

Item 6.

Post Exhibition - Planning Proposal - Chinatown Heritage Items - Sydney Local Environmental Plan 2012 Amendment

File No: X099927

Summary

The Haymarket and Chinatown Revitalisation Strategy was adopted by Council on 11 December 2023. Part of the strategy included an action to recognise the cultural heritage of Chinatown by investigating the history and heritage significance of 3 buildings:

- **50-54 Dixon Street, Goon Yee, Loong Yee and Loon Fook tongs building:** Jointly funded and purpose-built in 1916 by the leaders of the Tsang Shing (Zengcheng) and Tung Koon (Dongguan) counties as clubhouses for 3 tongs. Tongs played a vital role in the Chinese Australian community which included offering services to assist the community with settling in Sydney or returning to China.
- **90-100 Hay Street, Former municipal stores:** Constructed as municipal stores for the markets and were occupied by Chinese Australian firms. These firms played a role in pioneering the processes of the banana and commercial vegetable growing industries in Australia. 96-100 Hay Street is now home to the Emperors Garden restaurant.
- **75-77 Ultimo Road, Kuo Min Tang building, movable heritage and archival collection:** Constructed for and has served continuously as the headquarters of the Chinese Nationalist Party of Australasia (Kuo Min Tang or KMT) since 1921.

In 2024, the City of Sydney engaged Hector Abrahams Architects and Dr Juanita Kwok to carry out historical research and prepare heritage assessments for each building. They concluded that all 3 buildings have local heritage significance and are historically significant to the Chinese Australian, and broader community.

In November 2024, the Central Sydney Planning Committee and Council resolved to seek a Gateway Determination and exhibit a planning proposal to heritage list the 3 buildings. The Department of Planning, Housing and Infrastructure approved public consultation for the planning proposal on 8 August 2025 in its Gateway Determination (Attachment J).

The planning proposal was exhibited from 18 August to 15 September 2025. We received 29 submissions, largely in favour of heritage listing the 3 properties.

Most submissions (25 submissions or 86%) supported heritage listing the 3 buildings. Respondents highlighted the importance of the buildings to Chinese cultural and community heritage, as well as their connections to Chinese political history and Chinese innovative commercial and entrepreneurial history.

Two submissions in relation to 50-54 Dixon Street and 96-100 Hay Street were supportive provided changes were made to heritage assessments and inventory sheets. Both suggested that significant fabric be limited to external street facing facades. No amendments are recommended to the listings in response to these submissions. This is because amendments are not necessary to ensure that there is an ongoing ability for property owners to modify, maintain and change external facades and building interiors as part of the heritage listing.

Two submissions opposed heritage listing of 92 Hay Street and 94 Hay Street (part of 90-100 Hay Street). Both submissions argued that the building's internal fabric no longer conveys its historic use, and the listing would result in unnecessary burdens for the owner without corresponding public benefit. Despite physical changes, the building continues to adequately convey its history and connections to Chinese merchants and the banana trade through its exterior fabric, stories connected to its historic use, and social significance. The management recommendations provide flexibility for alterations and additions to the building, and the owner would be eligible for the Heritage Floor Space scheme. This could offer funding opportunities for conservation and maintenance works to the building.

This report recommends Council approve the planning proposal. If approved, Council is designated the local plan making authority and can proceed to finalisation. The amendment to the Sydney LEP 2012 will come into effect when it is published on the NSW Legislation website.

Recommendation

It is resolved that:

- (A) Council note the submissions received during the public exhibition of the Planning Proposal - Chinatown Heritage Items, Haymarket, shown at Attachment H to the subject report
- (B) Council approve the Planning Proposal - Chinatown Heritage Items, Haymarket, shown at Attachment A to the subject report, to be made as a local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979; and
- (C) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal - Chinatown Heritage Items, Haymarket shown at Attachment A to the subject report, to correct any drafting errors prior to finalisation of the local environmental plan.

Attachments

- Attachment A.** Planning Proposal - Chinatown Heritage Items, Haymarket
- Attachment B.** Hector Abrahams Architects - Heritage Assessment Report - 50-54 Dixon Street
- Attachment C.** Hector Abrahams Architects - Heritage Assessment Report - 90-100 Hay Street
- Attachment D.** Hector Abrahams Architects - Heritage Assessment Report - 75-77 Ultimo Road
- Attachment E.** Hector Abrahams Architects - Heritage Inventory Sheet - 50-54 Dixon Street
- Attachment F.** Hector Abrahams Architects - Heritage Inventory Sheet - 90-100 Hay Street
- Attachment G.** Hector Abrahams Architects - Heritage Inventory Sheet - 75-77 Ultimo Road
- Attachment H.** Engagement Report - Chinatown Heritage Items
- Attachment I.** Council and Central Sydney Planning Committee Resolutions
- Attachment J.** Gateway Determination - 8 August 2025

