

11 November 2024

At the conclusion of the Innovation, Business and Economy
Committee

Transport, Heritage and Planning Committee

Agenda

- 1. Confirmation of Minutes**
- 2. Statement of Ethical Obligations and Disclosures of Interest**
- 3. Public Exhibition - Neighbourhood On-Street Parking Policy**
- 4. Public Exhibition - Central Sydney On-Street Parking Policy**
- 5. Public Exhibition - Car Sharing Policy**
- 6. Public Exhibition - Planning Proposal - Chinatown Heritage Items - Sydney Local Environmental Plan 2012 Amendment**
- 7. Post Exhibition - Planning Proposal - Dwelling Retention - Sydney Local Environmental Plan 2012 Amendment**
- 8. Fire Safety Reports**

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1. Register to speak by calling Secretariat on 9265 9702 or emailing secretariat@cityofsydney.nsw.gov.au before 10.00am on the day of the meeting.
2. Check the recommendation in the Committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time.
4. Avoid repeating what previous speakers have said and focus on issues and information that the Committee may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

Committee meetings can continue until very late, particularly when there is a long agenda and a large number of speakers. This impacts on speakers who have to wait until very late, as well as City staff and Councillors who are required to remain focused and alert until very late. At the start of each Committee meeting, the Committee Chair may reorder agenda items so that those items with speakers can be dealt with first.

Committee reports are available at www.cityofsydney.nsw.gov.au

Item 1.

Confirmation of Minutes

Minutes of the following meetings of the Transport, Heritage and Planning Committee are submitted for confirmation:

Meeting of 21 October 2024

Item 2.

Statement of Ethical Obligations

In accordance with section 233A of the Local Government Act 1993, the Lord Mayor and Councillors are bound by the Oath or Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of the City of Sydney and the City of Sydney Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act, to the best of their ability and judgement.

Disclosures of Interest

Pursuant to the provisions of the Local Government Act 1993, the City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct, Councillors are required to disclose and manage both pecuniary and non-pecuniary interests in any matter on the agenda for this meeting.

In both cases, the nature of the interest must be disclosed.

This includes receipt of reportable political donations over the previous four years.

Item 3.

Public Exhibition - Neighbourhood On-Street Parking Policy

File No: X111976

Summary

The Neighbourhood Parking Policy (the Policy) was adopted in May 2014 and updated in May 2018. It applies in all areas of the City of Sydney (the City) except central Sydney, to which a separate policy applies. The Policy establishes time limits for on-street parking, along with the quantity and eligibility for business, visitor, resident and care worker parking permits. Visitor parking permits and business parking permits were introduced across all parking areas in May 2015. The Policy provides a consistent approach to the management of on-street parking and tries to balance the need for longer-stay (including overnight) parking for residents with the need for parking turn over and shorter stay parking for visitors, carers and tradespeople. Demand for on-street parking generally exceeds supply, and it is unlikely that our communities will be entirely 'satisfied' with the situation. The Policy aims to strike a compromise that most people can support.

The current Policy has been reviewed. A draft incorporating changes is presented in Attachment A with a tracked changes version presented in Attachment B. The review found that the Policy is generally operating well and is securing appropriate outcomes in a constrained environment. There will always be competition and greater demand than supply for on-street parking in a global city. The intent and principles of the Policy remain. The review determined that the Policy required updating to align with Sustainable Sydney 2030–2050 Continuing the Vision, the Community Strategic Plan, the Access Strategy and Action Plan – Continuing the Vision and the Electrification of Transport in the City Strategy and Action Plan, consideration of current trends in kerbside use and management responses and updating of land use typologies to reflect the Sydney Local Environmental Plan (LEP) 2012. The review concluded that the Policy remains an important tool to enable the City to fulfill its obligations to manage parking demand and change fairly and transparently.

Key changes proposed include: updating to align with City strategies and land use definitions in the Sydney LEP 2012; new principles on competing needs for kerb space and fair use of technology; new sections on unrestricted parking, electric vehicle parking for charging; bicycle parking; updating and clarifying exclusions for parking permits; standardising visitor permit entitlements to a maximum of 50 permits annually for all eligible households; and clearer material on mobility parking and time limits and controls.

It is recommended that the draft Neighbourhood On-Street Parking Policy is exhibited for public comment with the final Policy presented to Council for approval once community feedback has been considered. The current Neighbourhood Parking Policy will remain in effect until such time as the updated Policy is adopted by Council.

Recommendation

It is resolved that:

- (A) Council approve the draft Neighbourhood On-Street Parking Policy, as shown at Attachment A to the subject report, for public exhibition;
- (B) Council note that the Neighbourhood On-Street Parking Policy, including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (C) authority be delegated to the Chief Executive Officer to make minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Neighbourhood On-Street Parking Policy.

Attachments

Attachment A. Draft Neighbourhood On-Street Parking Policy

Attachment B. Draft Neighbourhood On-Street Parking Policy (tracked changes version)

Background

1. The Neighbourhood Parking Policy (the Policy) was adopted 12 May 2014.
2. Major initiatives of the 2014 Policy were to: outline recommended time limits for on-street parking; establish the type, quantity and eligibility requirements for business, visitor, resident and care worker permits; and consolidate parking permit areas (from 31 to 16).
3. Visitor parking permits and business parking permits were introduced across all parking areas in May 2015.
4. The Policy was reviewed and updated 14 May 2018. The 2018 review made minor changes to time restrictions, cost of permits and increased the amount of visitor permits. It also established a special Visitor's Permit for tradespersons.
5. The Policy provides a consistent approach to the management of on-street parking in the City of Sydney, excluding central Sydney (to which a separate policy applies). The key management approach includes: time limits for on-street parking; and parking permits for businesses, visitors, residents, carers and tradespeople. The Policy tries to balance the need for longer-stay (including overnight) parking for residents with the need for parking turn over and shorter stay parking for visitors, carers and tradespeople.
6. Where necessary, City staff respond to customer and business feedback to make minor changes to kerbside controls to maximise the community benefit from the kerb.
7. Review of the current Policy was delayed, primarily due to the Covid-19 pandemic which resulted in significant changes to working arrangements and access needs in our area. Some localities experienced significant parking pressure, due to many residents working from home, and more employees driving to nearby work locations. Since the conclusion of the pandemic public transport use has increased and extreme parking pressures appear to have abated – however overall parking pressure remains high, as expected (and intended).
8. The Policy has now been reviewed and a draft incorporating changes is presented in Attachment A.
9. The review of the Policy determined that it generally secures appropriate outcomes, but it could be improved through some changes.
10. The review determined that the intent and principles of the current Policy, which is to balance competition for on-street parking space within the constrained environment of the City's neighbourhoods by establishing a range of parking controls and permits to guide the management of parking arrangements, remain.
11. The review concluded that the Policy remains an important tool to enable the City to fulfill its obligations to manage parking demand and change fairly and transparently.

12. The review enabled consideration of the Policy and alignment with Sustainable Sydney 2030–2050 Continuing the Vision, the Community Strategic Plan, the Access Strategy and Action Plan - Continuing the Vision and the Electrification of Transport in the City Strategy and Action Plan. A key element of these strategies is increasing emphasis on uses of kerb space for cycleways, footpath widening, outdoor dining and tree planting, as well as vehicle storage. These issues were also reinforced by the changes undertaken during the Covid-19 pandemic which highlighted the benefits of maximising space for people in village high streets, such as for outdoor dining. The increasing prevalence of hot days also highlights the need for more planting, potentially in roadways on some streets.
13. The review enabled consideration of new trends in mobility such as parking for electric vehicle charging and on-street parking for share bicycles.
14. The review considered issues determined by implementation of the Policy and issues such as Visitor Parking Permit entitlements identified as part of the Council approval of the current Policy in 2018.
15. The review also enabled updating of the land use typologies defined. The Policy excludes most multi-unit forms of housing from eligibility for permits. While this intent is straightforward, and continues, the drafting to achieve this is complex given the many forms of development allowed under the Sydney LEP 2012. The exclusions also relate to the point in time at which the Policy applied geographically, as the City's boundaries changed.
16. The review determined that the permit schemes appear to be working as intended. In 2023-24, 15,414 resident permits were issued, equating to around 76% uptake from most eligible properties. There is modest uptake of Tradespersons' Permits, and the 2018 changes to Visitor Parking permits (booklets of 10, per permit fee) are implemented.
17. There are around 41,329 parking spaces in the City, excluding city centre spaces. There will always be competition and greater demand than supply for on-street parking in a global city.
18. Parking areas are either zoned A (parking areas with more resident permits issued than available parking spaces) or B (parking areas with fewer resident permits issued than available parking spaces) to denote the number of resident and visitor permits available to eligible households in that zone. In terms of the efficacy of residential permits, Area 19 is the only parking area currently "Zone A" under the Policy as the number of permits exceeds the number of spaces. All new permit applicants in this area can access a maximum of one permit. Based on the City's data and known City programs, there is no foreseeable need to rezone any other area from Zone B to Zone A in the immediate future.

19. The City may use on-street paid parking to encourage turnover, improve compliance, and increase the efficiency and sustainability of the transport network. Ticket parking is avoided where possible in residential areas, and where it is installed permit holders are exempt from parking fees. Parking fees are set and exhibited along with the City's draft operational plan as part of the annual review of fees and charges.
20. Overall, the review determined that the Policy is generally working as intended, but that the Policy needed updating to reflect strategic and land use changes and to improve implementation. Changes proposed to the Policy are shown below (titles and section numbers reflect those in the draft updated Policy in Attachment A).

(a) The key changes, and rationale for these, are:

Current policy	Proposed change	Rationale for the change
Purpose, and Background (1.1)	Updates text to align the Policy to Sustainable Sydney 2030-50 and the City Access Strategy and Action Plan	Parking policy should be designed to assist in implementing adopted strategies and action plans.
Definitions, and Sections 10-15	Updated where necessary to align with Sydney LEP 2012.	Improves clarity on which types of existing or new developments remain ineligible for permits. Responds to new types of multi-unit dwelling development, such as co-living.
2.1 Competing needs for kerb space.	New section outlining the City's approach to management of the kerb to support footpath widening, tree planting, outdoor dining and cycleways, in addition to parking.	Responds to growing number kerb side uses envisaged in Sustainable Sydney 2030-2050. References the City's commitment to ensure kerb availability is maximised for a variety of uses, at any point in time.
2.10 Fair use of technology	New section outlining the approach to incorporating technology into operations. Includes specific statement that people without ready access to technology will not be disadvantaged.	Encapsulates how the City will approach issues such as ticketless/app-based parking systems.
3.1 Residential areas Unrestricted parking	New text on approach to managing unrestricted parking, including such issues such as boat parking.	Reflects the current restrictions in some areas, and explains how the City may respond, to either allocate to a different use, or to address long-term storage such as boats.
Section 3 Time limits and pricing – all tables	Remove examples.	Examples were often misleading (whole suburb examples), or added no value.

Current policy	Proposed change	Rationale for the change
Section 5 Mobility parking	Outlines more clearly the rationale for dedicated spaces, timed spaces and more general pick up and drop off, in both residential streets and village high streets. Confirms the importance of kerb ramps wherever possible. Removes commitment to audit/remove spaces in residential streets.	Better aligns Policy with the Inclusion (Disability) Action Plan, and the variety of access needs of different groups in different locations. The City can repurpose spaces in residential streets on a case by case basis, where appropriate.
Section 6 Electric vehicle parking – to enable charging	New section on purpose and approach to parking for electric vehicle charging	Aligns Policy with electrification of Transport Strategy and Action Plan, by providing context for the City's recent and future allocation of limited amounts of kerb for public electric vehicle charging only.
Section 7 Bicycle parking - to reduce footpath clutter	New section on purpose and approach to bicycle parking	Outlines that the City may provide a small amount of on-street bicycle parking to support the growth of bicycle riding and reduce footpath clutter associated with share bike systems.
8.3 Exclusions from parking permits	Replacement text to clarify exclusion, including approach to cover any new form of multi unit housing not defined in the Policy.	Simplify the policy intent of exclusions, and provide information on where the community can investigate restrictions for particular properties.
10.2 Eligibility (resident's permit)	New text specifying that a resident with multiple addresses must reside at the relevant City of Sydney address for a minimum 6 months a year.	Responds to operational implementation issue arising from pandemic, for people maintaining a City property as well as one outside the City.
11.3 Visitor parking permits – quantity of permits	Standardises permit entitlements to a maximum 50 permits annually for all eligible households in both Zone A and B.	Simplifies the allocation. Responds to issues raised by the community in the 2017-18 review, which the then Council requested be explored. Changes made to permit administration (purchase in increments, standard per permit fee) will mitigate any risk of increased allocations for some residents.

- (b) Other changes are:
 - (i) Title: changed to Neighbourhood *On-Street* Parking Policy, consistent with the Central Sydney On-Street Parking Policy.
 - (ii) 1.2 Roads authority: Improving clarity.
 - (iii) 3.2 15-minute free parking: Confirms the retention of existing areas of 15 minute free parking.
 - (iv) 3.3 Community recreational and cultural facilities: Reference to the potential for some permit holders to be excepted (consistent with Support Workers currently being exempted in some spaces at Gunyama Aquatic Centre)9.3 Parking Zones: confirmation that any proposal to rezone an area will be exhibited.
 - (v) 12 Tradespersons' Permit: Aligning exclusions with those for resident permit.
 - (vi) 13.2 Business parking permit eligibility: Moving exclusion for multi-suite premises to this clause (from Section 8.3)
 - (vii) 14 Support Workers Permit: Updating re the expansion of the MOU with other councils.
 - (viii) 18.1 Parking reviews: Clarifying that these would be linked to emerging issues and ensuring that the maximum amount of the kerb is available for productive uses, rather than a systematic review of each parking area on a regular cycle.
 - (ix) Responsibilities and Consultation (on policy development): Updated.
 - (x) Various edits to improve syntax or clarity.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

- 21. 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. This policy is aligned with the following strategic directions and objectives:
 - (a) Direction 3 - Public places for all - the Policy enables effective and careful management of the kerbside to balance the competing needs of access and public space.
 - (b) Direction 5 - A city for walking, cycling and public transport - the Policy tries to balance and manage the kerbside to facilitate this Direction.
 - (c) Direction 6 - An equitable and inclusive city - the Policy facilitates access to places including for mobility parking.

- (d) Direction 9 - A transformed and innovative economy - the Policy tries to balance the need for longer-stay (including overnight) parking for residents with the need for parking turn over and shorter stay parking for visitors, carers and tradespeople.

Organisational Impact

- 22. The review streamlines and clarifies management processes, formalising feedback from implementation of the Policy. The on-going management and implementation of the current Policy is part of the existing operations of the City.

Social / Cultural / Community

- 23. The Policy responds directly to the City's A City for All Inclusion (Disability) Action Plan.

Economic

- 24. Careful management of the competing needs of the kerb is needed to maintain equitable access to residential and commercial properties for residents, businesses and visitors.

Financial Implications

- 25. If approved, the proposed changes would increase the number of permits people are able to purchase. If all people took up all permits they were eligible for, there would be an increase in revenue collected from fees, however, given current uptake patterns, this is unlikely.
- 26. The proposed changes to the Policy, if approved, will not materially impact on existing City operations. The on-going management and implementation of the current Policy is part of the existing operations of the City.

Relevant Legislation

- 27. Parking permit schemes are governed by the Road Transport (General) Regulation 2021 and NSW Road Rules 2014.
- 28. Transport for NSW Parking Permit Guidelines 2021 set out matters which need to be considered when permits schemes are developed and implemented.

Critical Dates / Time Frames

- 29. The current Neighbourhood Parking Policy will remain in effect until the time the revised Policy is adopted.

Public Consultation

30. Informed by Sustainable Sydney 2030–2050 Continuing the Vision, the Community Strategic Plan, the Access Strategy and Action Plan – Continuing the Vision and the Electrification of Transport in the City Strategy and Action Plan.
31. It is proposed that the draft Policy be exhibited until mid-February 2025 to account for the holiday period.
32. No changes to fees will occur until 1 July 2025. In accordance with section 610F of the Local Government Act, the proposed changes to the fees will be exhibited along with the City’s draft operational plan as part of the annual review of fees and charges.

KIM WOODBURY

Chief Operating Officer

Peter Warrington, Transport Policy Manager

Attachment A

Draft Neighbourhood On-Street Parking Policy
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Neighbourhood On-Street Parking Policy

Purpose

The City of Sydney's Neighbourhood On-Street Parking Policy ("The Policy") establishes a range of parking controls and permits to guide the management of on-street parking across our diverse neighbourhoods. Parking is a key component of the access system that supports the City's transport, economic, social and environmental outcomes, which are outlined in Sustainable Sydney 2030-2050 – Continuing the Vision and the Community Strategic Plan.

Private vehicles are an important part of the City of Sydney's ("the City's") transport mix, catering for many journeys that cannot be easily or economically made by other, more space efficient and sustainable modes. Where these trips take place in the constrained environment of the City's neighbourhoods, there is inevitable competition for on-street parking space. In some locations, there will also be demand for spaces for loading, mobility parking, car share and taxis. The City, alongside other roads authorities, recognises its obligation to manage parking demand and change fairly and transparently, to meet agreed outcomes.

Scope

The Policy applies to all on-street parking areas within the authority of the City, except central Sydney (Figure 1 in Section 9 shows the area this policy applies to). Central Sydney is governed by the Central Sydney On-Street Parking Policy.

Definitions

Term	Meaning
Attached Dwelling	means a building containing 3 or more dwellings, where: (a) each dwelling is attached to another dwelling by a common wall, and (b) each of the dwellings is on its own lot of land, and (c) none of the dwellings is located above any part of another dwelling.
Boarding House	means a building or place: (a) that provides residents with a principal place of residence for at least 3 months; and (b) That contains shared facilities, such as communal living room, bathroom, kitchen or laundry; and (c) That contains rooms, some or all of which may have private kitchen and bathroom facilities; and (d) Used to provide affordable housing; and

Term	Meaning
	(e) If not carried out by or on behalf of the Land and Housing Corporation – managed by a registered community housing provider but does not include backpackers' accommodation, co-living, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.
Business Premises	means a building or place at or on which: (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or (b) a service is provided directly to members of the public on a regular basis, And includes a funeral home, goods repair and reuse premises, and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.
Carer	As defined by the Carers (Recognition) Act 2010: A carer is an individual who provides on-going personal care, support and assistance to another individual who needs it because that other individual has a disability, or has a medical condition (including a terminal or chronic illness), or has a mental illness, or is frail and aged. An individual is not a carer if they provide care, support and assistance under a contract of service, or through the course of voluntary work for a charitable, welfare or community organisation, or as part of a course of education or training. To avoid doubt, an individual is not a carer merely because they live with an individual that requires care or they are a spouse, de facto partner, parent, child, guardian or other relative.
Co-living Housing	Means a building or place that: (a) Has at least 6 private rooms, some or all of which may have private kitchen and bathroom facilities; and (b) Provides occupants with a principal place of residence for at least 3 months, and (c) Has shared facilities, such as communal living room, bathroom, kitchen or laundry, maintained by a managing agent, who provides management services 24 hours a day, But does not include backpackers' accommodation, a boarding house, a group home, hotel or motel accommodation, seniors housing or a serviced apartment
Commercial Premises	means any of the following: (a) Business premises (b) Office premises

Term	Meaning
	(c) Retail premises
Community Facility	means a building or place: (a) owned or controlled by a public authority or non-profit community organisation; and (b) used for the physical, social, cultural or intellectual development or welfare of the community, but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation
Converted Residential Flat Building	means a residential flat building created by the alteration or reconstruction of a formerly commercial, industrial or otherwise non-residential building
Dual Occupancy	means a dual occupancy (attached) or a dual occupancy (detached)
Dual Occupancy (attached)	means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling
Dual Occupancy (detached)	means 2 detached dwellings on one lot of land, but does not include a secondary dwelling
Dwelling	means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile
Dwelling House	means a building containing only one dwelling
Full Private use	means vehicle not registered to a resident but for which the resident can provide sufficient documentary evidence to support that they are exclusively entitled to use the vehicle
Health Professional	means any person registered under an Act for the purpose of providing health care, including doctors, nurses, chiropractors, occupational therapists, optometrists, osteopaths, pharmacists, physiotherapists, podiatrists and psychologists who assist manage physical or mental health through services that include diagnosis, treatment or rehabilitation
In-home Support	means support provided in the home by a support worker or health professional
Major Refurbishment	means alterations to a residential flat building such that it cannot be occupied for a period of at least six months
Modification	Means includes extension of a dwelling, construction of a secondary dwelling or permanent conversion of a parking space to outdoor uses
Multi Dwelling Housing	means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building

Term	Meaning
Multi-suite Commercial Premise	a commercial building that is strata-subdivided, or which can be divided into five or more separate business, office or retail premises
Parklet	a structure (not including a vehicle) that can be placed in a parking space to create additional public space for use by businesses, residents and passers-by
Place of Public Worship	means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training
Residential Flat Building	means a building containing 3 or more dwellings, but does not include an Attached Dwelling, Co-living Housing or Multi Dwelling Housing
Secondary Dwelling	means a self-contained dwelling that: (a) is established in conjunction with another dwelling (the principal dwelling), and (b) is on the same lot of land as the principal dwelling, and (c) is located within, or is attached to, or is separate from, the principal dwelling
Semi-Detached Dwelling	means a dwelling that is on its own lot of land and is attached to only one other dwelling
Service Provider	means an organisation or health professional approved by a relevant professional or government body to provide in-home support to residents
Support Worker	means an employee of a service provider who provides in-home support to a resident
Serviced Apartment	means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents
Shop Top Dwelling	means dwellings located above ground floor retail premises or business premises, where the number of dwellings does not exceed three

Policy Statement

BACKGROUND

1.1. Meeting the City's objectives

The Sustainable Sydney 2030–2050 strategy consists of two primary documents – Sustainable Sydney 2030–2050 Continuing the Vision ('Sustainable Sydney 2030–2050') and the

Community Strategic Plan Delivering Sustainable Sydney 2030–2050 (the ‘Community Strategic Plan’). A key Direction is to create a City for walking, cycling and public transport, and the Access Strategy and Action Plan – Continuing the Vision provide more detail on the key approaches to achieving this. The City’s plans recognise the other demands for kerbside space on our streets.

