this criterion, and
- The remaining 21 had the potential to meet this criterion. In this instance the Heritage Inventory Sheet Recommendations include matters such as:
 - Prior to any proposed ground disturbance, the archaeological potential of the property should be assessed, and
 - As specified against individual pubs. For example, Unity Hall Hotel: 'The hotel's significant relationship with the Australian Labor Party should be interpreted'.

Question 2 – Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes.

The objective of this PP is to amend Schedule 5 Environmental Heritage, Part 1 Heritage Items of the IWLEP 2022 to identify properties containing pubs across the Inner West LGA as items of local heritage significance. The best, and only, means of achieving this objective is through the PP process.

Heritage listing will provide ongoing protection and recognition of the heritage significance of these properties. Other options, such as adding site-specific objectives and controls to the relevant development control plans, or including heritage conservation conditions to a development consent, will not provide the same level of heritage protection and recognition.

Section B – Relationship to strategic planning framework

Question 3 – Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Yes.

The PP is consistent with the relevant objectives of the *Greater Sydney Region Plan: A Metropolis of Three Cities* (GSRP) and the relevant planning priorities and actions of the *Eastern City District Plan* (ECDP), as discussed below:

Greater Sydney Region Plan: A Metropolis of Three Cities

The PP gives effect to the directions and objectives of the GSRP, in particular Direction 5 A City of Great Places – Objective 13 ‘Environmental heritage is identified, conserved and enhanced.’

Eastern City District Plan (ECDP)

The PP is also consistent with the directions, priorities and objectives of the ECDP, particularly Planning Priority E6 and Action 20:

- *Planning Priority E6: ‘Creating and renewing great places and local centres, and respecting the District’s heritage’*
 - *Action 20: ‘Identifying, conserving and enhancing the environmental heritage of the local area through:*
 - *Engaging with the community early to understand heritage values;*
 - *Applying adaptive reuse and interpreting heritage to foster distinctive local places managing and monitoring the cumulative impact of development on the heritage values and character of places.’*

A detailed explanation of the PP's consistency with the broader strategic planning framework, including the GSRP and ECDP, is contained in **Appendix 3**.

Question 4 – Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

Yes.

The PP is consistent with the relevant planning priorities and actions of Council's adopted Local Strategic Planning Statement. It is also consistent with strategies of Council's Community Strategic Plan and principles and actions of Council's Local Housing Strategy. This is discussed in further detail below:

Inner West Local Strategic Planning Statement: *Our Place Inner West* (LSPS)

Council adopted its LSPS in March 2020 in accordance with section 3.9 of the EP&A Act and State Government guidance. The LSPS aligns with priorities set out in the Region and District Plans, as well as Council's own priorities set out in its Community Strategic Plan.

As outlined in Question 1, the PP is aligned with LSPS Planning Priority 6 and Action 6.2.

Inner West Community Strategic Plan: *Our Inner West 2036* (CSP)

The Inner West's CSP, adopted June 2022, sets the strategic direction for Council's Delivery Program and Operational Plans. The strategic directions, outcomes and strategies outlined in the plan inform Council's activities towards achieving the identified outcomes.

The PP is aligned with the following strategic directions, outcomes and strategies of the CSP:

- *Strategic Direction SD2: 'Liveable, connected neighbourhoods and transport'*
 - *Outcome 2: 'The unique character and heritage of neighbourhoods is retained and enhanced'*
 - *Strategy: 'Provide clear and consistent planning and management that respects heritage, accessibility and the distinct characters of urban centres'*
- *Strategic Direction SD3: 'Creative communities and a strong economy'*
 - *Outcome 1: 'Creativity and culture are valued and celebrated'*
 - *Strategy: Celebrate and promote awareness of the community's history and heritage'.*

Inner West Local Housing Strategy: Our Inner West Housing Strategy (LHS)

The purpose of the Inner West’s adopted LHS is to set the strategic framework and vision for housing in the Inner West LGA up to 2036. The LHS was adopted by Council in March 2020 and approved by DPHI in July 2021.

