

Item No: C0624(2) Item 5
Subject: POST EXHIBITION - HERITAGE PUBS PLANNING PROPOSAL
Prepared By: Daniel East - Acting Senior Manager Planning
Authorised By: Simone Plummer - Director Planning

Item 5

RECOMMENDATION

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 26 pubs as items of local significance.
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.

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 the statutory public exhibition of the Planning Proposal to list 26 Inner West pubs as new items of local heritage significance, including officer responses to submissions received, and
- Seek Council endorsement of the proposed amendments to *Inner West Local Environmental Plan 2022* (IWLEP 2022).

Council is at the final stage of implementing the proposed IWLEP 2022 amendment, which seeks to further preserve the heritage significance of the Inner West’s pubs by providing statutory protection and recognition to their historic built form.

Following receipt of a Gateway Determination from the NSW Department of Planning, Housing and Infrastructure (DPHI), Council exhibited the Planning Proposal between 25 March and 30 April 2024. The statutory public exhibition included consultation with owners and licensees of pubs proposed for listing, nearby property owners and occupiers and relevant public authorities.

BACKGROUND

In May-June 2023, preliminary engagement was undertaken with owners and licensees of 26 pubs recommended for listing in the *Inner West Heritage Study – Pubs* (GML Heritage, 2023). 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.

The preliminary engagement involved letters tailored to the individual pubs and included an offer to meet with them on-site to discuss the proposed listings. Responses were received from two owners, and one requested a meeting. Feedback received included concern over potential restrictions to development and refurbishment potential and impacts on property values because of the proposed heritage listings.

At the Council meeting held on 21 November 2023, Council resolved the following:

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.*

On 16 January 2024, Council received a Gateway Determination from the DPHI, authorising the Planning Proposal to proceed to statutory community consultation, subject to meeting certain conditions. These included publicly displaying the proposal for a minimum 20 working days and consulting with Heritage NSW. It also authorised Council to be local plan-making authority for this Planning Proposal, under section 3.36(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This enables Council to finalise amendments to the IWLEP 2022 without requiring further assessment by DPHI post-exhibition.

The Gateway Determination also contained the following condition to be completed prior to commencement of public exhibition:

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

This condition was elaborated upon in DPHI’s Gateway Determination Report. It noted that the heritage study supporting the Planning Proposal, *Inner West Heritage Study – Pubs* (GML Heritage, May 2023) had been prepared under the previous *Assessing Heritage Significance* manual (NSW Heritage Office, 2001), which has since been superseded by new guidelines, and that the heritage study should be updated to align with these guidelines.

It also noted that the study had not included assessments against heritage assessment criteria e) *social, cultural, or spiritual significance* or d) *research potential*. It was acknowledged in DPHI’s report that each site did meet the criteria threshold for local heritage listing. Regardless, it concluded that the Planning Proposal should either complete assessments against these criteria or provide justification as to why no further assessment has been undertaken.

In consultation with study authors GML Heritage, Council officers proposed inclusion of the following note in the heritage study:

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.

Council officers also proposed updating the Planning Proposal report to include more thorough explanations of the heritage assessments already carried out and how each criterion has been adequately addressed without the need for further assessment.

These proposals were presented to DPHI staff, who responded that Council's approach was acceptable. The Gateway Determination is included at *Attachment 1* and the updated Planning Proposal package is at *Attachment 2*.

The following pubs are proposed for heritage listing:

Suburb	Item name	Address
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

DISCUSSION

The Planning Proposal was publicly exhibited for 37 days between 25 March 2024 and 30 April 2024. A dedicated project page was set up on Council's Your Say Inner West website. Consultation letters were sent to owners and licensees of the 26 pubs, providing information on the proposed changes and enclosing Frequently Asked Questions and a copy of the

relevant draft heritage inventory sheet. Residential and business property owners and occupiers in the vicinity of the 26 pubs were also notified, including properties in the City of Sydney.

Further, letters were sent to Heritage NSW (a statutory consultee outlined in the Gateway Determination) and the City of Sydney (in relation to proposed heritage listings in close proximity to the LGA boundary).

A total of 39 submissions were received, including 25 (64%) in support and 14 (36%) objecting to the proposal.

Submissions from the community in support of certain proposed listings, or the proposal generally, included the following comments:

- Heritage listings help to preserve the Inner West's heritage significance and protect it from inappropriate development.
- The role of pubs in the Inner West's social history and character should be better recognised.
- Pubs provide an important role as meeting places for locals and people outside the LGA, as well as supporting the arts and night-time economy sectors.
- Conditional support for the proposed listings but ensuring pubs continue to operate viably should be a priority.

Submissions from the community opposed to certain proposed listings, or the proposal generally, raised the following concerns:

- Heritage listings increase the cost of housing and Council's priority should be to improve housing supply and affordability.
- The built form to be protected is not suitable for modern use and does not meet modern sustainability and universal accessibility requirements.
- The heritage importance of some of these pubs is questionable.
- Many pubs are already adequately protected via heritage conservation areas.

Council has received submissions from owners or licensees of 9 of the 26 pubs proposed for listing. 5 of these submissions were personalised versions of a template response by Australian Hotels Association (AHA) NSW, who also provided a submission. Each of these submissions expressed varying levels of concern and opposition to the proposed listings.

The submissions from pub owners and licensees and AHA NSW raised the following comments:

- General support for Council's recognition of the role and history of pubs in the Inner West and the intention to protect the enduring viability of venues
- Heritage listing will introduce stricter approval pathways (e.g. removal of exempt and complying development and requiring heritage consultants for development applications), which will be arduous for future refurbishments
- The listing of interiors of some pubs will make it difficult to carry out internal refurbishments, such as enlarging dining or live music spaces
- Heritage listing of pubs is inequitable at a time of growing competition from small bars and breweries, who are not subject to the same licensing and security standards
- Heritage restrictions could come into conflict with fire safety or noise attenuation requirements
- The draft inventory sheets prepared by consultants GML Heritage include lengthy lists of recommendations and, in several instances, were not informed by an interior site inspection

- The added burden of heritage requirements will be counterproductive to the broader goal of promoting Inner West’s pubs and pub culture
- Alternative approaches to heritage listing should be explored that help to retain significant built form while not inhibiting refurbishment options.

Following statutory public exhibition, Council officers also met with representatives of AHA NSW and respondent pubs who had requested a further meeting, to discuss the matters raised in their submissions. At this meeting respondent pubs canvassed in more detail their concerns around the commercial challenges to their business. The economic support strategies for pubs and live music venues implemented both by Inner West Council and state government were also discussed.

Notwithstanding, officers agree that the recommendations section of the draft inventory sheets can be reviewed to ensure the guidance and elements of significance relevant to future development or works is clear in practice.

A Statutory Consultation Outcomes Report has been prepared which summarises the feedback received and Council officer’s responses to matters raised. This is included at *Attachment 3*.

Council officers are satisfied that the 26 items warrant listing as heritage items and no matters raised preclude the Planning Proposal being finalised. With regard to matters concerning the draft inventory sheets, officers note that these detail the heritage significance of the hotels and assessments under the 7 assessment criteria outlined in *Investigating heritage significance* (Heritage NSW, 2021). The inventory sheets also contain recommendations which are intended to help guide future development on the sites. The inventory sheets and included recommendations are not statutory requirements, and can thus be amended following further consultation and discussion with each pub.