The City recognises that there is a strong nexus between parking provision and traffic generation. The City’s planning instruments and policies contain parking controls and sustainability incentives for new developments, including measures to limit vehicle congestion associated with the significant population and employment increases arising from NSW Government and city planning and housing strategies.

The Neighbourhood On-Street Parking Policy is intended to balance the City’s economic, social and environmental objectives with the fair and consistent management of kerbside parking.

1.2. Regulatory framework

The City of Sydney is the roads authority for all public roads within the area, other than any freeway or Crown road, and any public road for which some other public authority is declared to be the roads authority (under section 7 of the Roads Act 1993). The management of parking controls and enforcement is governed by NSW legislation, regulations and guidelines. This policy applies that regulatory framework.

The administration of parking permits by the City of Sydney is guided by the Permit Parking Guidelines issued by the NSW Government. The Guidelines provide advice on permit types, eligibility criteria and some mandatory features of a permit parking system.

2. PRINCIPLES FOR PARKING MANAGEMENT

The City has four main mechanisms it can employ to manage street parking:

1. the duration of time people can park their vehicles
2. setting the hours of operation and days that time limits apply
3. setting kerbside parking fees at a price that reflects the amount parking spaces available and the demand for them
4. issuing permits to certain people to enable them to avoid time limits and parking prices.

When applying these mechanisms the City will uphold the principles set out below in order to maintain a fair and credible parking system.

2.1. Competing needs for kerbside space

There are increasing demands and community support for allocating kerbside lanes for uses other than parking. These uses include footpath widening and pedestrian crossings, tree planting, outdoor dining and cycleways.

To help limit the impact of these programs, the City will always seek to maximise the amount of kerb that can be used productively, including for parking.

The City will use the Policy to manage parking demand in locations with reduced parking supply, due to any City programs that repurpose kerbside space for other uses.

2.2. Public access

Use of parking controls that recognise that streets are public spaces, open to all people, and are to be managed in the public interest.

2.3. Liveability

In order to protect and improve the liveability of neighbourhoods for a diverse population and encourage increased use of public transport, walking and cycling, the City will prioritise use of parking space for residents, businesses and their visitors and customers. Maintaining this priority requires that commuter parking on-street in residential neighbourhoods and commercial areas be actively discouraged.

As dedicated motorcycle parking zones increase the number of arrivals and departures from a space due to a higher concentration of vehicles the City will seek to locate these zones in such a way as to minimise noise impacts on residents.

2.4. Fair use of pricing

The City of Sydney may use on-street pay parking to encourage turnover, improve compliance, and increase the efficiency and sustainability of the transport network. Parking permits do not guarantee access to a parking space. All permit fees and charges will be reviewed annually, and exhibited in the draft Corporate Plan, as required by the Local Government Act 1993. Section 3 discusses pricing in more detail.

2.5. Compliance

The City will perform routine ranger patrols to provide a background level of deterrence to maximise compliance with time restrictions. It will use a proportionate response when targeting enforcement at areas with significant non-compliance, and specific places and activities, including school zones, Mobility Parking Schemes, events and construction works.

2.6. Clarity

Parking controls and parking areas will be clearly signposted, and where possible, parking controls will be simple and locally consistent in order to minimise the risk of unintentional breaches. The City will notify the community of any impending changes to reduce the risk of inadvertent non-compliance.

2.7. Non-discrimination

The City of Sydney will manage parking and parking permit schemes in the interests of all residents and businesses, regardless of their form of land title, or tenure as owners or renters.

2.8. Consistency

The City will endeavour to apply the policy consistently across all parking areas. Where necessary, the City may adopt variations from the usually adopted parking restrictions in order to respond to local conditions.

2.9. Consultation

Given the strong community interest in kerbside parking management, the City will ensure that local residents have an opportunity to comment on proposed changes.

The community will be consulted on proposed changes that modify controls, time limits applying to legal parking spaces or the introduction of parking meters. Where changes to signage are required for safety or regulatory compliance, the City will notify the nearby community of the change.

Proposals for significant parking changes will be assessed for technical compliance by the Pedestrian, Cycling and Traffic Calming Committee, and then reported to Council for a decision.

2.10 Fair use of technology

The City incorporates technology into its operations where this brings value for money and efficiencies, and where it aligns with legislative obligations and best practice administration. The City will design its systems to implement this Policy. It will ensure that people without ready access to technology are not disadvantaged.

3. TIME LIMITS AND PRICING

The City will apply duration of parking, hours and days of operation and parking fees at the scale that best reflects the parking catchments of different land uses. While this scale will usually be smaller than individual suburbs or parking areas, the City will avoid street by street parking changes that move, rather than resolve, parking problems.

3.1. Residential areas

Duration of parking and hours and days of operation

In recognition of the limited off-street private parking in most of the city, on-street parking space in residential streets is prioritised for residents and their visitors.

The City also provides dedicated on-street spaces for authorised car share vehicles to enable households to share vehicles, reduce household expenditure on transport, and use on-street parking spaces more efficiently. The management of car share spaces is governed by the City's Car Sharing Policy.

Parking controls in residential areas aim to balance the long-stay parking needs of permit-holding households with the need of all households to use kerbside space for accommodating visitors including family, general practitioners, carers and tradespeople. Two-hour parking controls are best placed to achieve this balance because they allow reasonable access for short visits without the need for permits and are able to be effectively monitored by rangers.

Unrestricted parking

The City of Sydney area has lengths of kerb where there are no current restrictions. This "unrestricted parking" has not yet been restricted for some other purpose. Individuals who legally park vehicles there (or store boats and trailers) can do so for up to 28 days under NSW legislation. This means that individual benefits can be high, as no permits or fees are required. Consequentially, the community benefit from turnover of spaces is usually very low.

Over time, as the City of Sydney area grows with more homes and jobs, demand for parking and other kerbside uses will increase further. There is likely to be less unrestricted parking, as the City assigns it to other higher value purposes. This could be by introducing limits with or without permit exceptions, car sharing, electric vehicle charging, or non-parking uses such as cycleways or tree planting.

Where it is clear that the absence of restrictions is contributing to issues such as long term boat storage or long-stay vehicle storage for airport passengers, the City will consider introducing targeted restrictions that make streets less desirable for these purposes. This approach will often introduce a short period of restrictions across a week.

Pay parking

Pay or ticket parking is avoided where possible in residential areas, and where it is installed resident permit holders are exempt from parking fees by including "permit holders excepted" on the signage. However, in situations where the occupancy of parking spaces is high, and non-compliance with time limits is high, ticket parking significantly increases the amount of spaces

available for residents by increasing the efficiency and effectiveness of enforcement. This is because a ranger can determine with a single visit if a vehicle has exceeded the time limit.

It is recommended that 2P ticket parking be installed where average parking occupancy is greater than 85% and significant non-compliance persists despite increased enforcement. Prices in residential areas will be set at a level sufficient only to ensure that compliance with time limits can be efficiently monitored.

Section 4 provides more detail about where pay parking may be used.

Recommended controls are contained in Table 1. Where necessary, the City may adopt different parking restrictions to respond to local conditions, such as land use intensity or closeness to major facilities.

Neighbourhood Characteristics	Duration and ticket parking	Operating hours and days
Areas with average 75% parking occupancy during weekdays	2P	8am-8pm Mon-Fri
Areas with average 75% parking occupancy on weekdays and weeknights	2P	8am-10pm Mon-Fri
Areas with average 75% parking occupancy on weekdays, weeknights and weekends	2P	8am-10pm 7 days
Areas with average 85% parking occupancy and significant non-compliance on weekdays, weeknights and weekends	2P ticket	8am-10pm 7 days

Table 1 – Recommended parking controls in residential areas

3.2 Commercial and mixed-use areas

In commercial and retail streets, the City will prioritise parking controls that are consistent with the viability and efficient operation of local business and encourage the use of walking, cycling and public transport. This will include consideration of provision for loading zones, bus zones, drop-off and pick up spaces, mobility parking spaces, short stay (such as 15 minute) parking, taxi zones and bike parking. The City will also provide dedicated on-street spaces for authorised car share vehicles to use on-street parking spaces more efficiently and reduce business costs by enabling businesses access to a variety of shared vehicles.

Parklets can allow a different use of road and kerb space, to encourage economic development in centres. The City will continue to monitor developments in this sector, also considering other frameworks such as those for high pedestrian activity areas, public domain and the City's Outdoor Dining Guidelines. Under current arrangements, all proposals for parklets will need to comply with existing road transport legislation, and road safety audit processes. Fixed structure parklets (such as modified containers) can potentially be placed on roads as "structures", subject to approval by the City under existing processes. There is currently no permit type that can exempt a vehicle from parking restrictions, so any vehicles operating as a parklet of this type would need to be placed in areas where there are no restrictions, or comply with parking restrictions.

Duration of parking and hours and days of operation

Parking controls in and around mixed use or retail facilities will encourage turnover that is consistent with the local business mix and expected duration of stay by customers, typically ticketed 2P. Where cafes and restaurants form a significant local land use, the City will install minimum daytime controls of 2P (from 8am), and evening (after 6pm) controls of 4P. Daytime 1P controls and evening 2P controls may be used in exceptional cases where local businesses rely on rapid turnover of parking.

Pay parking

Given the increasingly strong competition for parking in the City's commercial and mixed-use areas, and the high value of kerb space, it is recommended that pay parking be installed on streets adjoining commercial and mixed use premises (including adjacent streets where appropriate).

Prices will be set at a level consistent with adequate turnover for local business.

In order to accommodate short stays, the City has implemented an appropriate amount of 15 minute free parking in ticketed areas on key retail streets.

Recommended controls are contained in Table 2.

Predominant use	Duration and ticket parking	Operating hours and days
Cafés, restaurants, boutique retail	2P Ticket 4P Ticket	8am-6pm 7 days 6pm-10pm 7 days
Mixed business, grocery, newsagent, other retail	1P Ticket or 2P Ticket 2P Ticket or 4P Ticket	8am-6pm 7 days 6pm-10pm 7 days
Showrooms, warehouses, offices	2P Ticket	8am-6pm 7 days

Predominant use	Duration and ticket parking	Operating hours and days
	4P Ticket	6pm-10pm 7 days

Table 2 – Guidelines for parking controls in commercial and mixed-use areas

3.3 Community, recreational and cultural facilities

Duration of parking and hours and days of operation

Parking controls adjacent to community, recreational, social and cultural facilities, including parkland, should allow for turnover that is consistent with their desired use. The City will increase the number of mobility parking spaces and provide dedicated on-street car share spaces adjacent to community, recreational, social and cultural facilities to increase social inclusion.

Regional parks and sporting facilities should have a minimum parking restriction of 2P on weekdays and 4P on weekends and holidays and an appropriate level of mobility parking spaces. This allows for access for those enjoying organised sports, picnics and casual recreation.

Parking controls adjacent to community, sporting and cultural facilities should generally not exempt permit holders during operating hours. This ensures all-day parking does not obstruct short-term access by a broad cross-section of the community. However, the City can consider providing targeted permit exemptions where necessary, such as exemptions for Support Workers so they can access a pool where regular sessions there are part of supporting a client.

Some community or recreational facilities, including parks, have small street frontages. In these circumstances, if period parking controls are used, they should be consistent with surrounding streets to minimise the potential for inadvertent non-compliance.

Time limits near cultural facilities will be reviewed on an as-needs basis to balance the needs of patrons and the local community.

The City will aim to provide some space for pick up and drop off at facilities where possible. The kerbside treatment will depend on the type of activity in the centre, e.g. short stay parking for childcare; no parking for more general facilities.

Pay parking

It is recommended that ticket parking be installed where average parking occupancy is greater than 85% and average compliance is less than 80%. Recommended controls are contained in Table 3.

Type of Facility	Duration and ticket parking	Operating hours and days	Permit Holder Exemptions
Specialised sports	2P or 2P Ticket	Daytime	No
	Locally consistent	Evening	Yes
Hospital frontage	2P or 2P Ticket	Daytime	No
	4P Ticket	Evening	No
Small Parks	Locally consistent	Daytime	Yes
	Locally consistent	Evening	Yes
Regional Park	2P or 2P Ticket	Daytime	No
	4P Ticket	Evening	Yes
Place of public worship	Case by case	Daytime	No
	Locally consistent	Evening	Yes
Cultural Facilities	2P or 2P Ticket	Daytime	Site specific
	4P Ticket	Evening	

Table 3 – Guidelines for parking controls adjacent to community, recreational and cultural facilities

4. MANAGING COMPLIANCE

4.1 Monitoring and enforcement

Deterrence of non-compliant behaviour is a key element of any successful policy framework.

The City will perform routine ranger patrols to deter non-compliance with time restrictions. There will also be a particular focus on school zones, Mobility Parking Schemes, events and construction works and areas that are found to have high levels of non-compliance.

The City may also allocate enforcement resources in response to community feedback and requests.

Information on compliance and enforcement will be made available consistent with the City's obligations under the Government Information (Public Access) Act.

4.2 Responses to non-compliance

Where persistent non-compliance with parking controls undermines reasonable access to parking for residents, visitors and business, the City may increase enforcement, and if the non-compliance persists, consider introducing ticket parking.

The City will consider enforcement in the context of the full suite of interventions available, including changes to time restrictions and pricing, to implement a proportionate, cost effective response.

5 MOBILITY PARKING

5.1 Purpose

The purpose of Mobility Parking is to prioritise on-street parking for persons with a mobility disability, including temporary disability, who are dependent on car travel by a private vehicle to maintain their mobility and independence.

5.2 Mobility parking entitlements

Under the Mobility Parking Scheme administered by the NSW Government, a vehicle transporting a mobility permit scheme card holder is exempt from parking fees and time limits in any period parking space of more than 30 minutes. For parking spaces with time limits of 30 minutes a permit holder can park for 2 hours, and where parking is limited to less than 30 minutes, the vehicle can park for a maximum of 30 minutes.

5.3 On-street mobility parking spaces

Mobility parking spaces are clearly signposted. They are provided for the exclusive use of vehicles displaying a Mobility Parking Scheme permit.

Where possible, the City will locate and install dedicated mobility spaces or pickup and drop off zones so they are physically accessible for people with disabilities, e.g. with a kerb ramp.

Centres and facilities

Areas of kerbside to which a 'No Parking' sign applies can provide useful opportunities for pick up and drop off in busy areas. The Road Rules 2014 permit a driver of a vehicle to stop in a 'No Parking' zone for up to the time indicated on the sign or up to 2 minutes (and for up to 5 minutes for vehicles displaying a Mobility Permit), for the purpose of picking up or dropping off passengers or goods, as long as the driver does not leave the vehicle unattended.

Given that vehicles displaying a mobility permit are exempt from time limits in most spaces of more than 30 minutes, mobility parking spaces are appropriate only in limited locations. In considering requests for a mobility parking space, the City will consider:

- a) likely intensity of use by one or more mobility permit holders;
- b) availability of nearby on-street period parking; and
- c) availability of convenient and reasonable on-site alternatives.

The City's Inclusion (Disability) Action Plan provides the context for increasing the supply of dedicated Mobility Parking Spaces. Where possible the City will install spaces so they are accessible to users, for instance with a kerb ramp or adjacent to a driveway.

The City will consider time restrictions on mobility parking spaces in locations where it is important to maintain turnover, such as near medical centres.

Residential streets

The City of Sydney will consider establishing a mobility parking space outside an individual's home only where the resident holds an individual mobility permit issued to persons with a

permanent disability. The space is lawfully available to any vehicle correctly displaying and using a mobility permit and cannot be dedicated for the exclusive use of any particular vehicle.

6. ELECTRIC VEHICLE PARKING – TO ENABLE CHARGING

6.1 Purpose

The City supports the electrification of transport fleets to meet its Net Zero Emissions by 2035 goal as outlined in the City's Electrification of Transport in the City Strategy and Action Plan.

The City can allocate a limited number of kerbside spaces to accommodate public on-street charging that has minimal impact on the public domain. The City will not allocate parking for electric vehicles (EV) for any purpose other than charging.

6.2 Approach

The City will aim to provide any EV parking for public charging in areas with fewer public off-street charging opportunities, and/or where there are many residences without off-street parking

The City will consult with nearby residents and businesses on proposals for any on-street EV charging.

The City will include relevant fees and charges for installation and any ongoing use by charging operators of spaces in its annual Schedule of Fees and Charges established in accordance with the Local Government Act 1993.

7. BICYCLE PARKING – TO REDUCE FOOTPATH CLUTTER

7.1 Purpose

The City supports increased bicycle riding. Share bike schemes reduce private vehicle use, however they can result in footpath clutter due to share bikes parked on footpaths.

To reduce this clutter, the City may provide on-street space where necessary. The City will aim to provide any bicycle storage/parking in on-street locations that minimise the impact on other road users, including safety, movement or competition for kerbside use. One option is to allow share bikes to be stored in the departure side of intersections, areas typically signposted 'No Stopping' as part of standard intersection design. In many of these locations bicycles can be safely stored due to their smaller dimensions / limited impact on sightlines.

Where required, the City may supplement these storage areas with a small number of dedicated on-street bicycle parking spaces.

8 PARKING PERMITS

8.1 Purpose

Parking permits exempt holders from time limits and parking fees in spaces signposted 'permit holders exempt'.

The need for parking permits arises directly from the imposition of kerbside parking controls. Where vehicles are only permitted to park for a short length of time, such as one hour, permits are needed for a larger proportion of everyday activities, such as visits by friends, tradespeople, carers or customers. Conversely, where vehicles may park for a longer amount of time, many everyday activities can be completed without permits. For this reason, permits and parking restrictions will be coordinated.

8.2 Display and use of permits

A permit must be displayed on the left-hand side of the front windscreen or on the inside of a window on the left-hand side of the vehicle. It must be clearly visible to an authorised officer.

A permit is valid only where kerbside signposting includes the words 'Permit Holders Excepted'. The area identification number must correspond to the number on the permit.

8.3 Exclusion of some new developments and residential areas from permits

The intensification of urban land use within the City of Sydney, particularly Green Square urban renewal area, has significant implications for the road and public transport network. Traffic generation from new multi-unit commercial and residential developments can reduce the efficiency of the road network, affect the reliability of bus and light rail, and reduce the liveability of existing neighbourhoods.

In order to mitigate the congestion impact of major new developments and support the viability of public transport services, the City of Sydney limits both on-site parking supply and access to street parking. Access to street parking is limited by excluding some residential areas and residents of some new developments from participation in the City's permit parking scheme. This prevents parking demand associated with major new residential and commercial developments from spilling into existing neighbourhoods.

The City excludes from parking permit eligibility most types of multi-unit residential and commercial developments. The specific exclusions vary based on the time of development, recognising the changing boundaries and relevant planning controls in the City of Sydney since 1996, or specific conditions imposed prior to the adoption of this Policy. Information about the eligibility of individual existing properties is publicly available on the City's website.

Sections 10 to 15 of the Policy outline the specific eligibility exclusions by permit type.

New residential and commercial development forms are likely to arise as a result of NSW Government changes to planning to encourage more housing. Building types and/or definitions not mentioned in the Policy but that operate or are similar to the building types specifically excluded will be excluded. This will be confirmed as part of the planning approval process for any new development. The City will update this Policy as required to reflect any new development forms during policy reviews.

If a landowner believes that conditions have been incorrectly applied to development consents issued for a dwelling house, attached dwelling, multi-dwelling housing or shop-top dwelling an application can be made to amend those conditions.

8.4 Restricted properties

Premises which are restricted from participating in the permit parking scheme at the date of adoption of this policy will remain restricted.