The LHS, prepared by consultants Elton Consulting in collaboration with Council, accords with the NSW Government’s *Local Housing Strategy Guidelines and Template* (2018) and the requirements of the GSRP and ECDP. The LHS was also prepared in tandem with, and having regard to, Inner West’s LSPS.

Council is required to meet the ECDP housing target of 5,900 dwellings between 2016 and 2021, deliver a 6 to 10 year housing target, and outline its contribution to the Eastern City District’s 20 year housing target. The ECDP also requires all councils to develop an affordable housing contributions scheme.

To respond to these requirements, Council has developed the following housing targets for the Inner West LGA (**Table 3**). The evidence base behind these targets is contained within the LHS.

Table 3 – Inner West Housing Targets

0 – 5 years	6 – 10 years	10 – 20 years
(2016-2021)	(2021-2026)	(2026-2036)
5,900	5,000	10,000
Eastern City District Target expected to be met	Meeting DPIE Implied Dwelling Production	Meeting DPIE Implied Dwelling Production

The LHS contains a constraints and opportunities analysis to determine the parts of the Inner West LGA that are most suited to accommodating additional housing, through identification of investigation areas. It includes detailed analysis of each investigation area, including potential uplift scenarios.

The LHS also includes an implementation and delivery plan, outlining principles and actions to deliver the strategy’s findings.

The PP was prepared having regard to Principle 2 and Action 2B of the LHS:

- *Principle 2: ‘Accommodate housing growth through a range of sensitive infill compatible with heritage values and local character – enabling areas to evolve with respect over time.’*
 - *Action 2B: Continue to identify and conserve items of environmental heritage, and heritage conservation areas’*

This Action contains the following Implementation steps:

- *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.

Some proposed heritage items occur within investigation areas identified in the LHS. These include:

Investigation Areas from 2019

- Proposed Item: Royal Exchange Hotel, 203 Marrickville Road, Marrickville – within Marrickville Investigation Area
- Proposed Item: Annandale Hotel, 17-19 Parramatta Road, Annandale – within Camperdown Investigation Area.

These investigations are being carried out in coordination with the proposed heritage changes. The PP will help inform the outcomes of the investigations without impeding Council's delivery of actions in the LHS relating to those areas.

Inner West Employment and Retail Lands Strategy (EaRLS)

The EaRLS came into effect in September 2020. It aims to facilitate the management of Inner West employment lands and commercial centres, prioritising actions for productive commercial and industrial land uses to facilitate job growth and a thriving economy.

The EaRLS contains a number of actions relating to current and emerging centres in the Inner West. Although some of these centres contain pubs proposed for heritage listing, the actions relevant to the centres do not preclude the preparation of this PP.

The strategy also outlines actions in support of a vibrant night-time economy. These relate to:

- Co-existence between live music venues and neighbouring uses, including noise management and the 'agent of change' principle
- Development approval pathways and regulatory requirements for night-time trading and for small scale venues
- Development of a joint strategy for King Street, Newtown (with City of Sydney).

Overall, the PP does not create any inconsistencies with the actions of the EaRLS.

The PP's consistency with relevant Council strategies is outlined in further detail in **Appendix 3**.

Question 5 – Is the planning proposal consistent with any other applicable State and regional studies or strategies

Yes.

There are no other State and regional studies or strategies directly relevant to this PP.

Question 6 – Is the draft Planning Proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

Yes.

The PP is consistent with all applicable SEPPs. A detailed explanation of the PP's consistency with relevant SEPPs is contained in **Appendix 3**.

Question 7 – Is the draft Planning Proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priorities?

Yes.

The PP is consistent with all applicable section 9.1 Directions.

A detailed explanation of the PP's consistency with relevant section 9.1 Directions is contained in **Appendix 3**.

Section C – Environmental, social and economic impact

Question 8 – Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No.

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

Question 9 – Are there any other likely environmental effects as a result of the draft Planning Proposal and how are they proposed to be managed?

No.

There are no likely environmental effects that would arise as a result of the PP. Protection of the items will be required when development is proposed, or if there is development proposed in their vicinity. Protection measures are not likely to result in environmental harm.

Question 10 – Has the draft Planning Proposal adequately addressed any social and economic effects?

Yes.