Council also received a response from Heritage NSW, who offered broad support for the Planning Proposal. Heritage NSW also stated that, prior to finalisation, Council should be satisfied that “necessary due diligence, assessments and notifications have been undertaken”. In response to this advice, Council can confirm that due process has been adequately followed in accordance with the EP&A Act and relevant national and state government heritage frameworks.

FINANCIAL IMPLICATIONS

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

Attachment 2 has 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.  Gateway Determination
2.  Exhibited Planning Proposal package (including Heritage Study) - **Published separately on Council’s website**
3.  Statutory Consultation Outcomes Report



Department of Planning, Housing and Infrastructure

Peter Gainsford
General Manager
Inner West Council
PO Box 14
PETERSHAM NSW 2049

Our ref: IRF24/39

Attn: Daniel East

Dear Mr Gainsford

Planning proposal (PP-2023-2604) to amend Inner West Local Environmental Plan 2022

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 24 November 2023 in respect of the planning proposal to amend Schedule 5 and the related Heritage Map to include an additional 26 heritage items.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 1 November 2024. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning and Environment.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the Gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Kimberley Beencke to assist you. Miss Beencke can be contacted on 92746053.

Yours sincerely



Louise McMahon
Director Agile Planning



Department of Planning, Housing and Infrastructure

Item 5

Gateway Determination

Planning proposal (Department Ref: PP-2023-2604): to amend the Inner West Local Environmental Plan (LEP) 2022 to include 26 additional sites as local heritage items.

I, the Director, Agile Planning at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Inner West Local Environmental Plan 2022 to add 26 sites to Part 1 Schedule 5 should proceed subject to the following conditions:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority 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 applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 1 November 2024.

Gateway Conditions

1. Prior to exhibition, the planning proposal and supporting documentation be updated to reflect the current Assessing Heritage Significance guidelines (NSW Environment and Heritage, June 2023) including an assessment against all heritage significance criteria.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
3. Consultation is required with NSW Environment and Heritage (Heritage NSW) under section 3.34(2)(d) of the Act. Heritage NSW is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 30 working 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

Attachment 1

may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

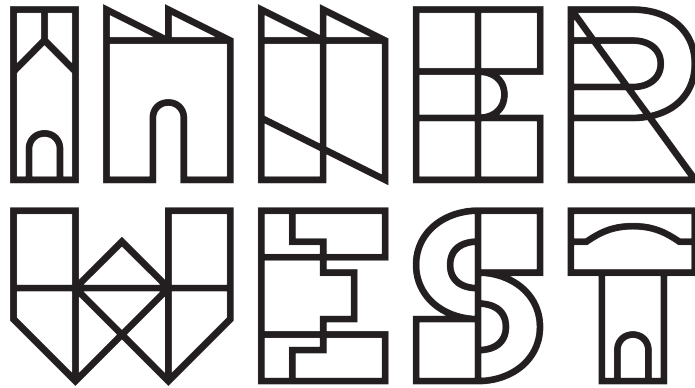
Dated 16 January 2024



Louise McMahon
Director
Agile Planning
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces

PP-2023-2604 (IRF24/39)



Heritage Pubs Planning Proposal
Statutory Consultation
Outcomes Report

June 2024

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- Appendix 2 – Your Say Inner West page
- Appendix 3 – Letter to Australian Hotels Association NSW

Summary

Between Monday 25 March and Tuesday 30 April 2024, the community was invited to provide feedback as part of the statutory consultation for the Heritage Pubs Planning Proposal (PP), which seeks to list 26 pubs as items of local heritage significance.

During the engagement period, Council received 39 written submissions, including 21 online responses (via Your Say Inner West website) and 18 emails. Council staff also received 4 phone inquiries during the engagement period.

Of the 39 submissions received, 9 were from pub owners/licensees directly affected by the proposed heritage listing. The remaining 30 submissions were from other interested parties, including an industry stakeholder (Australian Hotel Association NSW), public authority (Heritage NSW) and community members.

Submission breakdown

The overall level of support from the 39 submissions is summarised in Table 1.

Table 1: Overall level of support from different stakeholders (collated data)

Submitter	Number	=	Supportive	+	Not supportive
Pub owners/licensees	9		0		9
Industry stakeholder	1		0		1
Public authority	1		1		0
Community	28		23		5
Total	39		24		15
%	100		62		38

This report documents findings from the 39 submissions.

Key matters raised during engagement were either:

- Site-specific matters – comments or concerns relating to a specific proposed item.
- General topic-based matters – comments or concerns relating to a common topic.

1. Project background

The Inner West has a rich cultural heritage of historical places including buildings, streetscapes, Aboriginal sites, trees, parks and archaeology. These heritage features contribute to the Inner West's distinctive character.

The Inner West Council is committed to protecting places of heritage significance. Key Inner West Council strategies include community aspirations and advocacy for the protection of heritage values. These Strategies include:

- *Local Strategic Planning Statement* (March 2020)
- *Local Housing Strategy* (March 2020)
- *Community Strategic Plan* (June 2022).

In 2021, Council commissioned heritage consultants to carry out a review of heritage pubs across the Inner West and to provide recommendations on which pubs had potential for listing as heritage items. The heritage experts concluded that 26 pubs warranted listing in the *Inner West Local Environmental Plan 2022* as individual heritage items of local significance.

The *Inner West Heritage Study – Pubs* (GML Heritage 2023) forms the evidence base for the PP and demonstrates the strategic and site-specific merit of the listing. Heritage listing of the properties will preserve local heritage in the Inner West local government area by providing statutory protection and recognition to sites of historical significance.

In November 2023, Council resolved to submit this Planning Proposal to the NSW Department of Planning, Housing and Infrastructure (DPHI) for Gateway assessment. In January 2024, a Gateway Determination was issued allowing the proposal to proceed to statutory consultation.

2. Purpose and goals of statutory engagement

The purpose of the statutory engagement was to:

- exhibit the Heritage Pubs PP and understand levels of community support for the proposed local heritage listing of 26 pubs
- meet legislated requirements to undertake public exhibition as per a condition of the Gateway Determination.

The goals of the statutory engagement were to:

- ensure pub owners/licensees and other stakeholders are well informed about the project
- understand the views of pub owners and licensees, relevant State agencies and other stakeholders on the proposed heritage listing of the subject pubs.

3. Methods of engagement

The Gateway Determination conditions required a public exhibition for a minimum 20 working days and consultation with Heritage NSW.

The public exhibition was also carried out in accordance with the Inner West Community Engagement Strategy 2022–2024, including the Community Participation Plan, which recommends conducting public exhibition for a minimum of 28 calendar days. The exhibition ran from 25 March to 30 April 2024.

The key audiences of statutory engagement were:

1. Pub owners/licensees directly affected by the proposal
2. Neighbours adjacent to the pubs
3. Other interested community members/groups
4. Public authorities

The engagement methods were:

1. **Letters** sent to:
 - Owners/licensees of each pub (Appendix 1)
 - Owners/occupiers of properties surrounding the pubs
 - City of Sydney
 - Heritage NSW
2. **Your Say page**
 - was dedicated to the Heritage Pubs PP (Appendix 2)
 - contained explanatory information, PP package, Frequently Asked Questions and online submission form
3. **Email** and **Phone** to receive submissions and enquiries

Consultees were invited to make submissions via the Your Say Inner West project page, email or mail.