A small number of properties in Ultimo and Pyrmont are classified as 'Restricted Properties', and are eligible for a maximum of one resident parking permit if they do not have on-site parking. Given the high density of dwellings in this location and the limited on-street parking, the City will maintain the one-permit restriction on these properties by classifying them as Zone A, as per Section 9.3

9 PARKING AREAS AND PARKING ZONES

The policy divides the City into a number of parking areas to ensure that permits are used to park near the household or business to which they were issued. These are shown at Figure 1. In order to accommodate variations in population density and parking pressures, parking areas are zoned as A or B.

9.1 Principles for parking areas

Parking area boundaries will be clear and easy to understand, generally following major built or natural features, such as arterial roads, railways and natural boundaries.

In order to reduce the proportion of residents inconvenienced by their proximity to an arbitrary boundary, the City will reduce the number of parking areas to the minimum necessary to maintain the integrity of the permit system. This will also assist those using visitor parking permits, who may not be familiar with a parking area's complex boundaries.

Detailed permit boundaries for all areas will be published on the City of Sydney's website.

9.2 Parking area boundary modifications

The Chief Executive Officer is authorised to make minor amendments to area boundaries.

9.3 Parking zones - Zone A and Zone B

The policy zones parking areas as either Zone A or Zone B (see Figure 2). Zone A applies to parking areas where the number of resident parking permits issued exceed the number of parking spaces in that parking area. All other areas are Zone B. (Section 8.4 documents the application of Zone A conditions to some restricted properties in Ultimo and Pyrmont.)

The City will monitor permit numbers issued relative to available parking spaces in each parking area. Where the number of resident parking permits exceeds the number of parking spaces, the City will assess the need to rezone an area from B to A.

Recommendations to rezone an area, from A to B or B to A, will be reported to Council, after public exhibition.



Figure 1. Parking areas

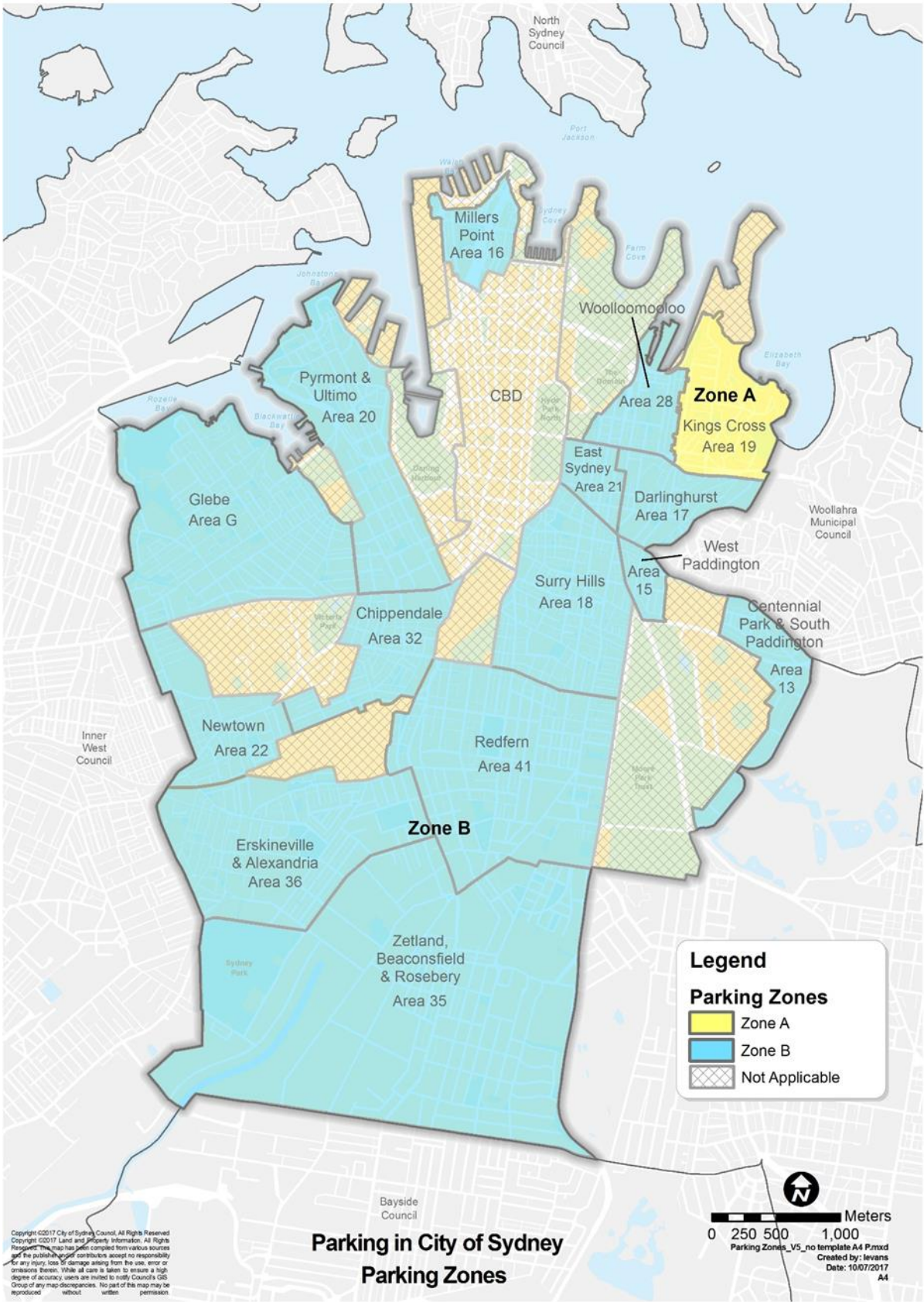


Figure 2. Parking zones

10. RESIDENT PARKING PERMITS

10.1. Purpose

Resident parking permits enable residents who do not have sufficient on-site parking to park on-street and avoid time limits and parking fees.

10.2. Eligibility

Residents in most households in the City of Sydney are eligible for resident parking permits. However, the following households or land use types are not eligible:

- a) A household which occupies a new or Converted Residential Flat Building or Boarding House approved since 8 May 1996 (former South Sydney) or 1 May 2000 (former Sydney City Council) or 12 May 2014 (all remaining areas of the City of Sydney).
- b) A household which occupies a Dwelling approved with the condition that no parking permits are to be issued.
- c) A household occupying a Secondary Dwelling on a lot for which parking permits are already issued.
- d) A household which occupies premises not approved for residential use.
- e) Hotels, backpacker hostels, guesthouses, Co-living Housing and Serviced Apartments.
- f) A household occupying any other non-residential premises.

The resident's vehicle must:

- a) be registered in the resident's name, or have the applicant listed on insurance as a driver if registered in another name. For residents with multiple properties the applicant must show proof that they reside for a minimum of six months a year at the eligible property address. If the applicant has access to a vehicle through an agreement with an employer the applicant must have full private use of the vehicle.
- b) not be a truck, bus, tram, trailer, tractor or any vehicle which exceeds 4.5 tonnes Gross Vehicle Mass or be longer than 7.5 metres

10.3 Quantity of permits

Parking permits are issued for vehicles registered to the address of an eligible household provided that the household does not have on-site parking available for that vehicle.

The number of permits a household is eligible for in each Zone is as follows:

Zone A

- a) A household in Zone A without any on-site parking spaces is eligible for up to one parking permit.
- b) Each room of an eligible and approved Boarding House will be treated as a separate Dwelling eligible for one resident parking permit.
- c) No permits will be issued to households with one or more on-site parking spaces.

Zone B

- a) A household in Zone B without any on-site parking spaces is eligible for two parking permits.

- b) Each room of an eligible and approved Boarding House will be treated as a separate Dwelling eligible for one resident parking permit.
- c) A household in Zone B with one on-site parking space is eligible for one parking permit for a second vehicle.
- d) No permits will be issued to households with two or more on-site parking spaces.

10.4. On-site parking

On-site parking is deemed to be available where it can meet Australian Standard 2890.1. In determining whether an on-site parking space exists, the City will have regard to:

- a) accessibility by a vehicle
- b) the presence of a garage door or roller door
- c) the existence of a vehicular kerb ramp
- d) the presence of a carport or garage structure
- e) evidence of use of the space for parking
- f) any approved or registered plans.

10.5. Temporary resident parking permits

In the circumstances described below, the City may issue a temporary resident parking permit.

Interim resident parking permit

The City may issue an interim resident parking permit if:

- an eligible applicant has moved to the City and their vehicle is registered interstate. The permit will be valid for 3 months. It is compulsory to change the vehicle registration details to a NSW address within 3 months of a move. Once the applicant's vehicle is registered to a City address, applicants will be eligible for a resident parking permit.

If an eligible applicant's vehicle has been damaged or stolen, the City will issue an interim resident parking permit for up to 3 months. Applicants will be required to provide documentary evidence in support of their claim and will be required to sign a statutory declaration in the presence of a Justice of the Peace.

Temporary construction work resident parking permit

If lawful construction work (including work under a development consent, complying development certificate or exempt development) renders the parking space at an eligible applicant's address temporarily inaccessible the City may issue a temporary construction work parking permit. A permit must not be used in order to enable the storage of materials in the on-site car space.

Temporary permits will be issued to a single nominated vehicle registered at the applicant's address, and may not be used by any other vehicle. The maximum duration of such permits is three months. Residents must provide proof of works being undertaken.

11 VISITOR PARKING PERMITS

11.1 Purpose

Visitor parking permits enable residents' visitors, including family members, friends, carers, General Practitioners and tradespersons to park on-street and avoid time limits and parking fees.

11.2 Eligibility

Residents in most households in the City of Sydney are eligible for visitor parking permits. The following households or dwelling types are not eligible:

- a) A household which occupies a residential flat building or boarding house, approved since 8 May 1996 (former South Sydney) 1 May 2000 (former Sydney City Council) or 12 May 2014 (City of Sydney).
- b) A household which occupies a dwelling approved with the condition that no parking permits are to be issued.
- c) A household with an on-site visitor parking space, including shared visitor parking spaces in multi-unit dwellings.
- d) A household occupying a secondary dwelling on a lot for which visitor parking permits are already issued.
- e) A household which occupies premises not approved for residential use.
- f) Hotels, backpacker hostels, guesthouses, tourist accommodation Co-living Housing and serviced apartments.
- g) Any other non-residential premises.

11.3 Quantity of permits

Visitor permits are one day scratch cards.

Each eligible household has an annual allocation of 50 visitor permits.

11.4 Validity

A permit is not valid for use on a caravan, bus, truck, trailer, or any vehicle which exceeds 4.5 tonnes Gross Vehicle Mass, except if a visitor permit is being used for removals to or from the address of the permit holder.

Visitor permits are single-use permits and are valid on the indicated date of use. The permit is valid only when the date of use has been clearly and correctly indicated. Visitor permits will be issued with a minimum of 12 months validity.

12 VISITOR PARKING PERMITS - TRADESPERSONS

12.1 Purpose

Tradespersons Parking Permits enable tradespersons to carry out maintenance and improvement work for City residents to park on-street and avoid time limits. This reduces job costs and local traffic movements. They may be used in addition to, or instead of, one-day Visitor Parking Permits.

12.2 Eligibility

Tradespersons Parking Permits may be issued to residents who:

- a) require alterations, additions, minor maintenance and improvement work to be undertaken at their place of residence
- b) provide proof of residency
- c) provide a quote or contract which sets out the address of the place where the work will be carried out, the nature of the works, and the duration of works.

Most households are eligible for Tradespersons Parking Permits.

The following households or dwelling types are not eligible:

- a) A household which occupies a new or Converted Residential Flat Building or Boarding House approved since 8 May 1996 (former South Sydney) or 1 May 2000 (former Sydney City Council) or 12 May 2014 (all remaining areas of the City of Sydney).
- b) A household which occupies a Dwelling approved with the condition that no parking permits are to be issued.
- c) A household occupying a Secondary Dwelling on a lot for which parking permits are already issued.
- d) A household which occupies premises not approved for residential use.
- e) Hotels, backpacker hostels, guesthouses, Co-living Housing and Serviced Apartments.
- f) A household occupying any other non-residential premises.

12.3 Quantity of permits

Eligible households may obtain up to six one-week permits each calendar year.

12.4 Validity

A permit is not valid for use on a caravan, bus, truck, trailer, or any vehicle which exceeds 4.5 tonnes Gross Vehicle Mass. Permits are valid for one week. The date of validity and the resident's address will be displayed on the permit.

13 BUSINESS PARKING PERMITS

13.1 Purpose

A business parking permit may be issued to a business located within the City of Sydney LGA that requires a vehicle for the carriage of goods or equipment. The purpose of this permit is to exempt a business vehicle from time limits and parking fees in spaces signposted 'permit holders exempt'.

Given the very high competition for on-street parking and the need to maintain parking turnover for retail customers, visitors and residents, business permits are issued only for vehicles registered in the name of the business as being for business use, and used in its routine daily operation to carry goods and equipment.

13.2 Eligibility

Occupants of new multi-suite commercial premises approved on or after 12 May 2014 are excluded from participation in the permit parking scheme. A business parking permit may be issued to an applicant who:

- a) has a business located within the City of Sydney Local Government Area
- b) requires an eligible vehicle for routine transport of goods or equipment in the day to day operation of a registered business
- c) is an employee or principal of a registered business operating from premises which have development consent for business use and which have not been excluded from participation in the permit parking scheme by a condition of development consent
- d) has no on-site parking dedicated to the business; and
- e) cannot reasonably modify the premises to provide on-site parking.

To be eligible for a business parking permit, the vehicle must:

- a) be registered in the name of the business, or a principal of the business
- b) be registered for business use
- c) be used for the purposes of carrying goods and equipment
- d) not be a truck, bus, tram, caravan trailer or tractor or any vehicle which exceeds 4.5 tonnes Gross Vehicle Mass or longer than 7.5 metres.

13.3 Quantity of permits

A business is eligible for one parking permit. Where more than one business occupies a single business premises, no more than one permit will be issued to each registered lot on a first-in first-served basis.

13.4 Conditions of use

Permits are only to be used for the carriage of goods and equipment. They are not to be used on vehicles primarily used for staff travel, attendance at business appointments, or commuting to a place of employment or business.

14 SUPPORT WORKER PARKING PERMITS

14.1 Purpose

A support worker parking permit exempts a support worker's or service provider's vehicle from time limits and parking fees while the support worker or service provider is providing in-home support.

The permit is issued to the service provider rather than the recipient of the in-home support. This facilitates more efficient access for the service provider and avoids placing application requirements on residents.

14.2 Eligibility

A permit may be issued to a service provider who:

- a) provides in-home support services
- b) conducts, or expects to conduct, more than 60 home visits per year to residents in the City of Sydney and partnering Council areas.¹

To be eligible for a permit the vehicle must:

- a) be registered in the name of the service provider. If the vehicle is in a private name, the service provider must supply a letter explaining that the permit will be used for the purpose of providing in-home support only.
- b) be under 4.5 tonnes and less than 7.5 metres, unless such vehicle is necessary for the support service provided.

14.3 Quantity of permits

There is no limit to the number of Support Worker Parking Permits that may be issued to service providers who employ support workers. Individuals that operate as a service provider will be issued with one permit.

14.4 Conditions of use

The permit may only be used by a support worker or service provider for the purposes of providing in-home support.

If the permit is no longer in use by the service provider or is not expected to be used for a period of three (3) months or more, the permit must be returned to Council.

14.5 Validity

Permits will be valid for one year from date of issue.

14.6 Plan of management

Service providers who purchase multiple permits for support workers are required to provide a Plan of Management at the time of application to prevent the misuse of the permits. This

¹ In 2015 the City signed a Memorandum of Understanding with then Marrickville and Leichhardt Councils whereby the three Councils agreed to issue a Support Worker permit that would be accepted in all three council areas. The City undertook to administer the scheme. This expanded scheme now includes all of the Inner West Council area, and Randwick City Council.

requires the support provider to demonstrate potential risks for misuse and control measures if appropriate.

15 CARERS' PARKING PERMITS

15.1 Purpose

A carers' parking permit exempts a vehicle used by a carer visiting a resident from time limits and parking meter fees where while the carer is providing in-home care.

The permit is issued to the resident rather than the carer. This enables residents to receive care visits from multiple carers who are not eligible for the support workers parking permit.

15.2 Eligibility

A carers' parking permit may be issued to a resident who:

- a) has a letter from a service provider or health professional setting out the resident's need for in-home care.

The following households or dwelling types are not eligible:

- a) A household which occupies a residential flat building, approved since 8 May 1996 (former South Sydney), 1 May 2000 (former Sydney City Council) or 12 May 2014 (all remaining areas of the City of Sydney).
- b) A household which occupies a dwelling approved with the condition that no parking permits are to be issued.
- c) A household with an on-site visitor parking space, including shared visitor parking spaces in multi-unit dwellings.
- d) A household which occupies premises not approved for residential use.
- e) Hotels, backpacker hostels, guesthouses, tourist accommodation, Co-Living Housing and serviced apartments.
- f) Any other non-residential premises.

15.3 Conditions of Use

Eligible residents are entitled to one (1) transferable permit per household. The permit may only be used for the purposes of providing in-home care. The permit must be returned to the resident once the visit has ended.

The permits may only be used by Carers providing care who meet the definition of Carers as set out in the Carers (Recognition) Act 2010.

16 PREVENTION OF FRAUD AND MISUSE

16.1 Background

As a result of the high value of parking space, permit schemes are vulnerable to the misuse, theft and forgery of permits. This creates a risk of long-stay parking in residential areas, which occupies parking space otherwise intended for genuine customers, visitors and business users.

16.2 Action

The City will take action against misuse of permits. In the case of demonstrated fraud, improper resale or misuse of permits by a resident, business, visitors or care workers, the City may revoke eligibility for the offending individual, business, address or organisation, for a period of up to two years.

In instances where misuse of permits is reasonably suspected, the City will give permit-holders the opportunity to show cause as to why the permit should not be revoked. Permits will not be arbitrarily or unreasonably revoked.

In cases of suspected falsification, duplication or theft of permits, the City will refer the matter to the NSW Police for investigation.

16.3 Record of on-site parking

To address non-disclosure of on-site parking, the City will maintain a record of on-site parking supply at each residential or business address eligible to participate in the permit parking scheme.

Records will be based on information provided by applicants, development assessment documents, and street-based site inspections. Records will be made available to applicants to ensure the opportunity is provided to correct errors.

16.4 Information on permits

In the case of a resident or business parking permit, the permit will display the vehicle registration in order to prevent theft or improper transfer.

17 TRANSITIONAL ARRANGEMENTS

Transitional arrangements will minimise disruption or hardship by ensuring that existing permits of a type that is not consistent with this policy are honoured until Council determines otherwise.

17.1 Resident permits

In Zone A, a permit holder will be permitted to renew a second resident parking permit that was valid at the date of adoption of this policy on 12 May 2014. The permit may be renewed or transferred to a replacement vehicle only at the same address.

In Zone A, a permit holder with one on-site parking space, will be permitted to renew a first permit that is valid at the date of the adoption of this policy. The permit may be renewed or transferred to a replacement vehicle only at the same address.

Permits will not be renewed in cases where they have been obtained by the non-disclosure or inaccurate declaration of on-site parking spaces.

18 IMPLEMENTATION AND ADMINISTRATION

18.1 Neighbourhood Parking Policy Reviews

Where necessary to address emerging issues, the City will assess the consistency of parking controls with the Policy, and ensure the maximum amount of kerb is available for productive uses. This will include developing an implementation plan for each reviewed area setting out actions and timelines to address issues identified. Any changes will be subject to the engagement framework outlined in this Policy.

18.2 Hardship

Consistent with the Schedule of Fees and Charges, the City may waive the fees and charges applying to permits only in cases where their application would impose unreasonable financial hardship.

18.3 Enforcement

Enforcement of parking controls is the responsibility of City Operations.

Responsibilities

The City Access and Transport team at the City of Sydney will monitor and review this Policy.

The Traffic Operations team at the City of Sydney will manage kerbside restrictions in response to the Policy.

Rangers from the City of Sydney will enforce parking controls.

The Parking Operations team at the City of Sydney will manage the City's pay parking schemes.

The Customer Services team at the City of Sydney will issue permits outlined in the Policy.

Consultation

All relevant operational and policy units at the City of Sydney contributed to this Policy review, including Traffic Operations, Parking Services, Rangers, Customer Service, Legal & Governance and CityLife.

The review reflects representations made to Council in the 2017-18 policy review, and ongoing representations from residents and businesses on many issues since then.

The review is informed by the intensive community consultation the City undertook as part of the development of Sustainable Sydney 2030-2050 – Continuing the Vision.

References

Laws and Standards

- NSW Road Transport (General) Regulation 2021
- NSW Permit Parking Guidelines, Transport for NSW, 2021

Laws and Standards
Carers (Recognition) Act 2010
Government Information (Public Access) Act 2009
Policies and Procedures
Car Sharing Policy
Central Sydney On-Street Parking Policy
City Access Strategy and Action Plan – Continuing the Vision

Review period

This policy will be reviewed every 3 years.

