

Item 5.

Post Exhibition - Planning Proposal - Oxford Street LGBTIQ+ Heritage Items (Stage 2) - Sydney Local Environmental Plan 2012 Amendment

File No: X091578

Summary

The City's Oxford Street LGBTIQ+ Social and Cultural Place Strategy included an action to investigate heritage listing places within the Oxford Street precinct that have historic and contemporary connections to the LGBTIQ+ community.

After undertaking a heritage study, Council resolved in December 2024 to investigate heritage listing 3 sites, being 273 Crown Street, Surry Hills, 40-42 Flinders Street, Darlinghurst and 207 Oxford Street, Darlinghurst. The sites were found to meet the threshold for listing as local heritage items for their significance to the LGBTIQ+ community:

- **Former Ruby Reds, 273 Crown Street, Surry Hills:** The location of Sydney's first recreational venue dedicated to the lesbian community and for its associations with prominent entrepreneur Dawn O'Donnell, who gave much support to Sydney's lesbian and gay communities and was responsible for opening several recreational venues to serve these communities.
- **Former Taxi Club, 40-42 Flinders Street, Darlinghurst:** The home of the Grosvenor Club, a recreational facility for taxi drivers from 1956 and its use after 1963 by drag queens following the opening of Les Girls because of its 24-hour licence. Until its closure in 2012, it was recognised as a very early and enduring LGBTIQ+ recreational venue.
- **Former The Bookshop, 207 Oxford Street, Darlinghurst:** The site of a long running bookshop devoted to the sale of gay and lesbian books, journals and publications and for providing an important hub of community interaction relating to events such as the gay and lesbian Mardi Gras and the AIDS crisis of the 1980s.

A Planning Proposal to list the buildings was exhibited between 31 March 2026 and 5 May 2026 and we received a total of 17 submissions (via survey and email).

Those supporting the proposal highlighted the importance of these sites to the LGBTIQ+ community. They agreed that listing them is a necessary and overdue act of public recognition.

Those opposing the proposal argued that appropriate recognition is through interpretation, not blanket controls, and that posing an additional heritage listings would introduce unnecessary constraints and complexity for the future use and adaptation of the properties, without delivering meaningful conservation outcomes.

No changes are proposed to the planning proposal following the consideration of submissions. However, in the inventory sheets for each site, more detail has been included in the Recommended Management section to clarify the implications of the listing of each site. This includes for:

- **Former Ruby Reds, 273 Crown Street, Surry Hills:** that the existing building may be demolished and replaced provided the new building interprets the LGBTIQ+ historic and social significance on site.
- **Former Taxi Club, 40-42 Flinders Street, Darlinghurst:** that the front facade must be retained and conserved, consistent with the buildings existing contributory status in a conservation area, but the City's heritage exemption process can be used to facilitate internal alterations and fitouts; and interpretation of the significance of the site.
- **Former The Bookshop, 207 Oxford Street, Darlinghurst:** that the front facade must be retained and conserved, consistent with the buildings existing contributory status in a conservation area, but alterations and additions consistent with the controls for the Oxford Street Creative and Cultural Precinct may occur, including vertical additions; and interpretation of the significance of the site.

This report recommends Council approve the planning proposal to list the 3 sites as heritage items. 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.

Generally, the City is deeply committed to fostering an inclusive and equitable city for all. Recognising sites of significance to the LGBTIQ+ community is a vital part of this commitment. Oxford Street and surrounding areas have long been a cultural and social hub for LGBTIQ+ people, and the proposed heritage listings reflect decades of community connection, resilience, and contribution.

Recommendation

It is resolved that:

- (A) Council note the Engagement Report highlighting the submissions received during the public exhibition of the Planning Proposal - Oxford Street LGBTIQA+ Heritage Items (Stage 2), shown at Attachment F to the subject report;
- (B) Council approve the Planning Proposal - Oxford Street LGBTIQA+ Heritage Items (Stage 2), 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 - Oxford Street LGBTIQA+ Heritage Items (Stage 2) shown at Attachment A to the subject report, to correct any drafting errors prior to finalisation of the local environmental plan.