Approaches to audiences

Pub owners/licensees and neighbouring property owners/occupiers

The primary communication method for pub owners/licensees and neighbours was a letter that:

- stated their property is directly affected by the proposal or in the vicinity
- provided a brief background of the proposal
- asked to provide submissions and advised the various ways of submission
- outlined the next steps following public exhibition
- attached a relevant Heritage Inventory Sheet only for each pub owners/licensees
- attached Frequently Asked Questions

Agencies

In addition to owners and interested parties, Heritage NSW was consulted via the NSW Planning Portal website, as required by the Gateway Determination. The feedback received from Heritage NSW is detailed under Section 6.

The City of Sydney was consulted due to the proximity of several proposed items to their LGA boundary.

Other interested community members

In addition to key stakeholders, the Your Say Inner West page automatically notified 1,001 registered community members.

Notation regarding responses

Submissions were received via multiple sources – online (via the Your Say Inner West page), email and mail. As a result, there is some inconsistency in the style and format of the feedback received. For instance:

- The Your Say Inner West project page prompted responses to specific questions in addition to allowing free text and uploading of supporting documents.
- Email and mail responses were less structured, and respondents generally advised of their support or opposition and included commentary or attachments as supporting information.

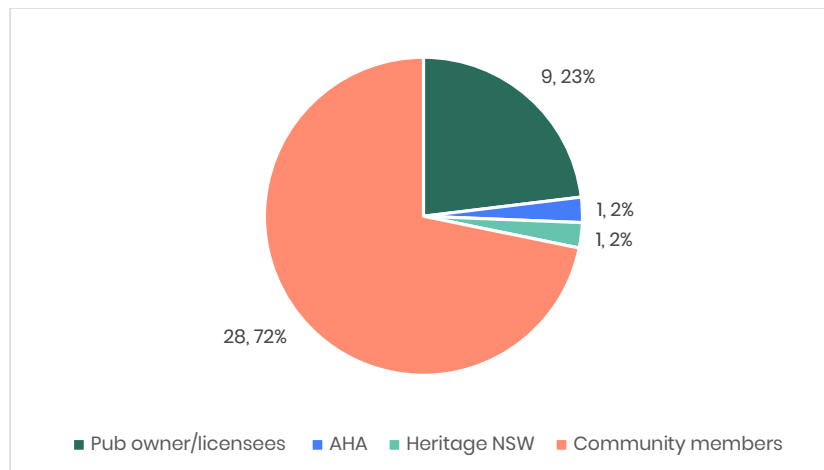
This report collates the responses and key matters raised as best as practicable across these sources.

4. Response Rates

Promotion method	Stakeholders engaged
Your Say Inner West	306 people viewed the project page 19 people downloaded available documents
Letters to key stakeholders	Approximately 1,500 letters were sent to the subject pub owners/licensees and adjoining property owners/occupiers, as stipulated in the DPHI's <i>Local Environmental Plan Making Guideline</i> (August 2023)
Engagement method	Stakeholders engaged
Online submissions	21 submissions completed via Your Say Inner West project page (including 1 pub owner/licensee)
Emails	18 email submissions received (including 8 pub owners/licensees)
Phone calls	4 phone inquiries were received during the exhibition period from 2 pub owners and 2 community members (these were not considered as submissions, and inquirers were encouraged to make submissions separately via the methods outlined above)

In total, 39 written submissions were received. Of these, 9 submissions (23%) were from affected pub owners/licensees and the remaining 30 (77%) were from other interested parties – 28 (72%) from community members and one each from the Australian Hotels Association NSW (AHA) and Heritage NSW.

Figure 2: Composition and percentage of submitters (collated data)



The 9 submissions from pub owners/licensees represent approximately 35% of the 26 pubs contacted, and the remaining 17 hotels, or 65%, did not respond.

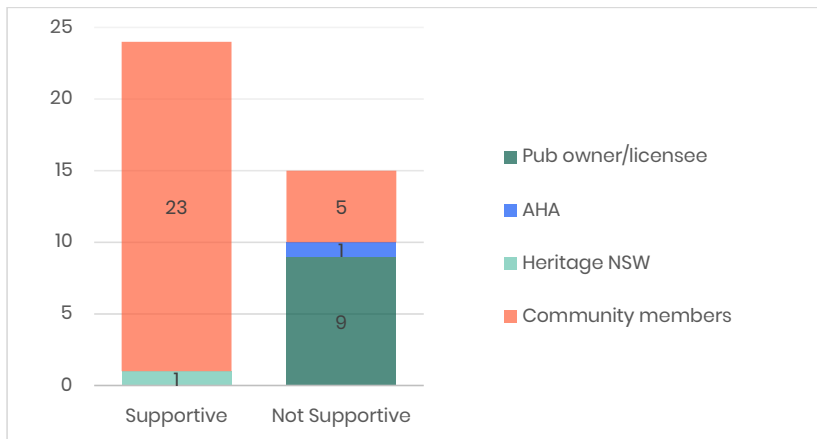
Table 2 provides a summary of level of support for the heritage listings.

Table 2: Overall level of support (collated data)

Level of support	Number	%
Supportive	24	62
Not supportive	15	38
Total	39	100

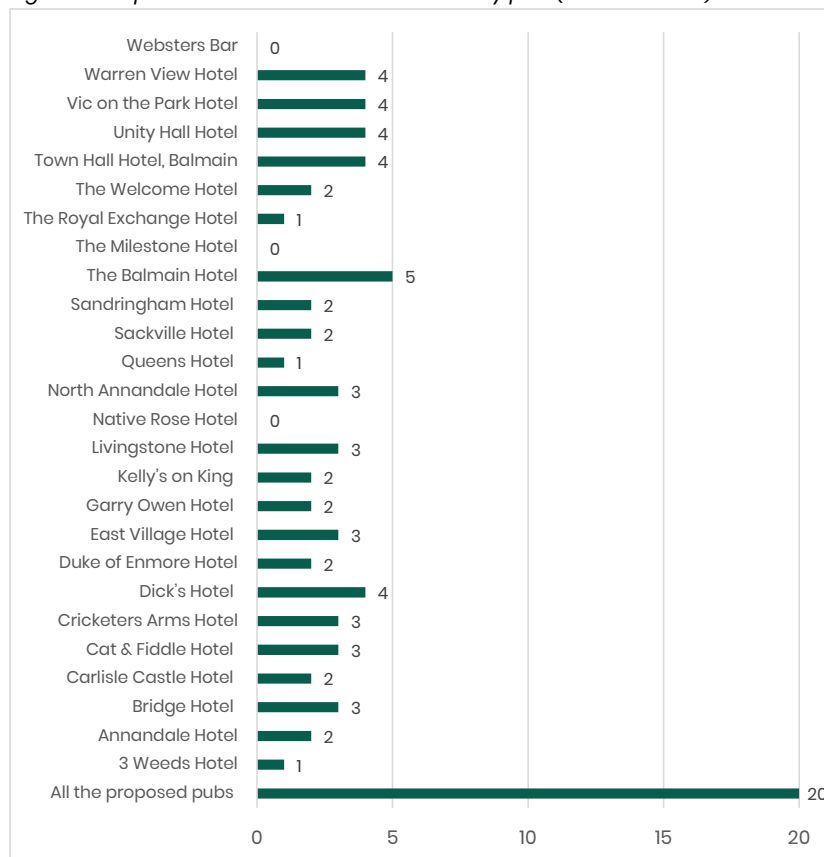
Submissions from nearby owners/occupiers and the general community were mostly supportive, while all pub owners/licensees who responded, as well as AHA, expressed degrees of opposition to the PP. Heritage NSW expressed general support for the proposal. Figure 3 shows a breakdown of the level of support into stakeholders.