Approval Status

The Council approved this policy on [DD MONTH YYYY].

Approval History

Stage	Date	Comment	TRIM Reference
Original Policy	12 May 2014	Approved by Council	2013/311119
Reviewed	14 May 2018	Full review. Update guidelines for kerbside controls. Increase number of visitor permits available. Introduce tradespersons parking permit. Broaden vehicle eligibility criteria for business parking permits.	2018/329434
Commence Review Date	14 August 2021		
Approval Due Date	xxxx		

Ownership and approval

Responsibility	Role
Author	Manager, Transport Policy
Owner	Chief Operations Officer

Responsibility	Role
Endorser	City of Sydney Executive
Approver	City of Sydney Council

Attachment B

**Draft Neighbourhood On-Street Parking
Policy (tracked changes version)**

Neighbourhood Parking Policy

Neighbourhood On-Street Parking Policy

Purpose

The City of Sydney’s Neighbourhood On-Street Parking Policy (“The Policy”) establishes a range of parking controls and permits to guide the management of on-street parking across our diverse neighbourhoods. Parking is a key component of the access system that supports the City’s transport, economic, social and environmental outcomes, which are outlined in Sustainable Sydney 2030-2050 – Continuing the Vision and the Community Strategic Plan.

Private vehicles are an important part of the City of Sydney’s (“the City’s”) transport mix, catering for many journeys that cannot be easily or economically made by other, more space efficient and sustainable modes. Where these trips take place in the constrained environment of the City’s neighbourhoods, there is inevitable competition for on-street parking space. In some locations, there will also be demand for spaces for loading, mobility parking, car share and taxis. The City, alongside other roads authorities, recognises its obligation to manage parking demand and change fairly and transparently, to meet agreed outcomes.

The City’s Neighbourhood Parking Policy establishes a range of parking controls and permits to guide the management of parking across our diverse neighbourhoods to meet the City of Sydney’s (the ‘City’s’) transport, economic, social and environmental objectives.

Private vehicles are an important part of the City’s transport mix, catering for many journeys that cannot be easily or economically made by alternative modes. Where these trips take place in the constrained environment of the City’s neighbourhoods, there is inevitable competition for on-street parking space.

The City, alongside other roads authorities, recognises its obligation to manage parking demand fairly and transparently.

Scope

The Policy applies to all on-street parking areas within the authority of the City of Sydney, except Central-central Sydney (Figure 1 in Section 9 shows the area this policy applies to-). Central Sydney is governed by the Central Sydney On-Street Parking Policy.

Definitions

Term	Meaning
Attached Dwelling	means a building containing 3 or more dwellings, where:

Term	Meaning
	(a) each dwelling is attached to another dwelling by a common wall, and (b) each of the dwellings is on its own lot of land, and (c) none of the dwellings is located above any part of another dwelling.
Boarding House	means a building <u>or place that</u>: [(a) that provides residents with a principal place of residence for at least 3 months; and (b) That contains shared facilities, such as communal living room, bathroom, kitchen or laundry; and (c) That contains rooms, some or all of which may have private kitchen and bathroom facilities; and (d) Used to provide affordable housing; and (e) If not carried out by or on behalf of the Land and Housing Corporation – managed by a registered community housing provider a) is wholly or partly let in lodgings, and (b) provides lodgers with a principal place of residence for 3 months or more, and (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers, but does not include backpackers' accommodation, <u>co-living</u>, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.
Business Premises	means a building or place at or on which: (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or (b) a service is provided directly to members of the public on a regular basis, -aAnd includes a funeral home, <u>goods repair and reuse premises</u>, and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.
Carer	As defined by the Carers (Recognition) Act 2010: A carer is an individual who provides <u>on-going</u> personal care, support and assistance to another individual who needs it because that other individual has a disability, or has a medical condition (including a terminal or chronic illness), or has a mental illness, or is frail and aged.

Term	Meaning
	An individual is not a carer if they provide care, support and assistance under a contract of service, or through the course of voluntary work for a charitable, welfare or community organisation, or as part of a course of education or training. To avoid doubt, an individual is not a carer merely because they live with an individual that requires care or they are a spouse, de facto partner, parent, child, guardian or other relative.
<u>Co-living Housing</u>	<u>Means a building or place that:</u> <u>(a) Has at least 6 private rooms, some or all of which may have private kitchen and bathroom facilities; and</u> <u>(b) Provides occupants with a principal place of residence for at least 3 months, and</u> <u>(c) Has shared facilities, such as communal living room, bathroom, kitchen or laundry, maintained by a managing agent, who provides management services 24 hours a day,</u> <u>But does not include backpackers' accommodation, a boarding house, a group home, hotel or motel accommodation, seniors housing or a serviced apartment</u>
Commercial Premises	means any of the following: (a) Business premises (b) Office premises (c) <u>R</u>etail premises
Community Facility	means a building or place: (a) owned or controlled by a public authority or non-profit community organisation; and (b) used for the physical, social, cultural or intellectual development or welfare of the community, but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation
Converted Residential Flat Building	means a residential flat building created by the alteration or reconstruction of a formerly commercial, industrial or otherwise non-residential building
Dual Occupancy	means a dual occupancy (attached) or a dual occupancy (detached)
Dual Occupancy (attached)	means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling
Dual Occupancy (detached)	means 2 detached dwellings on one lot of land, but does not include a secondary dwelling
Dwelling	means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile
Dwelling House	means a building containing only one dwelling

Term	Meaning
Full Private use	means vehicle not registered to a resident but for which the resident can provide sufficient documentary evidence to support that they are exclusively entitled to use the vehicle
Health Professional	means <u>any person registered under an Act for the purpose of providing health care, trained professionals</u> including doctors, nurses, chiropractors, occupational therapists, optometrists, osteopaths, pharmacists, physiotherapists, podiatrists and psychologists who assist manage physical or mental health through services that include diagnosis, treatment or rehabilitation
In-home Support	means support provided in the home by a support worker or health professional
Major Refurbishment	means alterations to a residential flat building such that it cannot be occupied for a period of at least six months
Mobility Parking Space	a length or area of road identified with a road marking or sign containing the symbol for people with disabilities
Modification	Means includes extension of a dwelling, construction of a secondary dwelling or permanent conversion of a parking space to outdoor uses
Multi Dwelling Housing	means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building
<u>Multi-suite Commercial Premise</u>	<u>a commercial building that is strata-subdivided, or which can be divided into five or more separate business, office or retail premises</u>
Parklet	a structure (not including a vehicle) that can be placed in a parking space to create additional public space for use by businesses, residents and passers-by
Place of Public Worship	means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training
Residential Flat Building	means a building containing 3 or more dwellings, but does not include an Attached Dwelling, <u>Co-living Housing</u> or Multi Dwelling Housing
Secondary Dwelling	means a self-contained dwelling that: (a) is established in conjunction with another dwelling (the principal dwelling), and (b) is on the same lot of land as the principal dwelling, and (c) is located within, or is attached to, or is separate from, the principal dwelling
Semi-Detached Dwelling	means a dwelling that is on its own lot of land and is attached to only one other dwelling

Term	Meaning
Service Provider	means an organisation or health professional approved by a relevant professional or government body to provide in-home support to residents
Support Worker	means an employee of a service provider who provides in-home support to a resident
Serviced Apartment	means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents
Shop Top Dwelling	means dwellings located above ground floor retail premises or business premises, where the number of dwellings does not exceed three

Policy Statement

BACKGROUND

1.1. Meeting the City's objectives

The Sustainable Sydney 2030–2050 strategy consists of two primary documents – Sustainable Sydney 2030–2050 Continuing the Vision ('Sustainable Sydney 2030–2050') and the Community Strategic Plan Delivering Sustainable Sydney 2030–2050 (the 'Community Strategic Plan'). A key Direction is to create a City for walking, cycling and public transport, and the Access Strategy and Action Plan – Continuing the Vision provide more detail on the key approaches to achieving this. The City's plans recognise the other demands for kerbside space on our streets.

The City recognises that there is a strong nexus between parking provision and traffic generation. The City's planning instruments and policies contain parking controls and sustainability incentives for new developments, including measures to limit vehicle congestion associated with the expected the significant population and employment increases arising from NSW Government and city planning and housing strategies. of some 115,000 residents by 2036. The City Plan is complemented by the City's transport policy, Connecting our City. These policies respond to the overarching vision in Sustainable Sydney 2030.

The Neighbourhood On-Street Parking Policy is intended to balance sustainability the City's economic, social and environmental objectives with the fair and consistent management of kerbside parking.

1.2. Regulatory framework

The City of Sydney is the roads authority for all public roads within the area, other than any freeway or Crown road, and any public road for which some other public authority is declared to be the roads authority (under section 7 of the Roads Act 1993). The City of Sydney manages local roads and kerbside parking under the authority delegated to it by the NSW Government.

The management of parking controls and enforcement is governed by NSW legislation, regulations and guidelines. This policy applies that regulatory framework.

The administration of parking permits by the City of Sydney is guided by the Permit Parking Guidelines issued by ~~NSW Roads and Maritime Services~~the NSW Government. The Guidelines provide advice on permit types, eligibility criteria and some mandatory features of a permit parking system.

2. PRINCIPLES FOR PARKING MANAGEMENT

The City has four main mechanisms it can employ to manage street parking:

1. the duration of time people can park their vehicles
2. setting the hours of operation and days that time limits apply
3. setting kerbside parking fees at a price that reflects the amount parking spaces available and the demand for them
4. issuing permits to certain people to enable them to avoid time limits and parking prices.

When applying these mechanisms the City will uphold the principles set out below in order to maintain a fair and credible parking system.

2.1. Competing needs for kerbside space

There are increasing demands and community support for allocating kerbside lanes for uses other than parking. These uses include footpath widening and pedestrian crossings, tree planting, outdoor dining and cycleways.

To help limit the impact of these programs, the City will always seek to maximise the amount of kerb that can be used productively, including for parking.

The City will use the Policy to manage parking demand in locations with reduced parking supply, due to any City programs that repurpose kerbside space for other uses.

2.2. Public access

Use of parking controls that recognise that streets are public spaces, open to all people, and are to be managed in the public interest.

2.3. Liveability

In order to protect and improve the liveability of neighbourhoods for a diverse population and encourage increased use of public transport, walking and cycling, the City will prioritise use of parking space for residents, businesses and their visitors and customers. Maintaining this priority requires that commuter parking on-street in residential neighbourhoods and commercial areas be actively discouraged.

As dedicated motorcycle parking zones increase the number of arrivals and departures from a space due to a higher concentration of vehicles the City will seek to locate these zones in such a way as to minimise noise impacts on residents.

2.4. Fair use of pricing

The City of Sydney may use on-street pay parking to encourage turnover, improve compliance, and increase the efficiency and sustainability of the transport network. Parking permits do not guarantee access to a parking space. All permit fees and charges will be reviewed annually, and exhibited in the draft Corporate Plan, as required by the Local Government Act 1993. Section 3 discusses pricing in more detail.

2.5. Compliance

The City will perform routine ranger patrols to provide a background level of deterrence to maximise compliance with time restrictions. It will use a proportionate response when targeting enforcement at areas with significant non-compliance, and specific places and activities, including school zones, Mobility Parking Schemes, events and construction works.

2.6. Clarity

Parking controls and parking areas will be clearly signposted, and where possible, parking controls will be simple and locally consistent in order to minimise the risk of unintentional breaches. The City will notify the community of any impending changes to reduce the risk of inadvertent non-compliance.

2.7. Non-discrimination

The City of Sydney will manage parking and parking permit schemes in the interests of all residents and businesses, regardless of their form of land title, or tenure as owners or renters.

2.8. Consistency

~~Where possible the~~The City will endeavour to apply the policy consistently across all parking areas. ~~At times~~Where necessary, the City may adopt variations from the usually adopted parking restrictions in order to respond to local conditions.

2.9. Consultation

Given the strong community interest in kerbside parking management, the City will ensure that local residents have an opportunity to comment on proposed changes.

The community will be consulted on proposed changes that modify controls, time limits applying to legal parking spaces or the introduction of parking meters. Where changes to signage are required for safety or regulatory compliance, the City will notify the nearby community of the change.

Proposals for significant parking changes will be assessed for technical compliance by the Pedestrian, Cycling and Traffic Calming Committee, and then reported to Council for a decision.

2.10 Fair use of technology

The City incorporates technology into its operations where this brings value for money and efficiencies, and where it aligns with legislative obligations and best practice administration. The City will design its systems to implement this Policy. It will ensure that people without ready access to technology are not disadvantaged.

3. TIME LIMITS AND PRICING

The City will apply duration of parking, hours and days of operation and parking fees at the scale that best reflects the parking catchments of different land uses. While this scale will usually be smaller than individual suburbs or parking areas, the City will avoid street by street parking changes that move, rather than resolve, parking problems.

3.1. Residential areas

Duration of parking and hours and days of operation

In recognition of the limited off-street private parking in most of the cCity, on-street parking space in residential streets is prioritised for residents and their visitors.

The City also provides dedicated on-street spaces for authorised car share vehicles to enable households to share vehicles, reduce household expenditure on transport, and use on-street parking spaces more efficiently. The management of car share spaces is governed by the City's Car Sharinge Policy.

Parking controls in residential areas aim to balance the long-stay parking needs of permit-holding households with the need of all households to use street-kerbside space for accommodating visitors including family, general practitioners, carers and tradespeople. Two-hour parking controls are best placed to achieve this balance because they allow reasonable access for short visits without the need for permits and are able to be effectively monitored by rangers.

Unrestricted parking

The City of Sydney area has lengths of kerb where there are no current restrictions. This "unrestricted parking" has not yet been restricted for some other purpose. Individuals who legally park vehicles there (or store boats and trailers) can do so for up to 28 days under NSW legislation. This means that individual benefits can be high, as no permits or fees are required. Consequentially, the community benefit from turnover of spaces is usually very low.

Over time, as the City of Sydney area grows with more homes and jobs, demand for parking and other kerbside uses will increase further. There is likely to be less unrestricted parking, as the City assigns it to other higher value purposes. This could be by introducing limits with or without permit exceptions, car sharing, electric vehicle charging, or non-parking uses such as cycleways or tree planting.

Where it is clear that the absence of restrictions is contributing to issues such as long term boat storage or long-stay vehicle storage for airport passengers, the City will consider introducing targeted restrictions that make streets less desirable for these purposes. This approach will often introduce a short period of restrictions across a week.

Pay parking

Pay or ticket parking is avoided where possible in residential areas, and where it is installed resident permit holders are exempt from parking fees by including "permit holders excepted" on the signage. However, in situations where the occupancy of parking spaces is high, and non-

compliance with time limits is high, ticket parking significantly increases the amount of spaces available for residents by increasing the efficiency and effectiveness of enforcement. This is because a ranger can determine with a single visit if a vehicle has exceeded the time limit.

It is recommended that 2P ticket parking be installed where average parking occupancy is greater than 85% and significant non-compliance persists despite increased enforcement. Prices in residential areas will be set at a level sufficient only to ensure that compliance with time limits can be efficiently monitored.

Section 4 provides more detail about where pay parking may be used.

Recommended controls are contained in Table 1. At times Where necessary, the City may adopt different parking restrictions to respond to local conditions, such as land use intensity or closeness to major facilities.

Neighbourhood Characteristics	Examples	Duration and ticket parking	Operating hours and days
Areas with average 75% parking occupancy during weekdays	Rosebery, Waterloo	2P	8am-8pm Mon-Fri
Areas with average 75% parking occupancy on weekdays and weeknights	Glebe	2P	8am-10pm Mon-Fri
Areas with average 75% parking occupancy on weekdays, weeknights and weekends	Newtown, Erskineville	2P	8am-10pm 7 days
Areas with average 85% parking occupancy and significant non-compliance on weekdays, weeknights and weekends	Surry Hills, East Sydney, Green Square urban renewal centre	2P ticket	8am-10pm 7 days

<u>Neighbourhood Characteristics</u>	<u>Duration and ticket parking</u>	<u>Operating hours and days</u>
<u>Areas with average 75% parking occupancy during weekdays</u>	<u>2P</u>	<u>8am-8pm Mon-Fri</u>
<u>Areas with average 75% parking occupancy on weekdays and weeknights</u>	<u>2P</u>	<u>8am-10pm Mon-Fri</u>

<u>Areas with average 75% parking occupancy on weekdays, weeknights and weekends</u>	<u>2P</u>	<u>8am-10pm 7 days</u>
<u>Areas with average 85% parking occupancy and significant non-compliance on weekdays, weeknights and weekends</u>	<u>2P ticket</u>	<u>8am-10pm 7 days</u>

Table 1 – Recommended parking controls in residential areas

3.2 Commercial and mixed-use areas

In commercial and retail streets, the City will prioritise parking controls that are consistent with the viability and efficient operation of local business and encourage the use of **active travel**walking, cycling and public transport. This will include consideration of provision for loading zones, bus zones, drop-off and pick up spaces, mobility parking spaces, short stay (such as 15 minute) parking, taxi zones and bike parking. The City will also provide dedicated on-street spaces for authorised car share vehicles to use on-street parking spaces more efficiently and reduce business costs by enabling businesses access to a variety of shared vehicles.

Parklets can allow a different use of road and kerb space, to encourage economic development in centres. The City will continue to monitor developments in this sector, also considering other frameworks such as those for high pedestrian activity areas, public domain and the City's Outdoor Dining Guidelines~~outdoor dining~~. Under current arrangements, all proposals for parklets will need to comply with existing road transport legislation, and road safety audit processes. Fixed structure parklets (such as modified containers) can potentially be placed on roads as “structures”, subject to approval by the City under existing processes. There is currently no permit type that can exempt a vehicle from parking restrictions, so any vehicles operating as a parklet of this type would need to be placed in areas where there are no restrictions, or comply with parking restrictions.

Duration of parking and hours and days of operation

Parking controls in and around mixed use or retail facilities will encourage turnover that is consistent with the local business mix and expected duration of stay by customers, typically ticketed 2P. Where cafes and restaurants form a significant local land use, the City will install minimum daytime controls of 2P (from 8am), and evening (after 6pm) controls of 4P. Daytime 1P controls and evening 2P controls may be used in exceptional cases where local businesses rely on rapid turnover of parking.

Pay parking

Given the increasingly strong competition for parking in the City's commercial and mixed-use areas, and the high value of kerb space, it is recommended that pay parking be installed on streets adjoining commercial and mixed use premises (including adjacent streets where appropriate).

Prices will be set at a level consistent with adequate turnover for local business.

In order to accommodate short stays, the City has implemented an appropriate amount of 15 minute free parking in ticketed areas on key retail streets.~~In order to accommodate short trips and minor purchases, the trial of 15 minute free parking will be continued in ticketed areas on key retail streets. The City will monitor the impacts and benefits.~~

Recommended controls are contained in Table 2.

Predominant use	Examples	Duration and ticket parking	Operating hours and days
Cafés, restaurants, boutique retail	Crown St, Surry Hills King St, Newtown Victoria St, Darlinghurst Glebe Point Rd, Glebe	2P Ticket 4P Ticket	8am-6pm 7 days 6pm-10pm 7 days
Mixed business, grocery, newsagent, other retail	Redfern St, Redfern Green Square Town Centre	1P Ticket or 2P Ticket 2P Ticket or 4P Ticket	8am-6pm 7 days 6pm-10pm 7 days
Showrooms, warehouses, offices	Mary St, Surry Hills Foster St, Surry Hills William St, Darlinghurst	2P Ticket 4P Ticket	8am-6pm 7 days 6pm-10pm 7 days

<u>Predominant use</u>	<u>Duration and ticket parking</u>	<u>Operating hours and days</u>
<u>Cafés, restaurants, boutique retail</u>	<u>2P Ticket</u> <u>4P Ticket</u>	<u>8am-6pm 7 days</u> <u>6pm-10pm 7 days</u>
<u>Mixed business, grocery, newsagent, other retail</u>	<u>1P Ticket or</u> <u>2P Ticket</u> <u>2P Ticket or</u> <u>4P Ticket</u>	<u>8am-6pm 7 days</u> <u>6pm-10pm 7 days</u>

<u>Predominant use</u>	<u>Duration and ticket parking</u>	<u>Operating hours and days</u>
<u>Showrooms, warehouses, offices</u>	<u>2P Ticket</u> <u>4P Ticket</u>	<u>8am-6pm 7 days</u> <u>6pm-10pm 7 days</u>

Table 2 – Guidelines for parking controls in commercial and mixed-use areas

3.3 Community, recreational and cultural facilities

Duration of parking and hours and days of operation

Parking controls adjacent to community, recreational, social and cultural facilities, including parkland, should allow for turnover that is consistent with their desired use. The City will increase the number of mobility parking spaces and provide dedicated on-street car share spaces adjacent to community, recreational, social and cultural facilities to increase social inclusion.