The heritage assessment measured the subject sites against the criteria for ‘cultural significance’ as defined in the Australia ICOMOS Burra Charter, as meaning the aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

The detailed heritage assessment found that the subject sites meet at least one of the criteria, thus confirming their local heritage significance.

The proposed heritage listings will have some impact on redevelopment and refurbishment options for the affected pubs. However, any impact will be offset by the public benefit associated with the protection of recognised heritage values, as identified in the heritage assessment. Further, the proposed heritage protections do not preclude the consideration of development applications for change of use to another permissible use.

Section D – Infrastructure (Local, State and Commonwealth)

Question 11 – Is there adequate public infrastructure for the draft Planning Proposal?

Yes.

The PP involves the local heritage listing of properties across the Inner West LGA and does not involve any amendments to planning controls that will facilitate intensified development.

Currently, these properties have access to adequate public infrastructure and there is no significance infrastructure demand that will result from the PP.

Section E – State and Commonwealth Interests

Question 12 – What are the views of State and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Although Council undertook preliminary consultation with owners and licensees of the subject pubs, the views of State and federal public authorities were not sought during this consultation.

As required by the Gateway Determination (16 January 2024), Council will consult with NSW Environment and Heritage (Heritage NSW).

7. Part 4 – Maps

The PP proposes to amend the IWLEP 2022 Heritage Map to introduce new ‘general’ heritage items across the Inner West LGA. The proposed amended maps are included in **Appendix 2**.

Refer to **Table 4** for an outline of the changes to the IWLEP 2022 Heritage Map.

Table 4 – Proposed Heritage Map Sheet Amendments

Map Tile No.	Proposed
HER_003	New Item – General: <ul style="list-style-type: none"> 778 Darling Street, Rozelle
HER_005	New Item – General: <ul style="list-style-type: none"> 203 Marrickville Road, Marrickville 116 New Canterbury Road, Petersham
HER_007B	New Item – General: <ul style="list-style-type: none"> 89 Beattie Street, Balmain 255 Darling Street, Balmain 292–294 Darling Street, Balmain 366 Darling Street, Balmain 452 Darling Street, Balmain 72–74 Mullens Street, Balmain 91 Evans Street, Rozelle 193 Evans Street, Rozelle 599 Darling Street, Rozelle 68 Victoria Road, Rozelle
HER_007E	New Item – General: <ul style="list-style-type: none"> 82–84 Darling Street, Balmain East
HER_008	New Item – General: <ul style="list-style-type: none"> 17–19 Parramatta Road, Annandale
HER_009	New Item – General: <ul style="list-style-type: none"> 148 Enmore Road, Enmore 167 Enmore Road, Enmore 2 Stanmore Road, Enmore 2 Addison Road, Marrickville 17 Albermarle Street, Newtown 323 King Street, Newtown 387 King Street, Newtown

8. Part 5 – Community Consultation

The PP was exhibited for a minimum period of 28 days in accordance with the provisions of the *EP&A Act* and the *Environmental Planning & Assessment Regulation 2000* and Condition 2(a) of the Gateway Determination.

Public exhibition was carried out in accordance with the Inner West Community Engagement Strategy 2022–24, including Community Participation Plan.

The public exhibition included:

- Letters to both owners and operators (if different) of each pub, as well as neighbouring property owners and occupants
- Consultation with Heritage NSW as required by Condition 3 of the Gateway Determination
- Consultation with City of Sydney in relation to the proposed heritage listing of Kelly’s on King, Websters Bar and the former Sandringham Hotel in Newtown, which sit on the LGA boundary.
- Dedicated project page on the Your Say Inner West website.

9. Part 6 – Project Timeline

Table 5 below provides an approximate timeline for the remainder of this project. This is consistent with the Gateway Determination, which requires that the LEP is completed on or before 1 November 2024.

Table 5 – Approximate Project Timeline

Task	Timing
Commencement and completion dates for public exhibition period	25 March – 30 April 2024
Completion of post-exhibition review	May 2024
Council Meeting (post-exhibition)	25 June 2024
Submission of drafting instructions to Parliamentary Counsel’s Office and mapping to DPHI to finalise the LEP	July 2024
Gazettal of LEP amendment	August 2024