Figure 3: Supportive or Not Supportive (collated data)



On the Your Say Inner West project page, submitters were asked to specify which pubs they wished to provide feedback on. Each of the email submissions identified whether the feedback was general or in relation to a specific pub. Figure 4 illustrates the number of responses received per pub.

Figure 4: Enquiries and submissions received by pub (collated data)



Note: Multiple selections permitted.

Follow-up meetings

During the public exhibition period, Council received requests for a meeting from some pub owners/licensees and AHA. In response, Council held meetings with the stakeholders as in Table 3.

Table 3: Meetings held by Council with pub owners/licensees and AHA

Date	Stakeholders	Council attendees
28 May 2024	Bridge Hotel	Council officers - Strategic Planning, Development Assessment, Heritage, Compliance
29 May 2024	AHA	Mayor, Director Planning, Senior Manager Strategic Planning
5 June 2024	AHA, Kelly's on King, Warren View Hotel, Balmain Hotel, Cricketer's Arms	Director Planning, Senior Manager Strategic Planning, Council officers - Strategic Planning, Development Assessment, Heritage, Compliance

A follow-up letter was also sent to AHA, detailing responses to some of the key concerns raised (Appendix 3). Concerns raised in the meetings have been included in Section 5.

5. Key matters raised

The primary purpose of engagement is to understand reasons for support or concern. This section outlines a summary of submissions by key matters raised. Numerous any submissions raised multiple matters and are therefore represented multiple times.

Table 4 provides a high-level summary of matters raised, broken down by responses from community members and those from pub owners and licensees. Each issue is then further explained, and Council officer responses provided, in Table 5 (for general topic-based matters) and Table 6 (for site-specific matters).

Table 4: Key matters raised

Matters	Comments
<i>From community members</i>	
Heritage listings help to preserve the history and social and cultural significance of pubs	13
Concern over losing pubs	2
Supports the protection of architectural characteristics	7
Recommend other pubs to be included in proposed listings	5
Listings will have a financial or other burden on property owners	1
Question the heritage significance of proposed listings	3
Listings restrict future intensification, housing supply and affordability	2
Listings restrict renovation/refurbishment options for pubs	1
Listings will have negative impact on sustainability objectives	1
<i>From pub owners/licensees</i>	
Acknowledge Council's intention to support and protect both the viability of pubs and their heritage value	7
Disagree with inclusion of interiors in some proposed listings	7
Question the heritage significance of proposed listings	6
Listings restrict renovation/refurbishment options for pubs	7
Listings will have a financial or other burden on property owners	5
Listings will create a competitive disadvantage for pubs	6
Request to exclude parts of properties not identified as significant	1
Request alternative ways than heritage listing	6
Most pubs are already in heritage conservation areas and so listing as heritage item is not required	2
Issues with the Heritage Study	2
Planning Proposal should consider non-heritage matters	2
Other suggestions	2

Table 5 – General topic-based matters and Council officer responses

Subject Matter	Comment received	Council officer response
<p>Heritage listings help to preserve the history and social and cultural significance of pubs <i>13 comments</i></p>	<p>Several respondents supported the proposed heritage listings, to protect the Inner West’s history for future generations.</p> <p>It was noted that pubs are an important part of Inner West’s community, character and culture. They are places for locals and people outside Inner West to meet. They also play a role in developing creative and nightlife sectors.</p>	<p>Support welcomed</p>
<p>Concern over losing pubs <i>2 comments</i></p>	<p>Concern was raised over the recent loss of pubs to other uses. It was suggested that the focus should not just be on protecting the buildings but also the use.</p>	<p>Support welcomed. The proposed heritage listings are recommended based on multiple heritage assessment criteria; however, the planning mechanism of a heritage listing relates to the built form. It will continue to be permissible for the pubs to change to other uses, with consent. The proposed listings will inherently favour retention of the existing pub/hotel use.</p>
<p>Support the protection of architectural characteristics <i>7 comments</i></p>	<p>Appreciation was given to the historic architecture of the pubs. Support was given in particular for the interiors of pubs, which it was felt had too often been ignored or destroyed, creating a disconnect between a building’s exterior and interior.</p>	<p>Support welcomed. The proposed heritage listings are the recommendations of independent expert heritage consultants. They are the result of detailed analysis, investigation of development histories, assessment against the heritage assessment 7 criteria and, where possible, interior site inspections. Where interiors have been included in the listing (23 of the 26 pubs), the consultant is satisfied that sufficient internal elements of heritage significance exist (or have a high likelihood of existing) that warrant retention.</p>
<p>Recommend other pubs to be included in proposed listings <i>5 comments</i></p>	<p>Several responses requested that other pubs be added to the list of proposed heritage items including: - Exchange Hotel Balmain, - Sir William Wallace Hotel, Birchgrove, - Salisbury Hotel, Stanmore, and - Bald Rock Hotel, Rozelle.</p>	<p>Support welcomed. Each of the additional suggested pubs are currently listed as heritage items under <i>Inner West Local Environmental Plan 2022</i>.</p>
<p>Acknowledge Council’s intention to support and protect both the viability</p>	<p>Several pub owners and licensees acknowledged the commendable intentions of Council in seeking to support and protect the viability of</p>	<p>Noted and in principle support welcomed.</p>

Subject Matter	Comment received	Council officer response
<p>of pubs and their heritage value <i>7 comments</i></p>	<p>hotels, as well as the heritage value of the pubs. They shared Council's intent to celebrate the cultural and social contributions that pubs make within and across the Inner West community.</p>	
<p>Listings will have a financial or other burden on property owners <i>6 comments</i></p>	<p>Concerns were raised over the imposition of substantial costs and limitations by heritage listings, due to the requirement for inspections, heritage assessments, material and construction costs, and limitations on work that can be undertaken.</p> <p>It was asserted that this can lead to substantially higher costs for renovating and refurbishing heritage pubs than non-heritage pubs.</p>	<p>It is acknowledged that heritage listings will result in further scrutiny via the development assessment pathway. The requirements will differ on a case-by-case basis, but initial pre-lodgement consultations with Council can clarify what significant elements the applicant should seek to protect and enhance and the methods for doing so. For pubs that are already located in heritage conservation areas (21 of the 26 pubs proposed for listing), much of the scrutiny and necessary documentation would not change with listing as a heritage item.</p> <p>In some instances where modifications are minor, the applicant could apply for a Heritage Exemption Certificate and not require formal consent.</p> <p>There are many heritage listed hotels in metropolitan Sydney that successfully operate as pubs, including 25 in the Inner West LGA.</p>
<p>Question the heritage significance of proposed listings <i>9 comments</i></p>	<p>A variety of concerns were raised about the heritage significance of the pubs and that the assessment focused on built form. It was identified that many of the external facades and interiors of the pubs have seen multiple recent renovations and refurbishments.</p>	<p>The proposed heritage listings are the recommendations of independent expert heritage consultants. They are the result of detailed analysis, investigation of development histories, assessment against the heritage assessment 7 criteria and, where possible, interior site inspections.</p> <p>Each of the 26 pubs proposed for listing meet at least 2 of the 7 heritage assessment criteria and all but 3 pubs meet at least 3. For instance, all pubs meet <i>historic</i> criterion which states that "an item is important in the course or pattern of NSW's cultural or natural history". This highlights that there are factors other than a degree of intact original built form that demonstrate that the pubs meet the threshold for listing.</p>