Background

1. The Haymarket and Chinatown Revitalisation Strategy was adopted by Council on 11 December 2023. Part of the strategy included an action to recognise the cultural heritage of Chinatown by investigating the history and heritage significance of 3 buildings.
 - (a) **50-54 Dixon Street, Goon Yee, Loong Yee and Loon Fook tongs building:** Jointly funded and purpose-built in 1916 by the leaders of the Tsang Shing (Zengcheng) and Tung Koon (Dongguan) counties as clubhouses for 3 tongs. Tongs played a vital role in the Chinese Australian community which included offering services to assist the community with settling in Sydney or returning to China.
 - (b) **90-100 Hay Street, Former municipal stores:** Constructed as municipal stores for the markets and were occupied by Chinese Australian firms. These firms played a role in pioneering the processes of the banana and commercial vegetable growing industries in Australia. 96-100 Hay Street is now home to the Emperors Garden restaurant.
 - (c) **75-77 Ultimo Road, Kuo Min Tang building, movable heritage and archival collection:** Constructed for and has served continuously as the headquarters of the Chinese Nationalist Party of Australasia (Kuo Min Tang or KMT) since 1921.
2. In 2024, the City of Sydney engaged Hector Abrahams Architects and Dr Juanita Kwok to carry out historical research and prepare heritage assessments for each building. They concluded that all 3 buildings have local heritage significance and are historically significant to the Chinese Australian, and broader community.

We consulted on a proposal to heritage list the 3 buildings

3. In November 2024, the Central Sydney Planning Committee and Council resolved to seek a Gateway Determination and exhibit the planning proposal to heritage list the 3 buildings. The background and pre-exhibition report can be found here: <https://meetings.cityofsydney.nsw.gov.au/ieListDocuments.aspx?CId=133&MId=4229&Ver=4>
4. City staff submitted a request for Gateway on 17 December 2024. The Department of Planning, Housing and Infrastructure approved public consultation for the planning proposal in its Gateway Determination (Attachment J) issued on 8 August 2025. It also authorised the Council to exercise the functions of the local plan-making authority.
5. The planning proposal to heritage list the 3 buildings was placed on public exhibition from 18 August to 15 September 2025. A total of 3,797 letters and 5,415 emails were distributed to notify the community. The Sydney Your Say page was viewed 577 times, and the planning proposal downloaded 203 times. In addition to community notifications, 52 key stakeholders were contacted on 18 August 2025.
6. We received a total of 29 submissions via online survey (7) and email (22). Submissions were largely (86%) supportive of the proposal.
7. Three submissions were made on behalf of community groups and organisations: Chinese Australian Historical Society, Our Chinese Past, and Chinese Heritage Association of Australia Inc.

8. All 8 building owners were contacted regarding the consultation and were aware the consultation was occurring. Of the 8 building owners, 6 made submissions or had a submission made by consultants on their behalf. The owners for one building acknowledged that they were aware of the consultation and requested further information, which was provided to them. One owner did not make a submission.
9. A summary of owner submissions is presented below:

Proposed Heritage Item	Owner Address	Submitter	Submission
75-77 Ultimo Road, Haymarket: Kuo Min Tang building, movable heritage and archival collection	75–77 Ultimo Road, Haymarket	Representative on behalf of Committee.	Acknowledgement of consultation period and request for further information. Information was provided.
90-100 Hay Street, Haymarket: Former municipal stores	90 Hay Street, Haymarket	No submission received.	No submission received.
	92 Hay Street, Haymarket	Owner on behalf of property manager.	Opposed to heritage listing.
	94 Hay Street, Haymarket	Legal representative on behalf of owner.	Opposed to heritage listing.
	96-98 Hay Street, Haymarket	Consultant on behalf of owners.	Support with amendments.
	100 Hay Street, Haymarket	Consultant on behalf of owners.	Support with amendments.
50-54 Dixon Street: Goon Yee, Loong Yee and Loon Fook tongs building	50-52 Dixon Street, Haymarket	Consultant on behalf of owner.	Support with amendments.
	54 Dixon Street, Haymarket	Consultant on behalf of owner.	Support with amendments.

10. The planning proposal was referred to Heritage NSW for comment. Heritage NSW did not comment on the planning proposal. However, they generally encourage the identification and listing of new heritage items where all the necessary requirements have been met.

Summary of submissions

11. We received a total of 29 submissions. Of these, 25 were in favour of the proposal, 2 supported the proposal with amendments and 2 were opposed to the proposal.

25 submissions (86%) support the proposal

12. Respondents highlighted the importance of the buildings to Chinese Australian cultural and community heritage, as well as their connections to Chinese political history and innovative commercial and entrepreneurial activities.
13. Of the 25 submissions in favour of heritage listing the buildings, 3 submissions singled out one or 2 buildings rather than all 3.
14. The Heritage Assessment Reports and draft inventory sheets prepared by Hector Abrahams Architects and Dr Juanita Kwok were made publicly available as part of our consultation during the exhibition period. Although respondents were not asked to comment on this directly, one submission referred to and included supplementary historical material for 90 Hay Street, Haymarket. This information can be incorporated into a revised heritage inventory sheet for the building at any time, once verified. Opportunities for the inclusion of this material in the City of Sydney Archives will also be investigated.