Regional parks and sporting facilities should have a minimum parking restriction of 2P on weekdays and 4P on weekends and holidays and an appropriate level of mobility parking spaces. This allows for access for those enjoying organised sports, picnics and casual recreation.

Parking controls adjacent to community, sporting and cultural facilities should generally not exempt permit holders during operating hours. This ensures all-day parking does not obstruct short-term access by a broad cross-section of the community. However, the City can consider providing targeted permit exemptions where necessary, such as exemptions for Support Workers so they can access a pool where regular sessions there are part of supporting a client.

Some community or recreational facilities, including parks, have small street frontages. In these circumstances, if period parking controls are used, they should be consistent with surrounding streets to minimise the potential for inadvertent non-compliance.

Time limits near cultural facilities will be reviewed on an as-needs basis to balance the needs of patrons and the local community.

The City will aim to provide some space for pick up and drop off at facilities where possible. The kerbside treatment will depend on the type of activity in the centre, e.g. short stay parking for childcare; no parking for more general facilities.

Pay parking

It is recommended that ticket parking be installed where average parking occupancy is greater than 85% and average compliance is less than 80%. Recommended controls are contained in Table 3.

Type of Facility	Examples	Duration and ticket parking	Operating hours and days	Permit Holder Exemptions
Specialised sports	Redfern Park Aquatic Centres	2P or 2P Ticket Locally consistent	Daytime Evening	No Yes
Hospital frontage	Victoria St, Darlinghurst	2P or 2P Ticket 4P Ticket	Daytime Evening	No No
Small Parks	Ward Park, Surry Hills	Locally consistent Locally consistent	Daytime Evening	Yes Yes
Regional Park	Pirrama Park, Pyrmont Centennial Park	2P or 2P Ticket 4P Ticket	Daytime Evening	No Yes
Place of public worship	St Canices, Rushcutters Bay Newtown Synagogue	Case by case Locally consistent	Daytime Evening	No Yes
Cultural Facilities	Belvoir Street Theatre	2P or 2P Ticket 4P Ticket	Daytime Evening	Site specific

<u>Type of Facility</u>	<u>Duration and ticket parking</u>	<u>Operating hours and days</u>	<u>Permit Holder Exemption</u> <u>s</u>
<u>Specialised sports</u>	<u>2P or 2P Ticket</u> <u>Locally consistent</u>	<u>Daytime</u> <u>Evening</u>	<u>No</u> <u>Yes</u>
<u>Hospital frontage</u>	<u>2P or 2P Ticket</u> <u>4P Ticket</u>	<u>Daytime</u> <u>Evening</u>	<u>No</u> <u>No</u>
<u>Small Parks</u>	<u>Locally consistent</u> <u>Locally consistent</u>	<u>Daytime</u> <u>Evening</u>	<u>Yes</u> <u>Yes</u>

<u>Type of Facility</u>	<u>Duration and ticket parking</u>	<u>Operating hours and days</u>	<u>Permit Holder Exemptions</u>
<u>Regional Park</u>	<u>2P or 2P Ticket</u>	<u>Daytime</u>	<u>No</u>
	<u>4P Ticket</u>	<u>Evening</u>	<u>Yes</u>
<u>Place of public worship</u>	<u>Case by case</u>	<u>Daytime</u>	<u>No</u>
	<u>Locally consistent</u>	<u>Evening</u>	<u>Yes</u>
<u>Cultural Facilities</u>	<u>2P or 2P Ticket</u>	<u>Daytime</u>	<u>Site specific</u>
	<u>4P Ticket</u>	<u>Evening</u>	

Table 3 – Guidelines for parking controls adjacent to community, recreational and cultural facilities

4. MANAGING COMPLIANCE

4.1 Monitoring and enforcement

Deterrence of non-compliant behaviour is a key element of any successful policy framework.

The City will perform routine ranger patrols to deter non-compliance with time restrictions. There will also be a particular focus on school zones, Mobility Parking Schemes, events and construction works and areas that are found to have high levels of non-compliance.

The City may also allocate enforcement resources in response to community feedback and requests.

Information on compliance and enforcement will be made available consistent with the City's obligations under the Government Information (Public Access) Act.

4.2 Responses to non-compliance

Where persistent non-compliance with parking controls undermines reasonable access to parking for residents, visitors and business, the City may increase enforcement, and if the non-compliance persists, consider introducing ticket parking.

The City will consider enforcement in the context of the full suite of interventions available, including changes to time restrictions and pricing, to implement a proportionate, cost effective response.

~~Sections 2.7 and 3 discuss consultation and ticket parking prices in more detail.~~

5 MOBILITY PARKING

5.1 Purpose

The purpose of Mobility Parking is to prioritise on-street parking for persons with a mobility disability, including temporary disability, who are dependent on car travel by a private vehicle to maintain their mobility and independence. ~~Some people with a mobility disability, including temporary disability, are dependent on car travel by a private vehicle to maintain their mobility and independence. The City will prioritise on-street parking for this group.~~

5.2 Mobility parking entitlements

Under the Mobility Parking Scheme administered by ~~Roads and Maritime Services~~ the NSW Government, a vehicle transporting a mobility permit scheme card holder is exempt from parking fees and time limits in any period parking space of more than 30 minutes. For parking spaces with time limits of 30 minutes a permit holder can park for 2 hours, and where parking is limited to less than 30 minutes, the vehicle can park for a maximum of 30 minutes.

5.3 On-street mobility parking spaces

Mobility parking spaces are clearly signposted. They are provided for the exclusive use of vehicles displaying a Mobility Parking Scheme permit.

Where possible, the City will locate and install dedicated mobility spaces or pickup and drop off zones so they are physically accessible for people with disabilities, e.g. with a kerb ramp.

Centres and facilities

Areas of kerbside to which a 'No Parking' sign applies can provide useful opportunities for pick up and drop off in busy areas. The Road Rules 2014 permit a driver of a vehicle to stop in a 'No Parking' zone for up to the time indicated on the sign or up to 2 minutes (and for up to 5 minutes for vehicles displaying a Mobility Permit), for the purpose of picking up or dropping off passengers or goods, as long as the driver does not leave the vehicle unattended.

Given that vehicles displaying a mobility permit are exempt from time limits in most spaces of more than 30 minutes, mobility parking spaces are appropriate only in limited locations. In considering requests for a mobility parking space, the City will consider:

- a) likely intensity of use by one or more mobility permit holders;
- b) availability of nearby on-street period parking; and
- c) availability of convenient and reasonable on-site alternatives.

The City's Inclusion (Disability) Action Plan provides the context for increasing the supply of dedicated Mobility Parking Spaces. Where possible the City will install spaces so they are accessible to users, for instance with a kerb ramp or adjacent to a driveway.

The City will consider time restrictions on mobility parking spaces in locations where it is important to maintain turnover, such as near medical centres.

Residential streets

The City of Sydney will consider establishing a mobility parking space outside an individual's home only where the resident holds an individual mobility permit issued to persons with a permanent disability. The space is lawfully available to any vehicle correctly displaying and using a mobility permit and cannot be dedicated for the exclusive use of any particular vehicle.

~~Mobility parking spaces established outside individual homes or premises will be considered for removal if the applicant who originally requested the space no longer requires it, including if there is evidence that the applicant no longer resides at the property. Any changes will be the subject of consultation as per 2.6 of this policy. The City will establish a register and conduct an annual audit to determine whether mobility parking zones are still required.~~

6. ELECTRIC VEHICLE PARKING – TO ENABLE CHARGING

6.1 Purpose

The City supports the electrification of transport fleets to meet its Net Zero Emissions by 2035 goal as outlined in the City's Electrification of Transport in the City Strategy and Action Plan.

The City can allocate a limited number of kerbside spaces to accommodate public on-street charging that has minimal impact on the public domain. The City will not allocate parking for electric vehicles (EV) for any purpose other than charging.

6.2 Approach

The City will aim to provide any EV parking for public charging in areas with fewer public off-street charging opportunities, and/or where there are many residences without off-street parking

The City will consult with nearby residents and businesses on proposals for any on-street EV charging.

The City will include relevant fees and charges for installation and any ongoing use by charging operators of spaces in its annual Schedule of Fees and Charges established in accordance with the Local Government Act 1993.

7. BICYCLE PARKING – TO REDUCE FOOTPATH CLUTTER

7.1 Purpose

The City supports increased bicycle riding. Share bike schemes reduce private vehicle use, however they can result in footpath clutter due to share bikes parked on footpaths.

To reduce this clutter, the City may provide on-street space where necessary. The City will aim to provide any bicycle storage/parking in on-street locations that minimise the impact on other road users, including safety, movement or competition for kerbside use. One option is to allow share bikes to be stored in the departure side of intersections, areas typically signposted 'No Stopping' as part of standard intersection design. In many of these locations bicycles can be safely stored due to their smaller dimensions / limited impact on sightlines.

Where required, the City may supplement these storage areas with a small number of dedicated on-street bicycle parking spaces.

8 PARKING PERMITS

8.1 Purpose

Parking permits exempt holders from time limits and parking fees in spaces signposted 'permit holders exempt'.

The need for parking permits arises directly from the imposition of kerbside parking controls. Where vehicles are only permitted to park for a short length of time, such as one hour, permits are needed for a larger proportion of everyday activities, such as visits by friends, tradespeople, carers or customers. Conversely, where vehicles may park for a longer amount of time, many everyday activities can be completed without permits. For this reason, permits and parking restrictions will be coordinated.

8.2 Display and use of permits

A permit must be displayed on the left-hand side of the front windscreen or on the inside of a window on the left-hand side of the vehicle. It must be clearly visible to an authorised officer.

A permit is valid only where kerbside signposting includes the words 'Permit Holders Excepted'. The area identification number must correspond to the number on the permit.

8.3 Exclusion of some new developments and residential areas from permits

The intensification of urban land use within the City of Sydney, particularly Green Square urban renewal area, has significant implications for the road and public transport network. Traffic generation from new multi-unit commercial and residential developments can reduce the efficiency of the road network, affect the reliability of bus and light rail, and reduce the liveability of existing neighbourhoods.

In order to mitigate the congestion impact of major new developments and support the viability of public transport services, the City of Sydney limits both on-site parking supply and access to street parking. Access to street parking is limited by excluding some residential areas and residents of some new developments from participation in the City's permit parking scheme. This prevents parking demand associated with major new residential and commercial developments from spilling into existing neighbourhoods.

The City excludes from parking permit eligibility most types of multi-unit residential and commercial developments. The specific exclusions vary based on the time of development, recognising the changing boundaries and relevant planning controls in the City of Sydney since 1996, or specific conditions imposed prior to the adoption of this Policy. Information about the eligibility of individual existing properties is publicly available on the City's website.

Sections 10 to 15 of the Policy outline the specific eligibility exclusions by permit type.

New residential and commercial development forms are likely to arise as a result of NSW Government changes to planning to encourage more housing. Building types and/or definitions not mentioned in the Policy but that operate or are similar to the building types specifically excluded will be excluded. This will be confirmed as part of the planning approval process for any new development. The City will update this Policy as required to reflect any new development forms during policy reviews.

~~Occupants of residential flat buildings and boarding houses approved on or after 12 May 2014 (the date of adoption of the City of Sydney's first Neighbourhood Parking Policy) are not eligible for resident, visitor or business parking permits. This applies to the construction or conversion of residential flat buildings, and the major refurbishment or conversion of an existing residential flat building but does not apply to dwelling houses, dual occupancies, attached dwellings, multi-dwelling housing or shop-top dwellings.~~

~~Occupants of new multi-suite commercial premises approved on or after 12 May 2014 are excluded from participation in the permit parking scheme. A multi-suite commercial premises is one which is strata-subdivided, or which can be divided into five or more separate business, office or retail premises. Exclusion from participation in the permit parking scheme continues to apply to all multi-unit commercial and residential developments including boarding houses, including conversions and major refurbishments, approved since 8 May 1996 in the area of the former South Sydney Council, and since 1 May 2000 in the area of the former Sydney City Council. The exclusion also continues to apply to premises which have been excluded as a condition of development consent prior to the adoption of this policy.~~ If a landowner believes that conditions have been incorrectly applied to development consents issued for a dwelling house, attached dwelling, multi-dwelling housing or shop-top dwelling an application can be made to amend those conditions.

8.4 Restricted properties

Premises which are restricted from participating in the permit parking scheme at the date of adoption of this policy will remain restricted.

A small number of properties in Ultimo and Pyrmont are classified as 'Restricted Properties', and are eligible for a maximum of one resident parking permit if they do not have on-site parking. Given the high density of dwellings in this location and the limited on-street parking, the City will maintain the one-permit restriction on these properties by classifying them as Zone A, as per Section 9.3.

9 PARKING AREAS AND PARKING ZONES

The policy divides the City into a number of parking areas to ensure that permits are used to park near the household or business to which they were issued. These are shown at Figure 1. In order to accommodate variations in population density and parking pressures, parking areas are zoned as A or B.

9.1 Principles for parking areas

Parking area boundaries will be clear and easy to understand, generally following major built or natural features, such as arterial roads, railways and natural boundaries.

In order to reduce the proportion of residents inconvenienced by their proximity to an arbitrary boundary, the City will reduce the number of parking areas to the minimum necessary to maintain the integrity of the permit system. This will also assist those using visitor parking permits, who may not be familiar with a parking area's -complex boundaries.

Detailed permit boundaries for all areas will be published on the City of Sydney's website.

9.2 Parking area boundary modifications

The Chief Executive Officer ~~may make~~ is authorised to make minor amendments to area boundaries. ~~(see Figure 1.)~~

9.3 Parking zones - Zone A and Zone B

The policy zones parking areas as either Zone A or Zone B (see Figure 2). Zone A applies to parking areas where the number of resident parking permits issued exceed the number of parking spaces in that parking area. All other areas are Zone B. (Section 8.4 documents the application of Zone A conditions to some restricted properties in Ultimo and Pyrmont.)

The City will monitor permit numbers issued relative to available parking spaces in each parking area. Where the number of resident parking permits exceeds the number of parking spaces, the City will assess the need to rezone an area from B to A.

Recommendations to rezone an area, from A to B or B to A, will be reported to Council, after public exhibition.



Figure 1. Parking areas

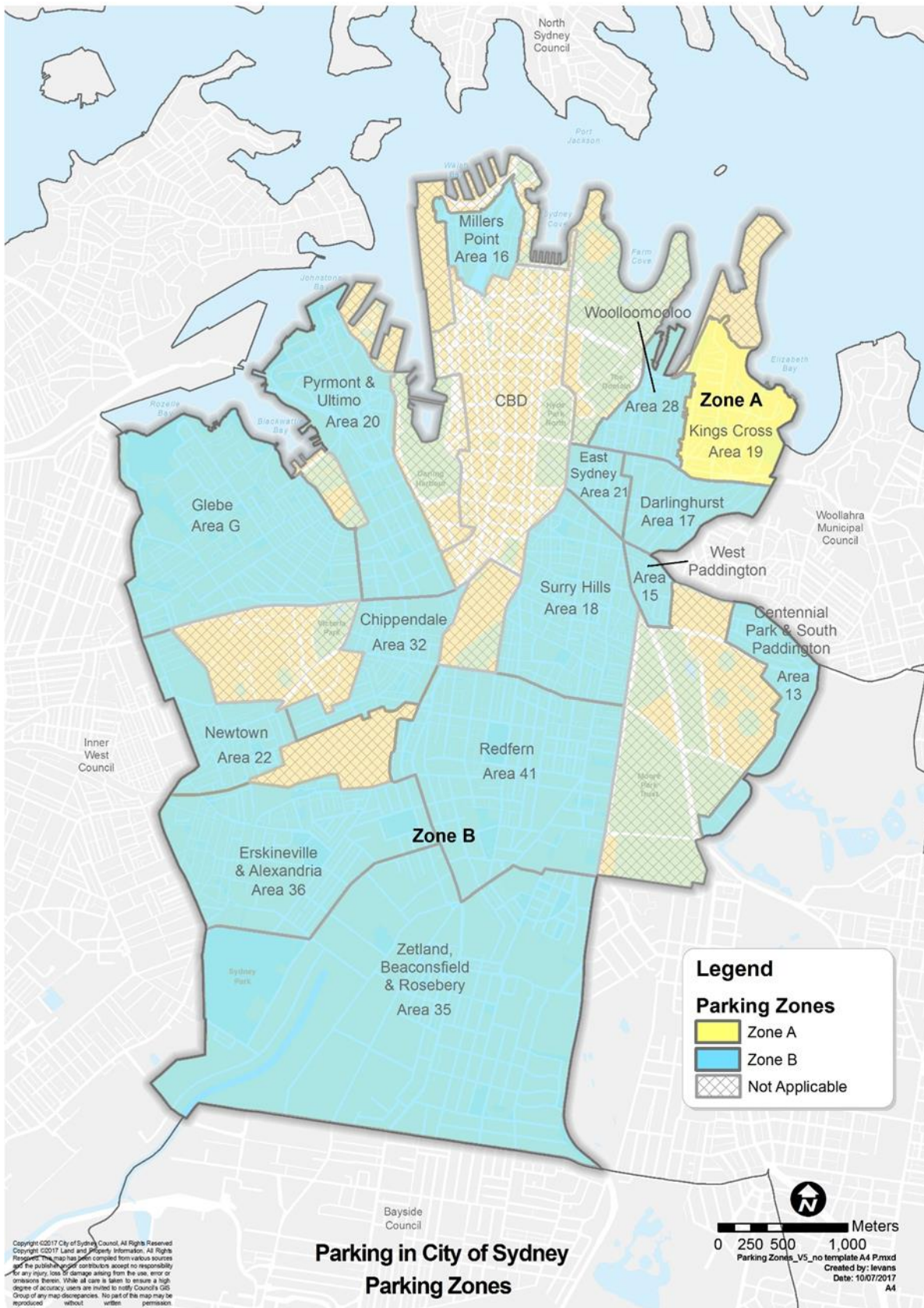


Figure 2. Parking zones

10. RESIDENT PARKING PERMITS

10.1. Purpose

Resident parking permits enable residents who do not have sufficient on-site parking to park on-street and avoid time limits and parking fees.

10.2. Eligibility

Residents in most households in the City of Sydney are eligible for resident parking permits. However, the following households or land use types are not eligible:

- a) A household which occupies a new or Converted Residential Flat Building or Boarding House approved since 8 May 1996 (former South Sydney) or 1 May 2000 (former Sydney City Council) or 12 May 2014 (all remaining areas of the City of Sydney).
- b) A household which occupies a Dwelling approved with the condition that no parking permits are to be issued.
- c) A household occupying a Secondary Dwelling on a lot for which parking permits are already issued.
- d) A household which occupies premises not approved for residential use.
- e) Hotels, backpacker hostels, guesthouses, [Co-living Housing](#) and Serviced Apartments.
- f) A household occupying any other non-residential premises.

The ~~resident's~~ ~~applicant's~~ vehicle must:

- a) be registered in the ~~applicant's~~ ~~resident's~~ name, or have the applicant listed on insurance as a driver if registered in another name. For residents with multiple properties the applicant must show proof that they reside for a minimum of six months a year at the eligible property address. at the applicant's address. If the applicant has access to a vehicle through an agreement with an employer the applicant must have full private use of the vehicle.
- b) not be a truck, bus, tram, trailer, tractor or any vehicle which exceeds 4.5 tonnes Gross Vehicle Mass or be longer than 7.5 metres

10.3 Quantity of permits

Parking permits are issued for vehicles registered to the address of an eligible household provided that the household does not have on-site parking available for that vehicle.

~~The~~ number of permits a household is eligible for in each Zone is as follows:

Zone A

- a) A household in Zone A without any on-site parking spaces is eligible for up to one parking permit.
- b) Each room of an eligible and approved Boarding House will be treated as a separate Dwelling eligible for one resident parking permit.
- c) No permits will be issued to households with one or more on-site parking spaces.

Zone B

- a) A household in Zone B without any on-site parking spaces is eligible for two parking permits.

- b) Each room of an eligible and approved Boarding House will be treated as a separate Dwelling eligible for one resident parking permit.
- c) A household in Zone B with one on-site parking space is eligible for one parking permit for a second vehicle.
- d) No permits will be issued to households with two or more on-site parking spaces.

10.4. On-site parking

On-site parking is deemed to be available where it can meet Australian Standard 2890.1. In determining whether an on-site parking space exists, the City will have regard to:

- a) accessibility by a vehicle
- b) the presence of a garage door or roller door
- c) the existence of a vehicular kerb ramp
- d) the presence of a carport or garage structure
- e) evidence of use of the space for parking
- f) any approved or registered plans.

10.5. Temporary resident parking permits

~~In certain circumstances~~ In the circumstances described below, the City may issue a temporary resident parking permit.

Interim resident parking permit

The City may issue an interim resident parking permit if:

- an eligible applicant has moved to the City and their vehicle is registered interstate. The permit will be valid for 3 months. It is compulsory to change the vehicle registration details to a NSW address within 3 months of a move. Once the applicant's vehicle is registered to a City address, applicants will be eligible for an ~~an annual~~ resident parking permit.