Subject Matter	Comment received	Council officer response
<p>Listings restrict future intensification, housing supply and affordability <i>2 comments</i></p>	<p>Concerns were raised over the potential impact of the heritage listings on housing supply. It was stated that Council's priority should be to improve housing affordability, which will encourage a larger variety of people to live in the Inner West and enjoy its pubs.</p>	<p>The proposed heritage listings do not alter the existing permissibility or other planning controls, but rather the consideration of heritage during development assessment. Separate to this proposal, Council is undertaking housing investigations in accordance with its adopted Local Housing Strategy and with other State Government housing reforms. The Planning Proposal does not impact upon these investigations.</p>
<p>Listings restrict renovation/refurbishment options for pubs <i>8 comments</i></p>	<p>It was considered that heritage listing will make it very difficult for pub owners and operators to make changes to their premises and develop their businesses.</p> <p>A constant cycle of renovations and refurbishments are needed to attract clientele and to comply with planning regulation including fire safety and noise attenuation. Several hotels have also commenced or invested in renovations. Heritage listings will put the pubs' aspirations at risk and make it harder to meet other requirements.</p>	<p>See above responses.</p> <p>Pre-lodgement consultations between development applicants and Council will assist in clarifying and the Recommendations section of the draft inventory sheets can inform these discussions. The Inventory Sheets detail the heritage significance of the hotel and assessment of the 7 criteria. In addition, they include Recommendations to guide future development. These are not statutory instruments. Further, the recommendations acknowledging the need for suitable periodic upgrading and adaptation to meet contemporary hotel requirements. Nevertheless, officers agree that the Recommendations section of the sheets can be reviewed prior to final publication of the IWLEP 2022 amendments, to ensure the guidance and elements of significance relevant to future development or works are clear in practice.</p> <p>Part of a pub's heritage significance is its social and cultural significance. Acceptable levels of change are acknowledged to ensure the traditional use of the building as a hotel is retained and carried forward into the future. Planning legislation applies to pubs listed as heritage items and within heritage conservation areas. The National Construction Code (NCC) allows for alternative solutions that help to protect heritage items.</p>

Subject Matter	Comment received	Council officer response
		<p>Regarding fire safety requirements, all building work to heritage buildings must comply with the fire safety requirements of the NCC. The <i>Environmental Planning and Assessment act 1979</i> also requires Council to consider the impact of fire safety orders on heritage significance. There are a range of solutions/ mechanisms available under legislation and State policy that can allow fire safety standards to be met while minimising impacts on heritage.</p>
<p>Listings will have negative impact on sustainability objectives <i>1 comment</i></p>	<p>Concerns were raised over the environmental standards of some of the building proposed for listing. It was alleged that the buildings are not energy or water efficient.</p>	<p>The proposed listings do not prohibit renovations to improve energy or water standards, but rather request the heritage significance be protected in the process. Council assessment officers will work with applicants at pre-lodgement stage to find acceptable solutions that achieve both sustainability and heritage objectives.</p>
<p>Disagree with inclusion of interiors in some proposed listings <i>7 comments</i></p>	<p>A number of pub owners and licensees raised concerns with the proposed inclusion of the interiors in the proposed listing of their hotels. It was considered that this will make it harder to alter interior walls (e.g. for larger live music space) or change internal configurations.</p> <p>It was queried why interiors were included in instances where heritage consultants did not carry out interior inspections.</p>	<p>See above responses.</p> <p>Where interiors are included in the listing, the heritage consultant is satisfied that sufficient internal elements exist (or have a high likelihood of existing). Listing aims to protect what is significant about a place. This generally includes the original building components and early alterations or additions that contribute to its significance. These components should be investigated for opportunity to retain and conserve as part of future development. Alterations are possible, where the impact on the significance, including physical, is minimised and justified, and may include works that are reversible. Future works should be focused on areas that have been significantly altered or are later additions.</p> <p>It is also noted that each of the 25 operational pubs in the Inner West already listed as heritage items have interiors included in their listings.</p>
<p>Listings will create a competitive disadvantage for pubs <i>6 comments</i></p>	<p>Some pub owners and licensees drew attention to the increase in small bars and breweries in the Inner West and central Sydney, which</p>	<p>Noted. Pubs continue to have an important social and cultural role in entertainment, creative arts and night-life sectors. This is due to their ability to</p>

Subject Matter	Comment received	Council officer response
	<p>compete with traditional pubs for clientele. It was considered that heritage listings will provide a disincentive to owning or operating pubs.</p> <p>The proposed listings may unintentionally lead to the loss of businesses and therefore Inner West's pub culture.</p>	<p>adapt to meet changing needs, while still being able to cater to a diverse clientele.</p> <p>There is a number of heritage-listed pubs operating in the Inner West and elsewhere in Sydney. This suggests that heritage listing will not overly disrupt the ability of pubs to continue to adapt and successfully operate into the future.</p>
<p>Request to exclude parts of properties not identified as significant <i>1 comment</i></p>	<p>The impact of heritage listing on development pathways was raised and it was suggested that the mapping of each listing be limited only to parts of each hotel with identified significance, allowing other parts of the sites continued access to complying development provisions (e.g. car parks, beer gardens etc).</p>	<p>The practice of heritage listing parts of lots has only been applied in very limited circumstances in the Inner West, typically on larger parcels of land. In this instance, the heritage consultants have considered any portions of the pub property for exclusion from the proposed listings. For example, some pubs have extended over multiple properties. Where one of those properties does not warrant being a part of the listing, it is explicitly excluded.</p> <p>The draft inventory sheets elaborate on the significant elements of each pub that should be retained. As outlined above, the contents of the inventory sheets can help inform pre-lodgement consultations with Council and, in some instances, applicants may be eligible for a heritage exemption and not require formal consent, where maintenance and/or repairs are proposed. Nevertheless, officers agree that the Recommendations section of the sheets can be reviewed prior to final publication of the IWLEP 2022 amendments, to ensure the guidance and elements of significance relevant to future development or works are clear in practice.</p>
<p>Most pubs are already in heritage conservation areas and so listing as heritage item is not required <i>2 comments</i></p>	<p>Pub owners and licensees noted that many of the proposed listings are already located in heritage conservation areas and that this should provide sufficient protection of heritage significance.</p>	<p>Although 21 of the 26 pubs proposed for listing are in heritage conservation areas, this is in relation to a broader neighbourhood or streetscape scale of significance. Procedurally, the level of scrutiny and required documentation will be similar, but the purpose of the proposed listings is to acknowledge built form significance that is unique to the pub sites.</p>