2 submissions support the proposal with changes

15. The 2 submissions in support of the proposal with changes were for:
 - (a) 50-54 Dixon Street, and
 - (b) 96-100 Hay Street (the three eastern stores of 90-100 Hay Street, east of Kimber Lane).
16. The submission for 50-54 Dixon Street was made by a heritage consultant on behalf of the building owners: Loong Yee Tong Society Incorporated (50-52 Dixon Street) and Goon Yee Tong Limited (54 Dixon Street). It requested that the listing for the building be limited to the front elevation and its signage only. It included a petition signed by 226 members of the Goon Yee Tong organisation expressing their concern that "the listing would prevent us from using/selling the building to fulfil the needs of the members".
17. In response to this submission, it is noted that a heritage listing does not prevent ongoing use, change of use, or sale of the building to meet the Goon Yee Tong organisation's needs. The inventory sheet provides flexible management recommendations around future use of the building and does not limit the capacity for the building to be used or sold to fulfill the needs of organisation members.

18. Additionally, the management recommendations for the proposed listing allow for additions and alterations to 50-54 Dixon Street provided they retain the facade and any significant interiors (if existing). The extent of significant building interiors is not known as City of Sydney staff have not inspected the interior, despite a number of requests to do so, and the heritage assessment in the owner's submission does not provide details for all internal spaces in the building. Without this information, changes to the listing and its management recommendations cannot be made. The management recommendations in the inventory sheet are appropriate as they allow for internal changes and vertical additions. Revisions can be made to the heritage inventory sheet in the future should internal access be provided.
19. The submission for 96-100 Hay Street was made by a planning consultant on behalf of the owners of 96-98 Hay Street and 100 Hay Street. It requested the listing be amended to include only the Hay Street and Dixon Street facades which would enable changes to the building's Kimber Lane elevation.
20. The draft inventory sheet for 90-100 Hay Street allows for additions and alterations to the building provided they retain the whole form and original exterior detailing. These management recommendations do not prevent changes to the Kimber Lane facade such as new openings for vehicle access and services. Therefore, the current listing and management recommendations are considered appropriate, and no amendment is required.

2 submissions oppose the proposal

21. The 2 submissions in opposition of the proposal were for 92 and 94 Hay Street.
22. The submission for 94 Hay Street referred to the building no longer conveying its historical story due to physical changes over time.
23. The heritage assessment for 90-100 Hay Street notes that the interiors of 94 Hay Street have been significantly altered to accommodate its current use as a karaoke bar. It acknowledges that very little intact fabric has survived inside the building. Despite these alterations, the assessment concluded that the building continues to adequately convey its history through its exterior appearance and connections to past and present Chinese Australian communities and their heritage. The heritage assessment also demonstrated that the stores were historically open plan and would have had limited internal architectural elements or detailing. Internal modifications to the building do not minimise its heritage significance. The heritage assessment and proposed listing are considered adequate and appropriate in considering and acknowledging this issue.
24. Both the submissions for 92 and 94 Hay Street opposing the proposal noted that the heritage listing would result in unnecessary financial, redevelopment and maintenance burdens for the owners without delivering corresponding public benefit.
25. The heritage assessment and management recommendations for 90-100 Hay Street note that it can be changed internally and externally. Further, if heritage listed, the building may be eligible for the Heritage Floor Space scheme. This could offer funding opportunities for conservation and maintenance works to the building.
26. The engagement report, including a summary of submissions and the City of Sydney's response, can be found at Attachment H.

27. No amendments are proposed to the planning proposal following public exhibition, although additional historical information for 90 Hay Street, Haymarket once verified can be incorporated into the final inventory sheet for 90-100 Hay Street, Haymarket.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

28. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. The proposal is aligned with the following strategic directions and objectives:
 - (a) Direction 8 - A thriving cultural life - the acknowledgement of the importance of the 3 Chinatown buildings will contribute to the City's cultural and creative life through the recognition and promotion of each building's historical significance and value to the community.

Risks

29. There is a risk some stakeholders may disagree with the proposed heritage listings. However, proceeding with the proposal is within the City's risk appetite for its reputation and image. We aim to strike a balance between achieving our strategic objectives, conserving and promoting culture and heritage, and protecting our reputation. The project aligns with our appetite to tolerate minor complaints relating to action which has long-term community benefit and aligns with agreed actions in Sustainable Sydney 2030-2050: Continuing the Vision.
30. Progressing the proposal, taking into account matters raised through the public consultation process, is within the City's risk tolerance and appetite. The proposal strikes the right balance between achieving our strategic objectives and preserving and promoting culture and heritage.

Relevant Legislation

31. Environmental Planning and Assessment Act 1979.

Critical Dates / Time Frames

32. The Gateway Determination specified that the amendment to the Sydney LEP 2012 is to be completed by 8 May 2026.
33. The Gateway Determination authorises Council to exercise its delegation and liaise directly with Parliamentary Counsel to draft and make the local environmental plan. If the planning proposal is approved by the Central Sydney Planning Committee and Council, the City will commence this process. Once the process is complete and the plan is made, the amendment to the Sydney LEP 2012 will come into effect when published on the NSW Legislation website.

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