Attachments

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| Attachment A. | Planning Proposal - Oxford Street LGBTIQA+ Heritage Items (Stage 2) |
| Attachment B. | Oxford Street LGBTIQA+ Heritage Assessment Report (TKD Architects) |
| Attachment C. | Revised Inventory Sheet - 273 Crown Street, Surry Hills - Former Ruby Reds |
| Attachment D. | Revised Inventory Sheet - 40-42 Flinders Street, Darlinghurst - Former Taxi Club |
| Attachment E. | Revised Inventory Sheet - 207 Oxford Street, Darlinghurst – Former The Bookshop |
| Attachment F. | Engagement Report - LGBTIQA+ Heritage Listings in the Oxford Street Area |
| Attachment G. | Gateway Determination |
| Attachment H. | Council and Central Sydney Planning Committee Resolutions |

Background

1. In 2022, a review of the planning controls applying to Oxford Street was implemented to facilitate the growth of the cultural and creative sectors, protect heritage and character and support the day and night-time economies for the local community and visitors.
2. Community consultation indicated that people value the strong connection between Oxford Street and LGBTIQ+ communities and wanted to see its social and cultural heritage recognised and maintained. This led to the development of the Oxford Street LGBTIQ+ Social and Cultural Place Strategy with five priority areas. Priority 1 of this strategy focused on recognising historic LGBTIQ+ places and spaces.
3. The City of Sydney (the City) engaged TKD Architects in 2022 to complete a heritage study investigating sites within the Oxford Street precinct. Their study focussed on places with historic and contemporary connections to the LGBTIQ+ community.
4. Based on the Study, a planning proposal was reported to Council in December 2024 to heritage list 3 sites for their significance to the LGBTIQ+ community, being 85-91 Oxford Street, 124 Oxford Street, and 134 Oxford Street, Darlinghurst. These listings were approved by Council in December 2025 and are with the NSW Government for finalisation.
5. In December 2024, Council also resolved to investigate heritage listing 3 additional sites for their significance to the LGBTIQ+ community:
 - Former Ruby Reds, 273 Crown Street, Surry Hills
 - Former Taxi Club, 40-42 Flinders Street, Darlinghurst
 - Former The Bookshop, 207 Oxford Street, Darlinghurst

We consulted on a proposal to heritage list the 3 buildings

6. In September 2025, 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/ieDecisionDetails.aspx?AllId=20154>
7. The Department of Planning, Housing and Infrastructure approved public consultation for the planning proposal in its Gateway Determination (Attachment G), issued on 29 January 2026. It also authorised the Council to exercise the functions of the local planning authority.
8. The planning proposal to heritage list the 3 buildings was publicly exhibited from 31 March 2026 to 5 May 2026. 370 letters were distributed to notify adjoining properties. Separately, stakeholders including property owners and tenants were emailed on 9 April 2026. The project was included in the April edition of the Sydney Your Say e-newsletter and distributed to approximately 4,000 subscribers. The Sydney Your Say page was visited 270 times. There was a total of 38 downloads of the exhibition documents.

9. We received a total of 17 submissions via online survey and email, 5 via online survey and 12 via email. The engagement report, including a summary of submissions, can be found at Attachment F.
10. All building owners were contacted about the consultation and provided a submission.

Submissions regarding heritage listing of 273 Crown Street

11. Five submissions about 273 Crown Street were supportive. Reasons for support included:
 - that it is "rare evidence of lesbian social history, which has too often been under-recorded, under-recognised and physically erased from the city",
 - the links to lesbian entrepreneur Dawn O'Donnell "a major figure in Sydney's lesbian and gay cultural history, whose venues helped shape the wider precinct and create spaces of belonging for communities that were, at the time, often excluded from mainstream public life,"
 - listing is a necessary and overdue act of public recognition, helping correct the imbalance by acknowledging that community history, especially lesbian and queer history, is part of the city's heritage fabric,
 - the loss of venues in the precinct and how recognising important LGBTIQ+ heritage sites keeps this community history alive, especially lesbian spaces which "have a tendency to disappear, which is sad."
12. One submission was completely opposed to the proposed listings as the businesses referenced no longer existed.
13. The submission from the owner of 273 Crown Street noted that they supported the recognition of the site's LGBTIQ+ cultural history and were not opposed to heritage interpretation. However, they were concerned that the listing will impose unreasonable regulatory burdens and undermine the ongoing vibrancy and viability of the venue. These issues were raised in the context of current economic and operational realities facing venues, and the practical implications of the proposed listing on the ability to activate and sustain such uses.
14. The owner's submission makes comments about the assessment of heritage significance, regarding the extent of original fabric, intangible values, extent of change undergone and the need to meet all 7 heritage assessment criteria. Responses to these are below:
 - Heritage significance does not need to be embedded in fabric, but can be embodied in a place's setting, use, associations, meanings, records, related places, and objects, several of which are relevant here.
 - Places and objects can also be significant for their intangible values (for example, meaning, associations, connections).
 - Places that have undergone significant change can continue to have heritage significance.