Subject Matter	Comment received	Council officer response
<p>Request alternative ways than heritage listing <i>6 comments</i></p>	<p>It was suggested that maintaining the character of pubs can be achieved through other planning instruments.</p>	<p>The Planning Proposal seeks to implement expert recommendations that found that the 26 pubs meet the threshold for listing as local heritage items. This affords the significant built form of the pubs a statutory level of heritage protection. At the same time, Council officers can continue to work with hoteliers to ensure that suitable refurbishment outcomes can be reached that meet their changing needs.</p>
<p>Issues with the Heritage Study and Inventory Sheet <i>3 comments</i></p>	<p>It was requested that the evidence base be reviewed by an independent heritage consultant, in consultation with hotel owners/operators.</p> <p>Some pub owners and licensees raised concerns that heritage consultants had recommended listing of interiors without having carried out interior inspections.</p> <p>Also, concerns were raised specifically regarding recommendation in their Inventory Sheet - <i>"Existing alterations that have been identified as detrimental to the identified heritage significance of the hotel should be evaluated for removal allowing reconstruction to the original"</i> – as they interpreted this recommendation as an enforcement to rectify any alterations and additions to the original.</p>	<p>See responses above.</p> <p>The proposed listings are informed by the findings of independent heritage experts. The consultants sought interior inspections where possible. However, their recommendations were informed by other detailed analysis including research of known development histories.</p> <p>The Inventory Sheets are not statutory instruments. Their purpose is to describe the heritage significance of the listing and to provide recommendations for guiding future development. It is not Council's practice or intention to require pubs to reinstate original fabric. Rather to retain the significant elements and integrity of any original fabric that may remain. The Recommendations for each pub include support for the continued use of the building as a pub/hotel and acknowledgement that pubs need suitable periodic upgrading and adaptation to meet contemporary requirements. Nevertheless, officers agree that the Recommendations section of the sheets can be reviewed prior to final publication of the IWLEP 2022 amendments, to ensure the guidance and elements of significance relevant to future development or works are clear in practice.</p>
<p>Planning Proposal should consider non-heritage matters <i>2 comments</i></p>	<p>It was considered that the Planning Proposal did not adequately consider social and economic impacts of the proposed listings.</p>	<p>The Planning Proposal notes that the listings will have some impact on redevelopment and refurbishment options. However, any impact will be offset by the public benefit associated</p>

Subject Matter	Comment received	Council officer response
	<p>It was queried why the views of State and Federal public authorities were not sought.</p>	<p>with the protection of recognised heritage values.</p> <p>Consultation with public authorities was undertaken in accordance with the Gateway Determination issued by the DPHI. This included referral to Heritage NSW.</p>
<p>Other suggestions <i>2 comments</i></p>	<p>A number of other suggestions were also made by pub owners and licensees:</p> <ul style="list-style-type: none"> • Consider fast-track pathways for trading hours and other pub-related applications for listed venues, removing requirements for repetitive trial period renewals, specialist reports or professional planners or solicitors, • Seek arrangement with NSW Government for fast-track pathway for trading hour and other pub-relationships • Commitment from Council (and support to seek the same from NSW Government) for equitable treatment of security and RSA requirements equivalent to competitor venues such as small bars, breweries or restaurants, • Seek land tax reductions or grants to compensate for heritage listings • Consider heritage floor space scheme similar to City of Sydney. 	<p>While a number of these suggestions are outside the remit of this Planning Proposal or Council's functions generally, it should be noted that this proposal is not being undertaken in isolation. Nine of the pubs proposed for heritage listing are in existing or proposed future Special Entertainment Precincts, which seek to balance the relationship between noise generating venues and surrounding receivers. Council is also preparing a new draft Inner West Development Control Plan, which will be made available for community consultation later this year. This draft document will harmonise and modernise development controls and guidance in relation to heritage and night-time economy.</p> <p>Council officers also draw attention to the recent NSW Government Vibrancy Reforms, which are a range of changes to the NSW liquor laws intended to support the night-time economy. These reforms include in-force changes to regulations on trading hours, live music, liquor licensing and outdoor dining. Further changes are expected to be announced over 2024.</p> <p>With regard to the local provisions in City of Sydney's Local Environmental Plan, these generally relate to the re-provision of floor space in Sydney CBD heritage sites and are not relevant to the pub sites identified in this Planning Proposal.</p>

Table 6: Site-specific matters and Council officer responses

Subject Matter	Comment received	Council officer response
<i>Kelly's on King, Newtown</i>		
<p>Request exclusions from its listing</p>	<p>Request to exclude certain elements from the listing as follows:</p> <ul style="list-style-type: none"> interiors exteriors below the awning level all awning elements on King Street 	<p>Interiors are not included in the proposed listing of Kelly's on King. The Heritage Inventory Sheet identifies the interiors do not have significant heritage value.</p> <p>The Heritage Inventory Sheet acknowledges the existing alterations and additions. It also excludes the property on the corner of King and Mary Streets which is an extension to hotel and not part of the original hotel fabric.</p>
<p>Issues with the Heritage Study and Inventory Sheet</p>	<p>It is considered that there are errors and issues in the Heritage Study and Inventory Sheet. Therefore, it is requested to amend them as follows:</p> <ul style="list-style-type: none"> remove the recommendation that existing alterations and additions be evaluated for removal correct the reference to the awning elements on King Street as they are not original remove the recommendation to maintain the access, frontage or façade elements on Mary Street amend the recommendation about using traditional materials and techniques be limited to the façade above awning line remove the recommendation to restrict additions to the hotel on eastern Façade. 	<p>See responses above in Table 4, <i>Issues with the Heritage Study and Inventory Sheet</i>.</p> <p>The Inventory Sheet Recommendations provide guidance on the identifies significant heritage values of the subject elements while acknowledging alterations as follows:</p> <ul style="list-style-type: none"> <i>"The awning has been modernised but it uses the 1930s cable stays."</i> <i>"Retention of the secondary frontage to Mary Street as part of the hotel is encouraged to provide for the ongoing commercial viability of the hotel."</i> <i>"All reconstruction and repair work to the significant fabric of the building should be carried out using traditional materials and techniques and in accordance with contemporary best practice in conservation."</i> <i>"Future rear or side additions should be of a lower scale that is compatible in the immediate streetscape context and should not compromise the hotel's significant qualities. Vertical additions should be avoided, particularly over the main original built form, and should not compromise the visibility of the hotel from the east."</i> <p>The draft inventory sheets elaborate on the significant elements of each pub that should be retained and are applied as</p>