If an eligible applicant's vehicle has been damaged or stolen, the City will issue an interim resident parking permit for up to 3 months. Applicants will be required to provide documentary evidence in support of their claim and will be required to sign a statutory declaration in the presence of a Justice of the Peace.

Temporary construction work resident parking permit

If lawful construction work (including work under a development consent, complying development certificate or exempt development) ~~construction work~~ renders the parking space at an eligible applicant's address temporarily inaccessible the City may will issue a temporary construction work parking permit. A permit must not be used ~~to accommodate~~ in order to enable the storage of materials in the on-site car space.

Temporary permits will be issued to a single nominated vehicle registered at the applicant's address, and may not be used by any other vehicle. The maximum duration of such permits is three months. Residents must provide proof of works being undertaken.

11 VISITOR PARKING PERMITS

11.1 Purpose

Visitor parking permits enable residents' visitors, including family members, friends, carers, General Practitioners and tradespersons to park on-street and avoid time limits and parking fees.

11.2 Eligibility

Residents in most households in the City of Sydney are eligible for visitor parking permits. The following households or dwelling types are not eligible:

- a) A household which occupies a residential flat building or boarding house, approved since 8 May 1996 (former South Sydney) 1 May 2000 (former Sydney City Council) or 12 May 2014 (City of Sydney).
- b) A household which occupies a dwelling approved with the condition that no parking permits are to be issued.
- c) A household with an on-site visitor parking space, including shared visitor parking spaces in multi-unit dwellings.
- d) A household occupying a secondary dwelling on a lot for which visitor parking permits are already issued.
- e) A household which occupies premises not approved for residential use.
- f) Hotels, backpacker hostels, guesthouses, tourist accommodation [Co-living Housing](#) and serviced apartments.
- g) Any other non-residential premises.

11.3 Quantity of permits

Visitor permits are one day scratch cards.

Each eligible household has an annual allocation of 50 visitor permits.

~~The number of permits a household may be eligible for depends on how many resident permits they hold and whether their parking area is zone A or zone B. In order to equitably share limited street parking space eligible households who do not usually occupy street parking are entitled to a higher number of permits than those with one or two annual resident parking permits.~~

~~One resident parking permit issued to household for a motorcycle will be disregarded when determining the quantity of visitor permits a household is entitled to.~~

~~In Zone A the annual allocation of visitor permits for eligible households will be:~~

- ~~a) 10 permits for those households with two Resident Parking Permits;~~
- ~~b) 30 permits for those households with one Resident Parking Permits; and~~
- ~~c) 40 permits for those households with no Resident Parking Permits.~~

~~In Zone B the annual allocation of visitor permits for eligible households will be:~~

- ~~a) 20 permits for those households with two Resident Parking Permits;~~
- ~~b) 40 permits for those households with one Resident Parking Permits; and~~

~~e) 60 permits for those households with no Resident Parking Permits.~~

11.4 Validity

A permit is not valid for use on a caravan, bus, truck, trailer, or any vehicle which exceeds 4.5 tonnes Gross Vehicle Mass, except if a visitor permit is being used for removals to or from the address of the permit holder.

Visitor permits are single-use permits and are valid on the indicated date of use. The permit is valid only when the date of use has been clearly and correctly indicated. Visitor permits will be issued with a minimum of 12 months validity.

12 VISITOR PARKING PERMITS - TRADESPERSONS

12.1 Purpose

Tradespersons Parking Permits enable tradespersons to carry out maintenance and improvement work for City residents to park on-street and avoid time limits. This reduces job costs and local traffic movements. They may be used in addition to, or instead of, one-day Visitor Parking Permits.

12.2 Eligibility

Tradespersons Parking Permits may be issued to residents who:

- a) require alterations, additions, minor maintenance and improvement work to be undertaken at their place of residence
- b) provide proof of residency
- c) provide a quote or contract which sets out the address of the place where the work will be carried out, the nature of the works, and the duration of works.

Most households are eligible for Tradespersons Parking Permits.

The following households or dwelling types are not eligible:~~a) A household which occupies a residential flat building approved since 8 May 1996 (former South Sydney), 1 May 2000 (former Sydney City Council) or 12 May 2014 (all remaining areas of the City of Sydney).~~

~~b) A household which occupies a dwelling approved with the condition that no parking permits are to be issued.~~

~~c) A household with an on-site visitor parking space, including shared visitor parking spaces in multi-unit dwellings.~~

~~d) A household which occupies premises not approved for residential use.~~

a) A household which occupies a new or Converted Residential Flat Building or Boarding House approved since 8 May 1996 (former South Sydney) or 1 May 2000 (former Sydney City Council) or 12 May 2014 (all remaining areas of the City of Sydney).

b) A household which occupies a Dwelling approved with the condition that no parking permits are to be issued.

c) A household occupying a Secondary Dwelling on a lot for which parking permits are already issued.

d) A household which occupies premises not approved for residential use.

e) Hotels, backpacker hostels, guesthouses, Co-living Housing and Serviced Apartments.

f) A household occupying any other non-residential premises.

12.3 Quantity of permits

Eligible households may obtain up to six one-week permits ~~annually~~each calendar year.

12.4 Validity

A permit is not valid for use on a caravan, bus, truck, trailer, or any vehicle which exceeds 4.5 tonnes Gross Vehicle Mass. Permits are valid for one week. The date of validity and the resident's address will be displayed on the permit.

13 BUSINESS PARKING PERMITS

13.1 Purpose

~~A business parking permit exempts a business vehicle from time limits and parking fees in spaces signposted 'permit holders exempt'.~~

A business parking permit may be issued to a business located within the City of Sydney LGA that requires a vehicle for the carriage of goods or equipment. The purpose of this permit is to exempt a business vehicle from time limits and parking fees in spaces signposted 'permit holders exempt'.

Given the very high competition for on-street parking and the need to maintain parking turnover for retail customers, visitors and residents, business permits are issued only for vehicles registered in the name of the business as being for business use, and used in its routine daily operation to carry goods and equipment.

13.2 Eligibility

Occupants of new multi-suite commercial premises approved on or after 12 May 2014 are excluded from participation in the permit parking scheme. A business parking permit may be issued to an applicant who:

- a) has a business located within the City of Sydney Local Government Area
- b) requires an eligible vehicle for routine transport of goods or equipment in the day to day operation of a registered business
- c) is an employee or principal of a registered business operating from premises which have development consent for business use and which have not been excluded from participation in the permit parking scheme by a condition of development consent
- d) has no on-site parking dedicated to the business; and
- e) cannot reasonably modify the premises to provide on-site parking.

To be eligible for a business parking permit, the vehicle must:

- a) be registered in the name of the business, or a principal of the business
- b) be registered for business use
- c) be used for the purposes of carrying goods and equipment
- d) not be a truck, bus, tram, caravan trailer or tractor or any vehicle which exceeds 4.5 tonnes Gross Vehicle Mass or longer than 7.5 metres.

13.3 Quantity of permits

A business is eligible for one parking permit. Where more than one business occupies a single business premises, no more than one permit will be issued to each registered lot on a first-in first-served basis.

13.4 Conditions of use

Permits are only to be used for the carriage of goods and equipment. They are not to be used on vehicles primarily used for staff travel, attendance at business appointments, or commuting to a place of employment or business.

~~13.5 Validity~~

~~Permits will be valid for one year from date of issue.~~

14 SUPPORT WORKER PARKING PERMITS

14.1 Purpose

A support worker parking permit exempts a support worker's or service provider's vehicle from time limits and parking fees while the support worker or service provider is providing in-home support.

The permit is issued to the service provider rather than the recipient of the in-home support. This facilitates more efficient access for the service provider and avoids placing application requirements on residents.

14.2 Eligibility

A permit may be issued to a service provider who:

- a) provides in-home support services
- b) conducts, or expects to conduct, more than 60 home visits per year to residents in the City of Sydney and partnering Council areas.¹

To be eligible for a permit the vehicle must:

- a) be registered in the name of the service provider. If the vehicle is in a private name, the service provider must supply a letter explaining that the permit will be used for the purpose of providing in-home support only.
- b) be under 4.5 tonnes and less than 7.5 metres, unless such vehicle is necessary for the support service provided.

14.3 Quantity of permits

There is no limit to the number of Support Worker Parking Permits that may be issued to service providers who employ support workers. Individuals that operate as a service provider will be issued with one permit.

14.4 Conditions of use

The permit may only be used by a support worker or service provider for the purposes of providing in-home support.

If the permit is no longer in use by the service provider or is not expected to be used for a period of three (3) months or more, the permit must be returned to Council.

14.5 Validity

Permits will be valid for one year from date of issue.

14.6 Plan of management

~~Support~~ Service providers who purchase multiple permits for support workers are required to provide a Plan of Management at the time of application to prevent the misuse of the permits.

¹ In 2015 the City signed a Memorandum of Understanding with then Marrickville and Leichhardt Councils whereby the three Councils agreed to issue a Support Worker permit that would be accepted in all three council areas. The City undertook to administer the scheme. This expanded scheme now includes all of the Inner West Council area, and Randwick City Council.

This requires the support provider to demonstrate potential risks for misuse and control measures if appropriate.

15 CARERS' PARKING PERMITS

15.1 Purpose

A carers' parking permit exempts a vehicle used by a carer visiting a resident from time limits and parking meter fees where while the carer is providing in-home care.

The permit is issued to the resident rather than the carer. This enables residents to receive care visits from multiple carers who are not eligible for the support workers parking permit.

15.2 Eligibility

A carers' parking permit may be issued to a resident who:

~~a) is a resident of the City of Sydney~~

a) has a letter from a service provider or health professional setting out the resident's need for in-home care.

The following households or dwelling types are not eligible:

a) A household which occupies a residential flat building, approved since 8 May 1996 (former South Sydney), 1 May 2000 (former Sydney City Council) or 12 May 2014 (all remaining areas of the City of Sydney).

b) A household which occupies a dwelling approved with the condition that no parking permits are to be issued.

c) A household with an on-site visitor parking space, including shared visitor parking spaces in multi-unit dwellings.

d) A household which occupies premises not approved for residential use.

e) Hotels, backpacker hostels, guesthouses, tourist accommodation, Co-Living Housing and serviced apartments.

f) Any other non-residential premises.

15.3 Conditions of Use

Eligible residents are entitled to one (1) transferable permit per household. The permit may only be used for the purposes of providing in-home care. The permit must be returned to the resident once the visit has ended.

The permits may only be used by ~~carers~~ Carers providing care who meet the definition of ~~carers~~ Carers as set out in the Carers (Recognition) Act 2010.

~~15.4~~ Validity

~~Permits will be valid for up to one year from date of issue.~~

16 PREVENTION OF FRAUD AND MISUSE

16.1 Background

As a result of the high value of parking space, permit schemes are vulnerable to the misuse, theft and forgery of permits. This creates a risk of long-stay parking in residential areas, which occupies parking space otherwise intended for genuine customers, visitors and business users.

16.2 Action

The City will take action against misuse of permits. In the case of demonstrated fraud, improper resale or misuse of permits by a resident, business, visitors or care workers, the City may revoke eligibility for the offending individual, business, address or organisation, for a period of up to two years.

In instances where misuse of permits is reasonably suspected, the City will give permit-holders the opportunity to show cause as to why the permit should not be revoked. Permits will not be arbitrarily or unreasonably revoked.

In cases of suspected falsification, duplication or theft of permits, the City will refer the matter to the NSW Police for investigation.

16.3 Record of on-site parking

To address non-disclosure of on-site parking, the City will maintain a record of on-site parking supply at each residential or business address eligible to participate in the permit parking scheme.

Records will be based on information provided by applicants, development assessment documents, and street-based site inspections. Records will be made available to applicants to ensure the opportunity is provided to correct errors.

16.4 Information on permits

In the case of a resident or business parking permit, the permit will display the vehicle registration in order to prevent theft or improper transfer.

17 TRANSITIONAL ARRANGEMENTS

Transitional arrangements will minimise disruption or hardship by ensuring that existing permits of a type that is not consistent with this policy are honoured until Council determines otherwise.

17.1 Resident permits

In Zone A, a permit holder^s will be permitted to renew a second resident parking permit that was valid at the date of adoption of this policy on 12 May 2014. The permit may be renewed or transferred to a replacement vehicle only at the same address.

In Zone A, a permit holder with one on-site parking space, will be permitted to renew a first permit that is valid at the date of the adoption of this policy. The permit may be renewed or transferred to a replacement vehicle only at the same address.

Permits will not be renewed in cases where they have been obtained by the non-disclosure or inaccurate declaration of on-site parking spaces.

18 IMPLEMENTATION AND ADMINISTRATION

18.1 Neighbourhood Parking Policy Reviews

Where necessary to address emerging issues, the City will assess the consistency of parking controls with the Policy, and ensure the maximum amount of kerb is available for productive uses. This will include developing an implementation plan for each reviewed area setting out actions and timelines to address issues identified. Any changes will be subject to the engagement framework outlined in this Policy.~~The City will assess parking areas' level of consistency with the policy. This will include developing an implementation plan for each reviewed area setting out actions and timelines to address issues identified.~~

~~The reviews will be the primary mechanism for operationalising the policy.~~

18.2 Hardship

Consistent with the Schedule of Fees and Charges, the City may waive the fees and charges applying to permits only in cases where their application would impose unreasonable financial hardship.

18.3 Enforcement

Enforcement of parking controls is the responsibility of City Operations.

Responsibilities

The City Access and Transport team at the City of Sydney will monitor and review this Policy.

The Traffic Operations team at the City of Sydney will manage kerbside restrictions in response to the Policy.

Rangers from the City of Sydney will enforce parking controls.

The Parking Operations team at the City of Sydney will manage the City's pay parking schemes.

The Customer Services team at the City of Sydney will issue permits outlined in the Policy.

Consultation

All relevant operational and policy units at the City of Sydney contributed to this Policy review, including Traffic Operations, Parking Services, Rangers, Customer Service, Legal & Governance and CityLife.

The review reflects representations made to Council in the 2017-18 policy review, and ongoing representations from residents and businesses on many issues since then.

The review is informed by the intensive community consultation the City undertook as part of the development of Sustainable Sydney 2030-2050 – Continuing the Vision.

References

Laws and Standards
• NSW Road Transport (General) Regulation 2021 • NSW Permit Parking Guidelines, Transport for NSW, 2021 • Carers (Recognition) Act 2010 • Government Information (Public Access) Act 2009
Policies and Procedures
• Car Sharing Policy • Central Sydney On-Street Parking Policy • City Access Strategy and Action Plan – Continuing the Vision

Review period

This policy will be reviewed every 3 years.

Approval Status

The Council approved this policy on [DD MONTH YYYY].

Approval History

Stage	Date	Comment	TRIM Reference
Original Policy	12 May 2014	Approved by Council	2013/311119
Reviewed	14 May 2018	Full review. Update guidelines for kerbside controls. Increase number of visitor permits available. Introduce tradespersons parking permit. Broaden vehicle eligibility criteria for business parking permits.	2018/329434
Commence Review Date	1 April 2027		
Approval Due Date	XXXX		

Ownership and approval

Responsibility	Role
Author	<u>Manager, Transport Policy</u>
Owner	<u>Chief Operations Officer</u>
Endorser	City of Sydney Executive
Approver	City of Sydney Council

Item 4.

Public Exhibition - Central Sydney On-Street Parking Policy

File No: X111978

Summary

The City of Sydney's (the City) Central Sydney On-Street Car Parking Policy (the Policy) was adopted in late 2015. The Policy was reviewed in 2018 and determined to be fit-for-purpose. The Policy provides a consistent approach to the management of on-street parking in central Sydney only (see map included in the draft Policy in Attachment A for the defined area. Note a separate policy applies elsewhere), identifying high value uses that should be given priority for access to kerb side space. The Policy aims to balance the complex and competing needs of the kerbside in central Sydney.

The 2018 Policy has been reviewed. The review determined that the Policy continues to be a useful tool in guiding kerb management in central Sydney. It has provided the policy framework for allocating scarce kerb space in central Sydney, notably in response to the construction of light rail and major construction works associated with Sydney Metro and major developments.

The review aligns the Policy with Sustainable Sydney 2030–2050 Continuing the Vision, the Community Strategic Plan, the Access Strategy and Action Plan – Continuing the Vision and the Central Sydney Planning Strategy 2016-2036, along with updates to operational and implementation processes.

The review determined a number of small changes to update the Policy and improve implementation. The proposed changes include replacing the hierarchical approach with an approach which aligns the policy guidance to use of the kerbside and more closely with the generally agreed approach adopted by the City and Transport for NSW; allocation of kerb for high value parking or stopping, including 'No Parking', taxis and point-to-point, delivery and services vehicles, mobility parking, authorised vehicle zones and short stay parking ('No Parking' creates valuable shared spaces for pick up and drop off); minor text updates to strengthen the nexus between the provision of individual and shared off-street loading docks, and the retention of on-street loading in those areas; short stay parking (5 to 15 minutes); and a new section on approach to bike parking, especially share bike schemes. Other minor changes and updates are detailed in this report. The proposed changes (shown in Attachment A, with tracked changes in Attachment B) aim to make the Policy clearer and more reflective in implementation.

It is recommended that Council approve the draft Policy as shown in Attachment A to be publicly exhibited. The current Central Sydney On-Street Parking Policy will remain in effect until such time as the revised Policy is adopted by Council.

Recommendation

It is resolved that:

- (A) Council approve the draft Central Sydney On-street Parking Policy, as shown at Attachment A to the subject report, for public exhibition;
- (B) Council note that the Central Sydney On-street Parking Policy, including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (C) authority be delegated to the Chief Executive Officer to make minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Central Sydney On-street Parking Policy.

Attachments

Attachment A. Draft Central Sydney On-Street Parking Policy

Attachment B. Draft Central Sydney On-Street Parking Policy (tracked changes version)

Background

1. The Central Sydney On-Street Car Parking Policy was adopted in late 2015 and was reviewed in 2018. The 2018 review determined that the Policy was 'fit-for-purpose'.
2. The Policy outlines an approach to the management of on-street parking in central Sydney (see map in Attachment A for the defined area).
3. Review of the 2018 Policy was delayed, primarily due to the Covid-19 pandemic and to the NSW Government advising it was updating its Sydney City Centre Access Strategy. It is our understanding that the NSW Government currently has no intention to release such a strategy.
4. The Policy has now been reviewed and draft changes are presented in Attachment A incorporating the tracked changes shown in Attachment B.
5. The policy review enabled:
 - (a) alignment of the policies with Sustainable Sydney 2030–2050 Continuing the Vision, the Community Strategic Plan and the Access Strategy and Action Plan – Continuing the Vision.
 - (b) assessment of implementation and operational process to improve management of the Policy.
 - (c) reflection of current kerbside challenges, opportunities and trends in central Sydney. A key element of these is increasing emphasis on uses of kerb space for cycleways, footpath widening, outdoor dining and tree planting, as well as vehicle storage.
6. The review found that the Policy is a useful tool in guiding kerb management in central Sydney. The intent and purpose of the Policy remain important. The Policy has provided the policy framework for allocating scarce kerb space in central Sydney, notably in response to the construction of light rail and major construction works associated with Sydney Metro and major developments.
7. The current Policy reads as a strict hierarchical approach, which in practice, is impractical, and was a response to changes occurring on central Sydney streets at that time. The hierarchical approach outlined in the current policy does not:
 - (a) reflect the reality of current allocation
 - (b) reflect the place and access needs of the future central Sydney
 - (c) provide for the flexibility and collaboration that currently guides changes in central Sydney.
8. There are consistent demands for more kerb side access from all user groups, from waste trucks and tourist coaches to people with limited mobility to taxi drivers and motorcycle riders.

9. Kerbside changes are made in collaboration between the City, Transport for NSW, government authorities (such as NSW Fire and Rescue), and groups such as the Taxi Council, and often in response to representations from key business stakeholders, such as hotels or business associations, or in response to new development. There is generally consensus on the most important functions in most areas, and solutions often involve crafting complex time of day and week sharing of the kerb between multiple users. These solutions are too location-specific to capture in a rules-based or strict hierarchical policy.
10. General time limited paid parking is the default restriction wherever / whenever the space is not required for higher-value uses. Fees and charges are set and exhibited annually as part of the City's draft operational plan.
11. The current Policy does not clearly outline the challenges and opportunities for central Sydney, such as:
 - (a) growth outlined in the Central Sydney Planning Strategy
 - (b) including new tower precincts
 - (c) successful introduction of metro and light rail
 - (d) need for more space for people walking
 - (e) opportunities for further bus network consolidation
 - (f) the need for kerb access for construction
 - (g) the need for place improvements to support economic recovery from the pandemic
 - (h) continued expansion of cycleways
 - (i) the mainstreaming of ridesharing, and bicycle sharing.
12. The importance of the kerbside in central Sydney to access functions such as drop off and pick up, no stopping and short stay parking are not sufficiently clarified in the current policy.
13. A review of the Policy, considering the above, has determined a small number of changes to enable the Policy to be more reflective in implementation. The proposed changes include (titles and section numbers refer to those in the draft Policy, Attachment A):
 - (a) Key changes, and the rationale for them, are:

Current Policy	Proposed change	Rationale for the change
1. Prioritising kerbside space 1.1 Background	Align Policy to: Sustainable Sydney 2030-2050, Access Strategy and Action Plan and Central Sydney Planning Strategy 2016-2036.	Parking policy should be designed to assist in implementing adopted strategies and action plans.