- Places do not need to meet all 7 heritage assessment criteria to meet the threshold for listing as a heritage item.
15. The owner's submission cites some possible errors of fact in our draft inventory sheet. The City has investigated these issues and revised the inventory sheet where appropriate.
 16. The owner's submission suggests that there will be disproportionate planning impacts from listing the building as a heritage item. This includes removal of complying development pathways, the requirement for development applications for minor works and requiring heritage consultant reports, all of which will increase costs, delays and uncertainty. They note tenants will be impacted by slower approvals, higher costs and reduced flexibility and landlords may see increased risk of vacancy and reduced leasing attractiveness.
 17. The site is not within a heritage conservation area. As such it currently has access to a number of exempt and complying development pathways, including internal and external building alterations. While opportunities for complying development will not be available, the heritage works exemption process will be available. In this case it is most likely to be very straightforward as no fabric has been identified as having heritage significance. This has been made explicit in the revised Heritage Inventory Sheet which permits the existing building to be demolished and replaced provided the new building interprets the LGBTIQ+ historic and social significance on site. In practice it means that minor internal and external building alteration works could now be dealt with under the heritage works exemption pathway.

Submissions regarding heritage listing of 40-42 Flinders Street

18. Five submissions about 40-42 Flinders Street were generally supportive. Reasons for support included:
 - The Taxi Club demonstrates how buildings can acquire heritage value because of what they made possible socially. The place mattered not because it was architecturally pristine, but because it became a late-hours refuge and gathering point for communities with very few venues where they could safely and visibly gather. In that sense, the heritage significance lies in the building's role in the city's social life, especially for groups whose histories were often pushed to the edges of public recognition.
 - Importantly, the City's own material does not rely on architectural distinction alone. It expressly recognises that, while the site has been modified, it still meets the threshold for local heritage significance because of its historic, associative and social value. That is the correct approach. If Sydney is serious about preserving queer heritage, it must protect the places where community life actually happened, including places whose significance is social and cultural rather than purely aesthetic.

19. The submission from the owner of 40-42 Flinders Street was similar to that of 273 Crown Street. It acknowledges the site's association with Sydney's LGBTIQ+ cultural history as the former location of the Taxi Club and its contribution to the broader social fabric of the Oxford Street precinct. They support interpretive measures to convey this history and association, but, similar to the 273 Crown Street submission, make several comments about the assessment of heritage significance, regarding extent of original fabric, intangible values, extent of change undergone and the need to meet all 7 heritage assessment criteria. The City's response to these issues are addressed in paragraph 15 above.
20. The owner's submission suggests that there will be disproportionate planning impacts from listing the building as a heritage item. They note it would remove access to exempt and complying development pathways under the Codes SEPP and require development applications for routine internal and external works/maintenance, internal upgrades and fit outs. They are of the opinion that this introduces additional cost, delay and uncertainty for tenants, operators and owners and limits the ability to respond efficiently to market demand and changing uses, with these impacts being ongoing and operational in nature. They state that "the imposition of these controls represents an unreasonable and unnecessary regulatory burden, inconsistent with the principle of proportionality embedded in heritage planning."
21. The site is already a contributory building within a heritage conservation area. As such it has access to a number of exempt and complying development pathways, including internal building alterations. However, being in a conservation area, many external works currently require a complying development certificate or even a development application. While some opportunities for complying development will not be available, the heritage works exemption process will be available, and in this case, it is likely to be very straightforward as very limited fabric has been identified as having heritage significance (notably the front facade and the overall form of the building). This has been made explicit in the revised Heritage Inventory Sheet.