Subject Matter	Comment received	Council officer response
		guidance rather than statutory instruments. Nevertheless, officers agree that the Recommendations section of the sheets can be reviewed prior to final publication of the IWLEP 2022 amendments, to ensure the guidance and elements of significance relevant to future development or works are clear in practice.
<i>Sandringham Hotel, Newtown</i>		
Error in the Inventory Sheet	The Inventory Sheet Recommendation section referred to the hotel name incorrectly as Sackville Hotel.	Noted. The Inventory Sheet will be amended to correct this error.
<i>Warren View Hotel, Enmore</i>		
Recent renovations	Concern was raised as the recent renovations may not align with the proposed heritage listing.	The Inventory sheet acknowledges the recent renovations. See responses above in Table 4, <i>Listings restrict renovation/refurbishment options for pubs.</i>
<i>Unity Hall Hotel, Balmain</i>		
Current renovation	Concern was raised over the currently undergoing major renovation which would not be possible under a heritage listing.	See responses above in Table 4, <i>Listings restrict renovation/refurbishment options for pubs.</i> Unity Hall Hotel is currently in a heritage conservation area. For pubs that are already located in heritage conservation areas (21 of the 26 pubs proposed for listing), much of the necessary documentation and assessment process would not change with listing as a heritage item. Interiors of the hotel with a focus on retention of any significant original fabric, will be given more consideration, but this does not prevent renovations to meet business need.
<i>Cricketer's Arms, Balmain</i>		
Recent renovation and further stages	Concern was raised about the recent renovation and further plans for stage 2 would be jeopardised by the listing.	See responses above for Unity Hall current renovation.
<i>Bridge Hotel, Rozelle</i>		
Issues with the Heritage Study and Inventory Sheet	It was considered that there are errors and issues in the Heritage	See responses above in Table 4, <i>Issues with the Heritage Study and Inventory Sheet.</i>

Subject Matter	Comment received	Council officer response
	<p>Study and Inventory Sheet. These include the following:</p> <ul style="list-style-type: none"> • Interiors have been altered significantly from the original. • Doors and windows have been altered significantly therefore no longer original. • Object to the recommendation "Vertical additions should be avoided" • The awning is mostly not original. 	<p>The Inventory Sheet identifies significant heritage values of the subject elements while acknowledging alterations as follows:</p> <ul style="list-style-type: none"> • <i>"Internally the hotel has undergone successive changes from the 1960s which may conceal some original fabric. The interior of the hotel is likely to retain original fabric and floor layouts on all floors of the building"</i> • <i>"Much of the original timber-framed windows, doors, and their multipaned highlight windows survive."</i> • <i>"Vertical additions should be avoided particularly over the main original built form and should maintain legibility of the original building form."</i> • <i>"All detailing is original above the awning apart from these elements. The awning itself is original but unlined."</i> <p>To reiterate, the Heritage Study and Inventory Sheets are the result of detailed analysis, investigation of development histories and, where possible, site inspections by independent heritage experts.</p> <p>The draft inventory sheets elaborate on the significant elements of each pub that should be retained and are applied as guidance rather than statutory instruments. Nevertheless, officers agree that the Recommendations section of the sheets can be reviewed prior to final publication of the IWLEP 2022 amendments, to ensure the guidance and elements of significance relevant to future development or works are clear in practice.</p>

6. Agency Referral

Heritage NSW

As part of the gateway determination for the proposal, Council was required to refer the PP to Heritage NSW. On 10 April 2024, Heritage NSW responded via the NSW Planning Portal:

It is noted that the assessment provided in support of the planning proposal indicated that the 26 proposed items (listed in Appendix 1) included in the proposed amendment to Schedule 5 of the Inner West Local Environmental Plan 2022 met the criteria for listing at a local level.

We encourage the identification and listing of new heritage items to environmental planning instruments which provide for greater heritage protection, provided that all necessary due diligence, assessments and notifications have been undertaken. Prior to finalisation of the planning proposal, Council should be satisfied that this is the case.

In response to this comment, Council can confirm the Plan Making process has been followed.

Appendix 1: Example letter to affected pub owners/licensees

Item 5



22 March 2024

<Name>
<Line 1>
<Line 2>
<Line 3>
<Line 4>

Dear <Name or Sir/Madam>

Have your say: Proposed heritage listing of Inner West pubs

Inner West Council has prepared a Planning Proposal to list 26 Inner West pubs as items of local heritage significance under the *Inner West Local Environmental Plan 2022* (LEP). We are writing to you as the licensee of <name of pub>, which is proposed as a new heritage item. We are now at statutory consultation stage and seek your feedback on this proposal.

Council is committed to ensuring that places of heritage significance in our local government area have adequate statutory protection. This includes our many pubs that are celebrated as part of Inner West's cultural and social heritage.

What has happened so far?

In 2022, Council investigated historic pubs across the Inner West and identified pubs with significance for heritage listing, including <name of pub>. In May 2023, we conducted an initial consultation and wrote to you to seek your feedback on the proposed listing.

In November 2023, Council submitted the Planning Proposal to the NSW Department of Planning, Housing and Infrastructure for 'Gateway' assessment. In January 2024, a 'Gateway Determination' was issued allowing the proposal to proceed to public exhibition. Council has also been authorised to make the plan following this consultation, with no further review required by the Department.

Your input is important

We are seeking your feedback to understand your level of support and any concerns you may have. **Feedback closes on Tuesday 23 April 2024.** This is an opportunity for you to share your input on the proposed heritage listing.

Further information

Enclosed are some Frequently Asked Questions relating to the proposed heritage listing. Also attached is the draft Heritage Inventory Sheet for your pub.

Inner West Council
innerwest.nsw.gov.au
02 9392 5000

council@innerwest.nsw.gov.au
PO Box 14, Petersham NSW 2049

Attachment 3

What happens next?

Following public exhibition, we will review all submissions received. A summary of the feedback received will be included in a post-exhibition outcomes report, which will be considered by Council at a future meeting.

Should Council resolve to finalise the Planning Proposal, we will then amend the LEP to include the new heritage listings.]

How to provide feedback

You can have your say by:

- **Online** – visiting Your Say Inner West (yoursay.innerwest.nsw.gov.au) and searching for Heritage Pubs
- **Mail** – writing to us at:
Nigel Riley
Inner West Council
PO Box 14
Petersham NSW 2049
- **Email** – emailing us at: heritage.planning@innerwest.nsw.gov.au

If you have any enquiries, please contact Nigel Riley, Senior Strategic Planner on (02) 9335 2187.

We look forward to hearing from you.

Yours sincerely,



Simone Plummer
Director Planning

Appendix 2: Your Say Inner West page



Home / Heritage Pubs Planning Proposal

Proposed new heritage listings

Inner West Council has prepared a Planning Proposal to list 26 Inner West pubs as items of local heritage significance under the Inner West Local Environmental Plan 2022 (LEP).

Council is committed to ensuring that places of heritage significance in our local government area (LGA) have adequate statutory protection. This includes our many pubs that are celebrated as part of Inner West's cultural and social heritage.

We are now at statutory consultation stage and seek your feedback on this proposal.

+ The following 26 pubs are proposed to be listed as heritage items

Background

The Inner West has a rich cultural heritage of historical places including buildings, streetscapes, Aboriginal sites, trees, parks, and archaeology. These heritage features contribute to the Inner West's distinctive character.

We engaged heritage specialists to carry out an independent review of heritage pubs across the Inner West and provide recommendations on their potential for listing as heritage items. The heritage experts concluded that 26 pubs should be considered for listing in the Inner West LEP as individual heritage items.

In November 2023, Council resolved to submit this Planning Proposal to the NSW Department of Planning, Housing and Infrastructure for 'Gateway' assessment. In January 2024, a 'Gateway Determination' was issued allowing the proposal to proceed to public exhibition.