1. Prioritising kerbside space 1.2 New development	New text on provision of bicycle parking and on-site loading in new developments. References requirements for new developments to have off street loading docks.	Demonstrate how planning controls in new developments support more efficient kerb side space allocation.
1. Prioritising kerbside space 1.3 Approach, and 2 Allocation of kerb for parking or stopping	New text replaces the 'proposed hierarchy' diagram for the allocation of kerbside space with an approach that focuses on uses / functions of kerbside at the 'Network level', 'Place level' and 'Parking / stopping level'.	Aligns the Policy more closely with the generally agreed implementation approach adopted by the City and Transport for NSW in central Sydney. A strict hierarchy can be overly prescriptive and hinder site-specific considerations of kerb-side changes. There is significant existing supply of high value kerb side uses such as taxi ranks.
2.1 No parking	New section.	No Parking restrictions are in large supply in central Sydney and provide valuable shared spaces for pick up and drop off, for many sections of the community.
2.3 Delivery and service vehicles	Minor text updates to loading zones, linking the provision to availability of off-street loading zones Added discussion about waste vehicles. Text added to make it clear that loading zone provision is to meet the needs of businesses. Outlines City's approach to loading zones, linking them to buildings and time of day. Specifies the need for users to display a ticket	Reflects current practice. Strengthen the nexus between provision of individual and shared off-street loading docks, and the retention of on-street loading in those areas.
2.8 Short stay parking	New section.	Short stay parking exists in central Sydney and can be an appropriate treatment to facilitate access and pick up and drop off for some locations, including near hotels, and mobility access.
2.10 On-street bicycle parking – to reduce footpath clutter	New section on purpose of and approach to on-street bicycle parking, Includes option for a small amount of on-street bicycle parking.	Consistent with resolution of Council on the issue. Approach would maximise storage of bicycles on-street to reduce footpath clutter, while minimising impact on other kerb side uses.

- (b) Other minor changes:
 - (i) 2.2 Taxis: Updates to text for clarity and to provide context for time of day taxi ranks.
 - (ii) 2.4 Mobility parking: Updates to text to clarify the types of Mobility Parking, the opportunities for pick up and drop off, and the rationale for timed mobility parking. References the importance where possible of physical access to these space e.g. kerb ramps.
 - (iii) 2.5 Authorised Vehicle Zones - Essential Services, 2.6 Authorised Vehicles Zones - Coaches, and 2.7 Authorised Vehicle Zones - Passenger Vehicles: Clarification added.
 - (iv) 2.9 General period parking: Combined prior motorcycle parking section in this section.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

14. 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. This policy is aligned with the following strategic directions and objectives:
- (a) Direction 3 - Public places for all - The Policy manages kerbside to respond to the access of places, not just for vehicle movement and storage.
 - (b) Direction 5 - A city for walking, cycling and public transport - The Policy tries to balance the competing needs of the kerbside for access and place to enhance central Sydney as a city for walking, cycling and public transport whilst maintaining access for required vehicle parking, such as mobility parking, loading and servicing, taxis and point-to-point amongst other users who are necessary to the economic functioning of central Sydney.
 - (c) Direction 6 - An equitable and inclusive city - The Policy provides for mobility parking, drop off and pick up and short stay parking, reflective that this access is of vital importance to some members of our communities.
 - (d) Direction 9 - A transformed and innovative economy - The Policy ensures that businesses have access to parking for loading and deliveries.

Organisational Impact

15. No organisational impacts are identified. The proposed changes reflect existing City operations.

Social / Cultural / Community

16. The Policy aligns with the City's A City for All – Inclusion (Disability) Action Plan 2021-2025.

Environmental

17. The draft Policy better aligns with the City's environmental strategies, including aiming to provide more space for planting.

Economic

18. The Policy has a primary objective of supporting access for businesses and visitors.

Financial Implications

19. The proposed changes to the Policy, if approved, will not materially impact on existing operations. The on-going management and implementation of the current Policy is part of the existing operations of the City.

Relevant Legislation

20. NSW Roads Act 1993.
21. Road Transport (General) Regulation 2013.
22. NSW Road Rules 2014.
23. Reflects recent changes to the City of Sydney Act 1988 (the abolition of the Central Sydney Traffic and Transport Committee).

Critical Dates / Time Frames

24. The current Central Sydney On-Street Parking Policy will remain in effect until such time as a revised Policy is adopted by Council.

Public Consultation

25. City staff consistently engage with relevant key stakeholders including Police, the Taxi Council and key central Sydney business stakeholders such as hotels. General feedback from the community has been considered. This arises from individual representations on issues, including with key stakeholders, but also the structured engagements on Sustainable Sydney 2030–2050 Continuing the Vision, the Community Strategic Plan, the Access Strategy and Action Plan – Continuing the Vision, the Electrification of Transport in the City Strategy and Action Plan and the Central Sydney Planning Strategy 2016-2036.
26. The City engaged with Transport for NSW on the drafting of the Policy.
27. If approved, the draft Policy will go on public exhibition for a period of at least 8 weeks (accounting for end of year holiday period).

KIM WOODBURY

Chief Operating Officer

Peter Warrington Manager Transport Planning

Attachment A

Draft Central Sydney On-Street Parking Policy

Central Sydney On-Street Parking Policy

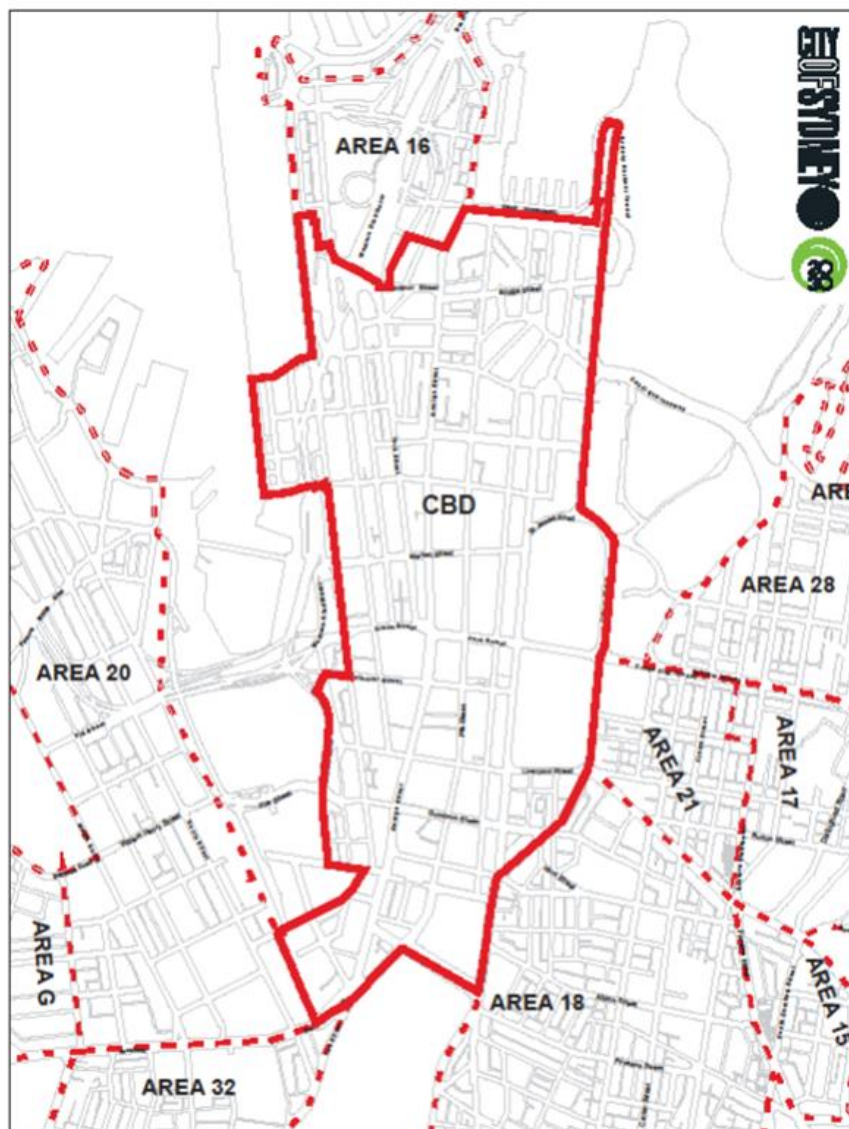
Purpose

The City of Sydney's (the 'City's') Central Sydney On-Street Parking Policy ("the Policy") is the framework for allocating kerbside parking and loading in central Sydney, to assist meeting the outcomes in Sustainable Sydney 2030-2050 Continuing the Vision.

Scope

The Policy applies to on-street parking and loading in central Sydney, defined by the solid red line in Figure 1.

Figure 1 Central Sydney On-Street Parking Policy area



Definitions

Term	Meaning
Authorised Vehicle Zones	A length of kerb to which a No Parking restriction applies, but which exempts a specific authorised vehicle.
Period Parking	Any parking space that is allocated for use without restriction by vehicle type, and which is subject to time limits.

Policy Statement

1 PRIORITISING KERBSIDE SPACE

1.1 Background

The City's Sustainable Sydney 2030–2050 Continuing the Vision and Community Strategic Plan outline the imperative to create a city for walking, cycling and public transport. This approach maximises the environmental, economic and social outcomes in the constrained space of central Sydney, where much growth is still to occur.

There is competition for the use of street and kerb space in central Sydney. The narrow streets and short east-west blocks limit the useable kerb space that can be safely allocated to support commercial and access functions. Much of the space is allocated to the movement of vehicles including general traffic lanes, turn lanes, bus lanes and bus stops, light rail and cycle ways.

The Central Sydney Planning Strategy 2016-2036 describes the additional commercial, retail and residential floor space to be constructed in and near central Sydney. This will result in increasing demands on available kerb space. Demolition and construction may require dedicated kerb space in the form of Work Zones.

The management of kerb space will ensure the street network can accommodate critical business and local needs, while maintaining access via the efficient operation of the public and private transport networks. The City's overall approach to this challenge is outlined in its Access Strategy and Action Plan – Continuing the Vision:

<https://www.cityofsydney.nsw.gov.au/strategies-action-plans/access-strategy-and-action-plan-continuing-the-vision>

1.2 New developments

In accordance with the requirements of the Sydney Development Control Plan 2012, the City generally requires that new developments incorporate off-street loading docks, subject to technical or heritage considerations. Where new loading and parking is constructed on-site, the City will require, as a condition of development consent, that all parking and servicing take place on-site.

The City can also require developers to provide bicycle parking and other end-of-trip facilities in a development.

This City's Access Strategy and Action Plan recognises the importance of efficient and timely freight and deliveries in central Sydney. It aims to increase off-street loading capacity to enable a progressive reduction of on-street loading in nearby streets, using the kerb space for other purposes while ensuring businesses retain access for their freight and servicing needs.

1.3 Approach

The City considers a number of factors (described as levels) when determining allocation of kerb space in central Sydney.

- Network level: when the kerb lane is required for priority modes of movement or road safety. Examples of kerb allocation for space-efficient movement include kerbside bus lanes and bus stops, or cycleways.

Under current arrangements, Transport for NSW also requires significant areas of kerb to store out-of-service buses, to support operation of routes that currently start and finish in central Sydney. Over time, as major public transport such as new Metro rail comes online and bus services change to reflect this, the City expects that less kerb will be required for these functions.

Examples of road safety treatments include "No Stopping" zones around intersections, and pedestrian crossings.

- Place level: when not required for movement or road safety, the kerb lane can be allocated to uses required to improve the quality of our places.

Examples of kerbside allocation that support place quality include street space reallocation for footpath widening, tree planting or outdoor dining.

Consistent with Sustainable Sydney 2030–2050 Continuing the Vision, the City will work to allocate more street and kerb space to these place functions. Key reasons include growth in workers and visitors in central Sydney, the need for better places for economic competitiveness and the need for more planting to address the heat impacts of the Climate Emergency.

- Parking/stopping level: When not required for movement, road safety or for place improvements, the kerb lane can be allocated to parking/stopping arrangements.

This Policy directly relates to this last level, outlining the rationale for various parking and stopping treatments that support access to central Sydney.

2. ALLOCATION OF KERB FOR PARKING OR STOPPING

When a section of kerb is to be used for parking to enable access, or stopping to enable pick up and drop off, the City will prioritise high value uses. There is no absolute hierarchy, but the uses that will have priority over other types of parking are:

- pick up and drop off, using No Parking zones, recognising that some sections of the community require access close to their final destination
- point-to-point-transport including taxis, that support some visitor and business trips, and the late night economy
- loading and servicing for businesses, using Loading Zones, recognising that some buildings do not have onsite loading facilities
- dedicated Mobility Parking spaces for people with disability
- supporting the operation of emergency services, with Authorised Vehicles zones
- supporting the needs of other essential services
- a small supply of spaces for coach pickup and drop-off
- supporting the functioning of hotels, where high kerb turnover makes sense, with short stay parking.

The City will ensure an adequate supply of each type of parking space is provided across central Sydney. The City will also respond to locations with specific needs for particular parking treatments parking treatments, such as hotels requiring a nearby taxi zone.

The City will always aim to maximise the use value of all kerbs, and will allocate any residual kerb to lower value uses, such as general period paid parking.

2.1. *No Parking*

Areas of kerbside ('zone') to which a 'No Parking' sign applies can provide useful opportunities for pick up and drop off in vibrant city centres. The Road Rules 2014 permit a driver of a vehicle to stop in a 'No Parking' zone for the purpose of picking up or dropping off passengers or goods, as long as the driver does not leave the vehicle unattended. Unless a different period is signposted, drivers can stop for up to 2 minutes (and for up to 5 minutes for vehicles displaying a Mobility Permit).

'No Parking' zones can serve a range of different needs in central Sydney. For taxis and point to point (rideshare) vehicles, they allow for legal pick up and drop off of passengers in a wider range of locations.

The City will aim to spread opportunities for pick up and drop off across the city centre. To respond to the needs of people with a disability, there will be specific attention to locating spaces where they will be most physically accessible (near a kerb ramp or driveway) where possible.

The City can signpost some kerb lengths 'No Parking – Trucks Excepted', or 'No Parking – Coaches Excepted' (both with or without a time limit), to support access for waste collection vehicles or coaches.

The City can signpost a 'No Parking' space with an exception for a specific type of vehicle, for example 'NSW Fire and Rescue Vehicles Excepted'. These are a type of 'Authorised Vehicle' spaces, that can also be used for general pickup and drop off when available.

2.2 Taxis

Taxi ranks ('Taxi Zones') should generally be no more than 150 – 200m from key locations in central Sydney. This will encourage their use, reduce congestion and reduce road safety impacts of vacant taxis circling for passengers. Wayfinding and online tools can help customers locate taxi ranks.

To provide additional options for pick up and drop off (but not ranking), the City can provide taxi exemptions for pick up and set down in full-time 'No Stopping' zones. The City will only consider this where road safety and traffic impacts are acceptable, provision of 'Taxi Zones' or other pick up and drop off options in the surrounding area is not adequate, and there will be no significant impact on public transport operations.

2.3 Delivery and service vehicles

On a weekday, the majority of parking spaces in central Sydney are loading zones. Loading zones can be used by drivers in vehicles designed for the conveyance of goods, for up to 30 minutes. In assessing the need for loading zones, the City will prioritise the needs of older buildings that have limited or nil on-site loading facilities.

Loading zones will be introduced after hours or on weekends in cases where weekday loading is inadequate, where it is desirable to encourage out-of-hours/weekend loading, or to meet the needs of businesses.

The City will consider converting loading zones to other uses in areas where there is significant new off-street parking supply for loading and delivery. This could include a publicly available shared off-street loading facility, where that facility can be accessed by a range of vehicle types.

In order to maximise compliance and ensure access for legitimate loading vehicles, loading zones in central Sydney will require the display of a loading zone ticket. (In some areas, tickets may become electronic as technology and regulations for parking enforcement evolve over time.)

Provisions for waste collection will generally be in the form of sections of kerb with lengths adequate for trucks signposted 'No Parking' with a short exemption for the waste vehicles. The periods these spaces operate will generally favour the established pattern, which sees most waste streams collected in the evening and early morning. The City will aim to provide a distribution of these spaces across central Sydney, focussing on streets and blocks with many buildings with no off-street loading access.

2.4 Mobility parking

The City's Inclusion (Disability) Action Plan outlines the importance of access for ensuring an inclusive city. The City's provision of dedicated mobility spaces will reflect the broader opportunities for drivers displaying a Transport for NSW Mobility Permit, to access the kerb for parking, and pick up and drop off, under NSW legislation. For instance, permit holders can avoid time restrictions and fees in longer stay general ticket parking spaces (until the time that the

signposted usage changes). Permit holders can access 'Loading Zones' or a 'No Parking' zone for 5 minutes for pick up and drop off.

The City will enable a limited supply of dedicated mobility spaces in central Sydney. To ensure these serve multiple customers across the day, these will generally be timed parking spaces (usually 2-4 hours, depending on the needs of users). In timed mobility spaces, the permit holder can only stay as long as the time limit shown.

Where possible, the City will locate and install dedicated mobility spaces or pickup and drop off zones so they are physically accessible for people with disabilities, e.g. with a kerb ramp.

2.5 Authorised Vehicle Zones – Essential Services

'Authorised Vehicle Zones' will be provided wherever necessary and feasible for the purposes of parking essential services vehicles. Essential services include postal collection, law enforcement or the parking of dedicated NSW Government emergency services or incident response vehicles.

As discussed at Section 2.1, where appropriate, these spaces can be signposted 'No Parking, [xxxxx] Excepted', so other users can pick up or drop off only, when the space is not occupied.

2.6 Authorised Vehicle Zones – Coaches

'Authorised Vehicle Zones' will be provided to facilitate bus, coach and mini-bus drop off and pick up near to major destinations or visitor accommodation. Where kerb space cannot be allocated close to major destinations, the City will seek to identify alternative locations on safe walking routes with clear wayfinding.

These zones will be provided on a time of day or week basis where possible, so the kerbside can be allocated for other uses outside these times.

The City will not accommodate long-stay coach lay-over on-street in central Sydney.

2.7 Authorised Vehicle Zones – Passenger Vehicles

'Authorised Vehicle Zones' requested for the untimed parking of ordinary passenger vehicles will generally not be allocated in central Sydney. This includes parking for passenger vehicles used by government departments, public authorities, consulates or car sharing services, but does not prevent allocation of space to wedding or funeral vehicles.

Exceptions will be considered only in cases where paid off-street parking is unavailable, and the allocation of dedicated space is demonstrably in the public interest. In all cases, the onus will be on the applicant to demonstrate that off-street parking is unavailable.

Where appropriate, these spaces can be signposted 'No Parking, [xxxxx] Excepted', so other users can use the space to pick up or drop off, when the space is not occupied.

'Authorised Vehicle Zones' will be subject to regular review in light of changing needs and changes to surrounding land use.

2.8 Short stay parking

Short stay parking allows a driver to leave their vehicle to undertake a function, such as dropping off goods or checking into a hotel then returning to the vehicle to park it off-street. The City will locate a limited supply of short stay parking only where they are needed to support land uses such as hotels. The time limit will range from five (5) to 15 minutes.

2.9 General period parking

General time limited pay parking will be the default restriction for kerbside parking space whenever or wherever the space is not required for higher priority uses. Fees will be set and exhibited annually as part of the City's draft operational plan.

Pay parking will be the predominant kerbside use on evenings and weekends, and may also be considered for the inter-peak period of 10am-3pm, unless required for higher priority uses. Fees will be outlined in the City's annual Statement of revenue policy - fees and charges.

In order to encourage the use of public and sustainable transport, untimed or all-day parking for commuters will not be allocated on-street.

Short-stay motorcycle parking is accommodated by general period parking space. Like other private vehicles, the extent of untimed motorcycle-only parking for weekday commuting will be limited in order to encourage use of public or sustainable transport, and the use of off-street parking. Long stay commuter parking will only be allocated for motorcycles where it is not required for any higher priority use.

Given that motorcycles cannot securely display tickets, the City does not require tickets to be purchased or displayed for motorcycle parking. In the event that suitable payment options are introduced, parking rates may be introduced and will reflect the reduced spatial footprint of motorcycles.

2.10. On-street bicycle parking – to reduce footpath clutter

The City supports increased bicycle riding. Share bike schemes reduce private vehicle use, however they can result in footpath clutter.