Submissions regarding heritage listing of 207 Oxford Street

22. Five submissions about 207 Oxford Street were supportive, mostly stating that The Bookshop was more than a shop. As one submission notes, The Bookshop was "a cultural institution, a place of information-sharing, a meeting point and a community anchor" and that it is "one of those rare places where cultural memory, activism, everyday life and built form all intersect. Recognising it formally as a heritage item says that the intellectual, social and emotional life of the LGBTIQ+ community is part of Sydney's heritage and deserves to be protected, interpreted and carried forward."
23. Two submissions about 207 Oxford Street were neutral, both expressing a desire to reimagine the venue (or another place) as a dedicated queer library and cultural and community space, as a living archive of LGBTQIA+ stories, history, and voices, preferably run by the City.
24. The City has a dedicated LGBTIQ+ collection across our library network, with significant collections held at Kings Cross, Surry Hills and Newtown branches; collections are promoted regularly during the year via library displays and online book lists during times of significance to the LGBTIQ+ community. Furthermore, the City coordinates events through the library network that explore, celebrate, and honour issues relevant to people of diverse sexualities and genders and intersex people, providing an opportunity for people to connect, share stories and promote a broader understanding of these issues.

25. The property owner provided a submission, including a report by their heritage consultant (addressed separately below), and concluded that:
- the existing controls applying to 207 Oxford Street as a contributory building within the Oxford Street Heritage Conservation Area provide adequate protection;
 - the proposed listing does not clear the high bar required for an individual listing; and
 - the LGBTIQ+ social and historical association is best conveyed through interpretive means now that The Bookshop is no longer a physical presence in Oxford Street.
26. The property owner's heritage consultant made a submission. It noted that both the TKD study and the pre-exhibition report to Council in September 2025 occurred prior to the closure of The Bookshop at the end of 2025. The submission made the following comments on the City's assessment of heritage significance:
- Historic Significance (Criteria A): the submission concurred with our conclusion that the site has historical significance as a long running gay and lesbian bookshop.
 - Historic Association (Criteria B): the submission agreed that the site does have historical associations with the co-founders of the bookshop but felt that the stronger historical association would be with the architect John Burcham Clamp who may have designed the row of buildings from 203-209 Oxford Street.
 - Aesthetic Significance (Criteria C): the submission was concerned that the City's heritage assessment found that facade of the terrace group, 203-209 Oxford Street, may be heritage listed. The City's assessment found that the facade of 203-209 Oxford Street, notwithstanding unsympathetic modifications and accretions, is a representative and distinctively detailed example of the Federation Free Classical style that makes an important contribution to the streetscape of Oxford Street. The City did not however recommend the row of shops be listed. The row is within a heritage conservation area which is a sufficient level of listing to manage the contribution to the streetscape.
 - Social Significance (Criteria D): the submission stated the site is no longer used as The Bookshop and therefore does not have social value, only historic significance.
 - Technical Significance (Criteria E) / Rarity (Criteria F): the submission concurred with our conclusion that the site does not meet these criteria.
 - Representativeness (Criteria G): the submission reiterates our conclusion but makes no further comment.
27. The consultant's submission concludes that the existing planning controls (as a contributory building in a conservation area) are adequate, and that the site's connection to the LGBTIQ+ community should be interpreted by physical or digital means.

28. Six other submissions repeated the 2 concluding points about the existing planning controls and use of interpretation being adequate to protect the significance of the building. Some of these submissions question whether the building should be listed as the business is no longer extant.
29. It is the City's view that 207 Oxford Street has very high levels of historic and social significance, which is adequate for listing without any other criteria. A site does not need to meet all criteria for it to meet the threshold for inclusion as a heritage item. The social significance remains relevant as long as members of the community value the place for its long-standing use, which has been clearly demonstrated by submissions to the public engagement. Further, it is agreed that the building does not meet the threshold for individual listing for its aesthetic values, which are best managed through the existing conservation area listing.