+ About the Planning Proposal

+ View the Planning Proposal documents and other information

Translations



About Translating and Interpreting Service

Key Dates

Monday 25 March 2024
Community comments open

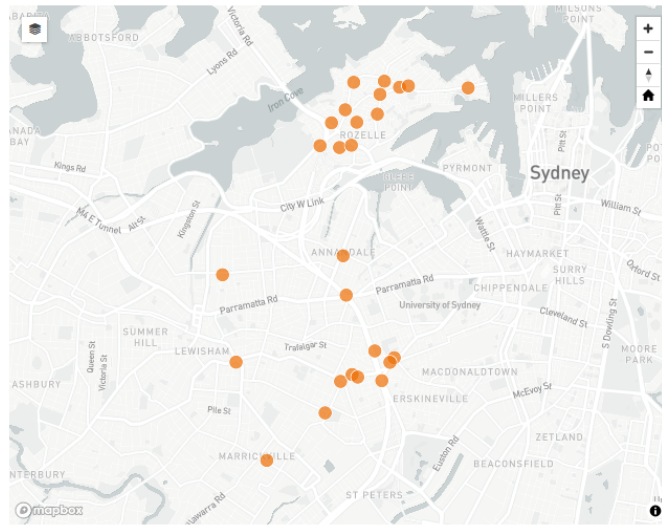
Tuesday 30 April 2024
Community comments close

Frequently asked questions

? What is a heritage item?

? What is a Heritage Conservation Area (HCA)?

Map of the proposed heritage listings



Engagement closed

Have your say

You can provide feedback by:

- Completing the form below
- Emailing to heritage.planning@innerwest.nsw.gov.au
- Posting to c/o Heritage Pubs, Inner West Council, Po Box 14, Petersham NSW 2029, ATTN Nigel Riley
- Calling us on 9335 2187

Other ways to provide feedback:

- Call a FREE Interpreter or the National Relay Service, Monday to Friday between 9am-4pm and provide our phone number 9392 5741
 - Free Interpreter call TIS National on 131 450
 - Voice relay call 1300 555 727
 - TTY call 133 677
 - SMS relay call 0423 677 767

Last day to provide feedback is 30 April 2024.

? Does a heritage item listing apply to the entire property?

[See more](#)

Timeline

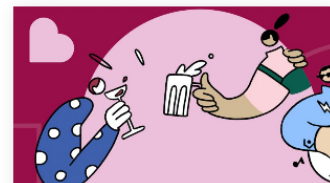
- ✓ **Planning Proposal considered by Council – 21 November 2023**
Council resolved to submit the Planning Proposal to the Department of Planning, Housing and Infrastructure (DPHI).
- ✓ **Gateway Determination by DPHI – 16 January 2024**
DPHI issued Gateway Determination allowing the proposal to proceed to formal public exhibition.
- ✓ **Public exhibition**
We are exhibiting the Planning Proposal – The proposed heritage items are now a statutory consideration for development applications.
- ★ **Post-exhibition review of submissions**
All submissions received will be reviewed and a post-exhibition report will be prepared
- ☆ **Final decision by Council**
Council will consider all submissions and decide if the proposed heritage listings will be adopted

[See less](#)



Notification letter - adjoining owners and occupiers
PDF (214.72 KB)

Similar Projects




Love Your Pub

In mid-2023, we asked the community for interesting facts, stories and anecdotes to help us understand just what it is that makes

Join the conversation today
Create an account or log in to share your thoughts and ideas.

Join Log In



Closed

Heritage Pub Planning Proposal

Engagement closed

What happens next?

All feedback received during the community consultation will be reviewed and consolidated. All those who provide feedback will be notified of the outcome.

The findings will be presented to our elected officials at an upcoming Council meeting.



New Special Entertainment Precincts

Council is considering six new Special Entertainment Precincts across the Inner West.

[Find out more about this project >](#)

Contact Us

Have questions or want to learn more about this project, contact us below:

- 👤 Name Nigel Riley
- 📞 Phone 9335 2187
- ✉ Email heritage.planning@innerwest.nsw.gov.au

Appendix 3: Letter to Australian Hotels Association NSW



3 June 2024

John Green
 Director, Liquor and Policing
 Australian Hotels Association NSW
 Level 16, Hudson House
 131 Macquarie Street
 SYDNEY NSW 2000
 Email: john.green@ahansw.com.au and alistair.scott@ahansw.com.au

Re: Inner West Heritage Pubs Planning Proposal

Dear Mr Green,

Thank you for your submission to the recent public exhibition of Inner West Council's Heritage Pubs Planning Proposal and for meeting with the Mayor and Council staff on this proposal. Please see the below summary of the proposal and Council's responses to some of the key issues you have raised.

Council's Planning Proposal seeks to list 26 Inner West pubs as items of local heritage significance. As established in its initial resolution of 3 July 2018 on this matter, it is Council's intention to protect the significant built form of its pubs but also to support the continuation of the Inner West's vibrant pub culture. Council will work with hoteliers to find solutions that achieve both.

Regarding the concerns you have raised, it is important to emphasise that heritage listings do not remove the opportunity for alterations and additions. For pubs that are already located in heritage conservation areas (21 of the 26 pubs), much of the scrutiny and necessary documentation would not change with listing as a heritage item. For painting and minor refurbishments a Heritage Exemption Certificate is available. This is a truncated process resolved within 10 working days, and it can be clarified at pre-lodgement stage.

Inventory sheets have been prepared by a reputable heritage consultant for each proposed heritage item. The purpose of the inventory sheet is to describe the significance of the property against established criteria and to outline historical elements that exist or have a high probability of still existing. Each inventory sheet contains a set of recommendations on the management of the proposed item, some of which relate to specific historical elements and others which are generic across all or most of the 26 pubs.

Inventory sheets are not statutory instruments, but rather guidance documents which can be used by applicants and officers to guide pre-lodgement discussions. This means they can be updated with relative ease. Recommendations within the inventory sheet are considered within the framework of a development proposal and are on a case-by-case basis. The need for pubs to

Page 1 of 2

undertake periodic upgrades and adaptation to meet contemporary hotel requirements is acknowledged and can be addressed within the framework.

While this planning proposal focuses on built form elements, it is not being undertaken in isolation. Nine of the pubs proposed for heritage listing are in an existing or proposed future Special Entertainment Precincts. These Precincts seek to balance the relationship between noise generating venues and surrounding residents and support live music venues. Council is also preparing a new draft Inner West Development Control Plan, which will be made available for consultation later this year. This draft document will harmonise and modernise development controls and guidance in relation to heritage and night-time economy.

The Planning Proposal has not yet been finalised and Council officers are still in the process of considering submissions received following the recent statutory consultation. Once this review is completed, a report will be considered by Council at its meeting on 25 June 2024, where a final decision will be made on whether to finalise the proposed listings. All respondents to the statutory consultation will be notified ahead of this meeting, with instructions on how to register to speak at the meeting, for anyone who wishes to do so.

I hope this advice is of assistance to you. Should you have any further enquiries, please contact Nigel Riley, Senior Strategic Planner on (02) 9335 2187 or nigel.riley@innerwestnsw.gov.au.

Sincerely,



Simone Plummer
Director Planning