Heritage listings and accommodating change

30. Concerns about heritage listing are related to the ability to develop or make changes to a site. The management guidelines in the revised individual inventory sheets at Attachments C to E describe what elements of the site (such as building fabric or form) are significant and need to be conserved as part of any development. The proposed listings do not remove the opportunity to sympathetically develop or make changes to the sites provided proposals respond appropriately to the site's heritage values.
31. In response to submissions, the management recommendations in the heritage in the Heritage Inventory sheets have been updated to make clear the implications of the listing. The recommendations provide guidance on what should be done to conserve the significance of the place when it undergoes major development. Management recommendations vary from site to site. They complement and do not override the planning controls for the site. The proposed management recommendations for each site are described below.
32. Former Taxi Club, 40-42 Flinders Street
 - Manage the significance of the building in accordance with Sydney LEP 2012 and Sydney DCP 2012.
 - Retain and conserve the front facade, form and external fabric of the building consistent with its contribution to the conservation area.
 - Alterations and additions may occur and are to retain the building's contribution to the conservation area.
 - Use the heritage exemption process to facilitate internal alterations and fitouts.
 - Conserve the LGBTIQA+ historic and social significance of the place through interpretation on site.
33. Former Ruby Reds, 273 Crown Street
 - Manage 273 Crown Street in accordance with Sydney LEP 2012 and Sydney DCP 2012.
 - Use the heritage exemption process to facilitate internal alterations and fitouts.

- The existing building can be demolished and replaced provided the new building interprets the LGBTIQ+ historic and social significance on site.

34. The Bookshop, 207 Oxford Street

- Manage the significance of the building in accordance with Sydney LEP 2012 and Sydney DCP 2012.
- Retain and conserve the form and fabric of the building consistent with its existing contribution status in the conservation area (outward appearance).
- Continuation of the retail use is preferable but not required.
- Though it predates The Bookshop, the shopfront needs to be retained, in accordance with 3.10.4 Significant Shopfronts in the Sydney DCP 2012.
- The removal of intrusive accretions on the Oxford Street facade is encouraged. Unpainted fabric including brick and stone is best remaining unpainted.
- Use the heritage exemption process to facilitate internal alterations and fitouts.
- Alterations and additions consistent with the controls for the Oxford Street Creative and Cultural Precinct may occur and are to retain the building's contribution to the conservation area.
- Conserve the LGBTIQ+ historic and social significance of the place through interpretation on site.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

35. 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 Oxford Street precinct to the LGBTIQ+ will contribute to the City's cultural and creative life through the recognition and promotion of the area's historical significance and value to the community.

NSW Heritage Strategy

36. The NSW Heritage Strategy sets out a long-term direction to create a stronger, more inclusive heritage system for the people of New South Wales. The strategy provides a framework for modernising the heritage system to:
- include everyone
 - support the people and groups who look after our heritage
 - strengthen the role of heritage in our communities into the future.
37. The strategy is built around 3 objectives. This proposal is consistent with 'Objective 1: Tell stories of New South Wales,' under which the NSW Government aspires to a heritage system that reflects the diversity of the New South Wales community so that the benefits heritage brings can be more equally shared. This objective outlines that the NSW Government will work directly with communities to understand what heritage means to them and identify and address barriers to heritage participation.
38. The City's proposal expands the types of heritage and stories we recognise and protect and removes barriers to participation so that everyone can connect with heritage, in this instance our LGBTIQ+ community and their allies.
39. The City's proposal is a product of community consultation which indicated that people value the strong connection between Oxford Street and LGBTIQ+ communities and wanted to see its social and cultural heritage recognised and maintained.

Risks

40. 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.
41. Progressing the proposal in its current form is within the City's risk tolerance and appetite. The amended proposal strikes the right balance between achieving our strategic objectives and preserving and promoting culture and heritage.

Relevant Legislation

42. Environmental Planning and Assessment Act 1979.

Critical Dates / Time Frames

43. The Gateway Determination specified that the amendment to the Sydney LEP 2012 is to be completed by 10 July 2026.
44. 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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