The City will aim to provide bicycle storage/parking in kerb locations that minimise the impact on other road users, including safety, movement or competition for kerb. One option is to allow share bikes to be stored in the departure side of intersections, areas typically signposted 'No Stopping' as part of standard intersection design. In many of these locations bicycles can be safely stored due to their smaller dimensions.

The City may supplement these storage areas with a small number of dedicated on-street bicycle parking spaces.

3 RESIDENT PERMIT PARKING SCHEME

3.1 Background

The Resident Parking Scheme in central Sydney provides for on-street parking for residential buildings approved prior to 2000. Residential premises approved after 1 May 2000 are not eligible for parking permits.

No Business or Visitor Permits are available in central Sydney.

3.2 Boundaries

The boundary of the parking precinct is shown in Figure 1.

3.3 Closure of the scheme to new applicants

Given the very high demand for the use of diminishing kerbside parking space in central Sydney, it is increasingly impractical for central Sydney streets to be used for the long-duration free parking of resident vehicles, particularly during business hours.

The Resident Parking Scheme in central Sydney is closed to new applicants.

3.4 Transitional Arrangements

In recognition of the reasonable expectations of existing permit holders, existing first permits will be honoured until the permit holder moves address, or allows the permit to lapse. Resident permits are not transferrable.

4. Administration

Responsibilities

Implementation, review and enforcement of on-street parking controls is the responsibility of the City Operations division.

Resident parking permits are administered by the City Engagement Division. The Director City Engagement will establish administrative procedures necessary for the consistent implementation of the policy.

The Director City Engagement is delegated to waive or vary the requirements of this policy only in cases where application of the policy would result in prolonged or unreasonable hardship.

Consultation

During the review of this policy, City staff engaged with:

- City of Sydney business units : Traffic Operations, Parking Services, Customer Service, Rangers, Social Policy and Legal & Governance. Transport for NSW.

Proposed changes to parking restrictions in central Sydney will be considered by the members of the Local Pedestrian Cycling and Traffic Calming Committee. Decisions will be taken at an open meeting wherever possible, and any urgent out-of-session decisions reported to the subsequent meeting. Changes will also be reported to the Central Sydney Traffic and Transport Committee where required by the City of Sydney Act, or where desirable to improve coordination with the NSW Government.

In addition to consultation with statutory committees established under the City of Sydney Act, changes to traffic, parking and loading in central Sydney will be discussed and coordinated with Transport for NSW in order to ensure their consistency with the Sydney City Centre Access Strategy.

Where changes to kerbside space are likely to affect known nearby users, the City will consult affected properties or users in writing. User group representatives may be non-voting members of the City's Traffic Committee.

References

Laws and Standards

- NSW Roads Act 1993 and NSW Road Rules 2014

Policies and Procedures

- Central Sydney Planning Strategy
- City Access Strategy and Action Plan – Continuing the Vision

Review period

The Chief Operations Officer will review this policy 3 years from the date of its adoption by Council.

TRIM Reference Number

Document number: XXX

Approval Status

The Council approved this policy on [DD MONTH YYYY].

Approval History

Stage	Date	Comment	TRIM Reference
Original Policy	22 April 1996	Approved by Council	2009/111134
Review	23 November 2015	Reviewed and updated. Approved by Council	2015/623069
Fit for Purpose Review	22 November 2017	Fit for Purpose. No change. Endorsed by the Executive	2018/035212
Commence Review Date	22 February 2019		
Approval Due Date	xxxx		

Ownership and approval

Responsibility	Role
Author	Transport Policy Manager
Owner	Executive Manager City Access and Transport
Endorser	City of Sydney Executive
Approver	City of Sydney Council

Attachment B

**Draft Central Sydney On-Street Parking
Policy (tracked changes version)**

Central Sydney On-Street Parking Policy

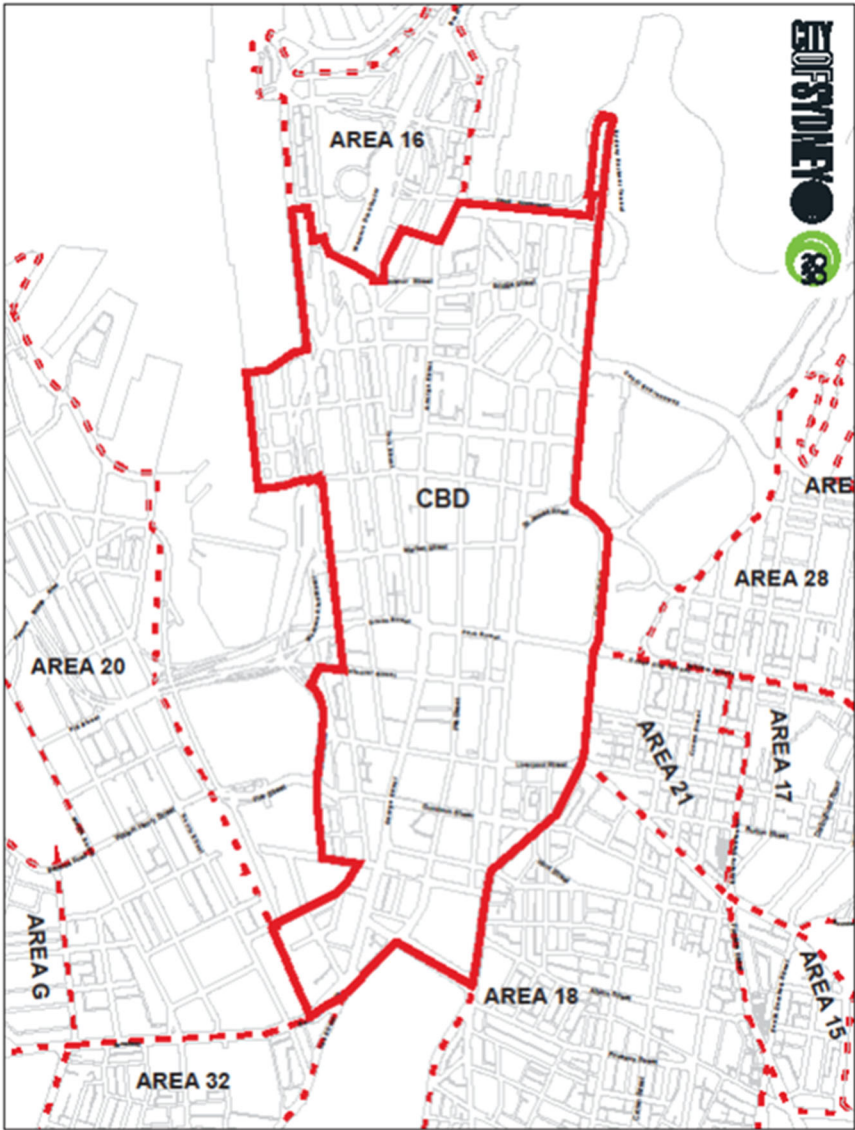
Purpose

The City of Sydney's (the 'City's') Central Sydney On-Street Parking Policy ("the Policy") is the framework for allocating kerbside parking and loading in central Sydney, to assist meeting the outcomes in Sustainable Sydney 2030-2050 Continuing the Vision.~~The City's on-street parking policy establishes criteria and service objectives for allocating kerbside parking and loading in central Sydney.~~

Scope

The ~~P~~policy applies to on-street parking and loading in central Sydney.~~:-The area is~~ defined by the solid red line in Figure 1.

Figure 1 ~~CBD Precinct~~Central Sydney On-Street Parking Policy area



Definitions

Term	Meaning
Authorised Vehicle Zones	A length of kerb to which a No Parking restriction applies, but which exempts a specific authorised vehicle.
Period Parking	Any parking space that is allocated for use without restriction by vehicle type, and which is subject to time limits.

Policy Statement

1 PRIORITISING KERBSIDE SPACE

1.1 Background

The City's Sustainable Sydney 2030–2050 Continuing the Vision and Community Strategic Plan outline the imperative to create a city for walking, cycling and public transport. This approach maximises the environmental, economic and social outcomes in the constrained space of central Sydney, where much growth is still to occur.

There is ~~intense~~ competition for the use of street and ~~kerbside~~ space in central Sydney. ~~The City's~~ narrow streets and short east-west blocks limit the useable kerb space that can be safely allocated to support ~~the City's~~ commercial and ~~transport access~~ functions. ~~–Much of the space that is available, the majority is occupied by critical transport infrastructure, is allocated to the movement of vehicles~~ including general traffic lanes, turn lanes, bus lanes and bus stops, light rail and cycle ways.

The Central Sydney Planning Strategy 2016-2036 describes the additional commercial, retail and residential floor space to be constructed in and near central Sydney. ~~and new precincts are developed, this will result in~~ increasing demands on the City's available kerbside space. Demolition and construction may require dedicated kerb space in the form of Work Zones.

The ~~consistent~~ management ~~and allocation~~ of ~~kerbside~~ space will ensure the street network can accommodate critical business and local needs, while maintaining access via the efficient operation of the ~~broader~~ public and private transport networks. The City's overall approach to this challenge is outlined in its Access Strategy and Action Plan – Continuing the Vision:

<https://www.cityofsydney.nsw.gov.au/strategies-action-plans/access-strategy-and-action-plan-continuing-the-vision>

1.2 New developments

In accordance with the requirements of the Sydney Development Control Plan 2012, The the City of Sydney generally requires that new developments incorporate off-street loading docks, subject to technical or heritage considerations. ~~Where new loading and parking is constructed on-site, the City will require, as a condition of development consent, that all parking and servicing take place on-site.~~

The City can also require developers to ~~create~~provide bicycle parking and other end-of-trip facilities in a development.

This City's Access Strategy and Action Plan recognises the importance of efficient and timely freight and deliveries in central Sydney. It aims to increase off-street loading capacity to enable a progressive reduction of on-street loading in nearby streets, using the kerb space for other purposes while ensuring businesses retain access for their freight and servicing needs.

1.3 Proposed hierarchy approach

Figure 1 shows the hierarchy for the allocation of kerbside space in central Sydney. The hierarchy applies to space that is available—whether full time or part time—for the set down or pick up of goods or passengers.

The City considers a number of factors (described as levels) when determining allocation of kerb space in central Sydney.

—Network level: when the kerb lane is required for priority modes of movement or road safety.

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Examples of kerb allocation for space-efficient movement include kerbside bus lanes and bus stops, or cycleways.

Under current arrangements, Transport for NSW also requires significant areas of kerb to store out-of-service buses, to support operation of routes that currently start and finish in central Sydney. Over time, as major public transport such as new Metro rail comes online and bus services change to reflect this, the City expects that less kerb will be required for these functions.

Examples of road safety treatments include “No Stopping” zones around intersections, and pedestrian crossings.

—Place level: when not required for movement or road safety, the kerb lane can be allocated to uses required to improve the quality of our places.

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Examples of kerbside allocation that support place quality include street space reallocation for footpath widening, tree planting, or outdoor dining.

Consistent with Sustainable Sydney 2030–2050 Continuing the Vision, the City will work to allocate more street and kerb space to these place functions. Key reasons include growth in workers and visitors in central Sydney, the need for better places for economic competitiveness and the need for more planting to address the heat impacts of the Climate Emergency.

• Parking/stopping level: When not required for movement, road safety, or for place improvements, the kerb lane can be allocated to parking/stopping arrangements.

This Policy directly relates to this last level, outlining the rationale for various parking and stopping treatments that support access to central Sydney.

Priority	Kerbside use	Service Objective
 Highest	Taxis	To provide taxi ranks within 150m of any location in central Sydney To provide pick up and drop off locations at or near key accommodation, tourism, commercial and residential facilities. To maximise safe pick up or set down opportunities, while minimising congestion impacts.
	Delivery and service vehicles	To provide Loading Zones within 100m of any location without on-site parking or loading.
	Mobility parking	To provide dedicated mobility parking spaces within 100m of a concentration of specialist medical or human services facilities. To provide dedicated mobility parking or ticket parking that can be used by mobility permit holders within 150m of any location in central Sydney.
	Authorised Vehicles Zones - essential services	Spaces to be provided as required to facilitate postal collection, policing, and parking of dedicated emergency services or incident response vehicles.
	Authorised Vehicle Zones – coach parking	To provide short term coach parking for group pick up and drop off near to major destinations or accommodation. To encourage turnover of on-street coach parking and use of off-street facilities for long-stay coach layover.
	Authorised Vehicle Zones – passenger vehicles	To provide parking for government agencies or consular parking on where alternative off-street parking is not available within reasonable distance, or where on-street parking is required for exceptional circumstances.
	General kerbside parking	To provide time limited ticket parking and parking wherever or whenever space is not required for higher priority uses. To provide ticket parking with resident permit-holder exemptions i locations appropriate for long-stay kerbside parking. To provide dedicated long-stay motorcycle parking for use by commuters.
Lowest		

2. ALLOCATION OF KERB FOR PARKING OR STOPPING

When a section of kerb is to be used for parking to enable access, or stopping to enable pick up and drop off, the City will prioritise high value uses. -There is no absolute hierarchy, but the uses that will have priority over other types of parking are:

- —pick up and drop off, using No Parking zones, recognising that some sections of the community require access close to their final destination-
- —point-to point-transport including taxis, that support some visitor and business trips, and the late night economy-
- —loading and servicing for businesses, using Loading Zones, recognising that some buildings do not have onsite loading facilities-
- —dedicated Mobility Parking spaces for people with disability
- —supporting the operation of emergency services, with Authorised Vehicles zones
- supporting the needs of other essential services
- a small supply of spaces for coach pickup and drop-off-
- —supporting the functioning of hotels, where high kerb turnover makes sense, with short stay parking.

The City will ensure an adequate supply of each type of parking space is provided across central Sydney. The City will also respond to locations with specific needs for particular parking treatments parking treatments, such as hotels requiring a nearby taxi zone.

The City will always aim to maximise the use value of all kerbs, and will allocate any residual kerb to lower value uses, such as general period paid parking.

2.1. No Parking

Areas of kerbside ('zone') to which a 'No Parking' sign applies can provide useful opportunities for pick up and drop off in vibrant city centres. The Road Rules 2014 permit a driver of a vehicle to stop in a 'No Parking' zone for the purpose of picking up or dropping off passengers or goods, as long as the driver does not leave the vehicle unattended. Unless a different period is signposted, drivers can stop for up to 2 minutes (and for up to 5 minutes for vehicles displaying a Mobility Permit).

'No Parking' zones can serve a range of different needs in central Sydney. For taxis and point to point (rideshare) vehicles, they allow for legal pick up and drop off of passengers in a wider range of locations.

The City will aim to spread opportunities for pick up and drop off across the city centre. To respond to the needs of people with a disability, there will be specific attention to locating spaces where they will be most physically accessible (near a kerb ramp or driveway) where possible.

The City can signpost some kerb lengths 'No Parking – Trucks Excepted', or 'No Parking – Coaches Excepted' (both with or without a time limit), to support access for waste collection vehicles, or coaches.

The City can signpost a 'No Parking' space with an exception for a specific type of vehicle, for example 'NSW Fire and Rescue Vehicles Excepted'. These are a type of 'Authorised Vehicle' spaces, that can also be used for general pickup and drop -off when available.

2.2 Taxis

Taxi ranks ('Taxi Zones') should generally be no more than 150 – 200m from key locations in central Sydney. This will encourage their use, reduce congestion and reduce road safety impacts of vacant taxis circling for passengers. Wayfinding and online tools can help customers locate taxi ranks.

To provide additional options for pick up and drop off (but not ranking), the City can provide taxi exemptions for pick up and set down in full-time 'No Stopping' zones. The City will only consider this where road safety and traffic impacts are acceptable, provision of 'Taxi Zones' or other pick up and drop off options in the surrounding area is not adequate, and there will be no significant impact on public transport operations.

~~Taxis are a key mode of transport in central Sydney, and will be given the highest priority.~~

~~Taxi ranks should generally be no more than 150m from any location in central Sydney. This will encourage their use by taxi drivers and customers, and reduce congestion and road safety impacts of vacant taxis cruising for passengers.~~

~~Taxi exemptions for pick up and set down in full-time No Stopping zones will be considered where road safety and traffic impacts are acceptable, and provision of Taxi Zones in the surrounding area is not adequate. Exemptions will generally not be provided if they are likely to have significant impact on public transport operations.~~

2.3 Delivery and service vehicles

On a weekday, the majority of parking spaces in central Sydney are loading zones. Loading zones can be used by drivers in vehicles designed for the conveyance of goods, for up to 30 minutes.- In assessing the need for loading zones, the City will prioritise the needs of older buildings that have limited or nil on-site loading facilities.

Loading zones will be introduced after hours or on weekends in cases where weekday loading is inadequate, where it is desirable to encourage out-of-hours/weekend loading, or to meet the needs of businesses.

The City will consider converting loading zones to other uses in areas where there is significant new off-street parking supply for loading and delivery. This could include a publicly available shared off-street loading facility, where that facility can be accessed by a range of vehicle types.

In order to maximise compliance and ensure access for legitimate loading vehicles, loading zones in central Sydney will require the display of a loading zone ticket. (In some areas, tickets may become electronic as technology and regulations for parking enforcement evolve over time.)

Provisions for waste collection will generally be in the form of sections of kerb with lengths adequate for trucks signposted 'No Parking' with a short exemption for the waste vehicles. The periods these spaces operate will generally favour the established pattern, which sees most waste streams collected in the evening and early morning. The City will aim to provide a distribution of these spaces across central Sydney, focussing on streets and blocks with many buildings with no off-street loading access. In assessing the need for Loading Zones, the City will prioritise the needs of older buildings that have limited or nil on-site loading facilities.

The City will allocate loading zones to ensure that any premises that does not have on-site loading or parking facilities is within 100m of a Loading Zone for a minimum of three hours each weekday. Where necessary to accommodate other road users, loading zones may be limited to the inter-peak or off-peak.

Loading zones may be introduced after hours or on weekends in cases where weekday loading is inadequate, or where it is desirable to encourage out-of-hours/weekend loading.

Loading zones will not be provided to serve buildings with on-site loading docks, or buildings which are subject to consent conditions requiring all loading and servicing to occur on-site.

In order to maximise compliance and ensure access for legitimate loading vehicles, loading zones in central Sydney will require the display of a loading zone ticket.

2.4 — Mobility parking

The City's Inclusion (Disability) Action Plan outlines the importance of access for ensuring an inclusive city. The City's provision of dedicated mobility spaces will reflect the broader opportunities for drivers displaying a Transport for NSW Mobility Permit, to access the kerb for parking, and pick up and drop off, under NSW legislation. For instance, permit holders can avoid time restrictions and fees in longer stay general ticket parking spaces (until the time that the signposted usage changes). Permit holders can access 'Loading Zones' or a 'No Parking' zone for 5 minutes for pick up and drop off.

The City will enable a limited supply of dedicated mobility spaces in central Sydney. To ensure these serve multiple customers across the day, these will generally be timed parking spaces (usually 2-4 hours, depending on the needs of users). In timed mobility spaces, the permit holder can only stay as long as the time limit shown.

Where possible, the City will locate and install dedicated mobility spaces or pickup and drop off zones so they are physically accessible for people with disabilities, e.g. with a kerb ramp. here are dedicated mobility spaces across the city centre. However the majority of space available to people holding a Roads and Maritime Services (RMS) issued Mobility Permit is general kerbside ticket parking.

~~The service objective for mobility parking is that most locations in central Sydney should be within 150m of a dedicated mobility parking space or ticket parking that could be used for mobility parking.~~

2.5 Authorised Vehicle Zones – Essential Services

'Authorised Vehicle Zones' will be provided wherever necessary and feasible for the purposes of parking essential services vehicles. ~~Essential services include postal collection, law enforcement, or the parking of dedicated NSW Government emergency services or incident response vehicles.~~

As discussed at Section 2.1, where appropriate, these spaces can be signposted 'No Parking, [xxxxx] Excepted', so other users can pick up or drop off only, when the space is not occupied.

2.6 Authorised Vehicle Zones – Coaches

'Authorised Vehicle Zones' will be provided to facilitate bus, coach and mini-bus drop-off and pick-up near to major destinations or ~~visitor~~ accommodation. ~~Where kerb space cannot be allocated close to major destinations, the City will seek to identify alternative locations on safe walking routes with clear way-finding.~~

These zones will be provided on a time of day or week basis where possible, so the kerbside can be allocated for other uses outside these times.

The City will not accommodate long-stay coach lay-over on-street in central Sydney. Long-stay coach lay-over in central Sydney will not be accommodated on-street.

2.7 Authorised Vehicle Zones – Passenger Vehicles

'Authorised ~~V~~ehicle ~~Z~~ones' requested for the untimed parking of ordinary passenger vehicles will generally not be allocated in central Sydney. ~~This includes parking for passenger vehicles used by government departments, public authorities, consulates, or car sharing services, but does not prevent allocation of space to wedding or funeral vehicles.~~

Exceptions will be considered only in cases where paid off-street parking is unavailable, and the allocation of dedicated space is demonstrably in the public interest. ~~In all cases, the onus will be on the applicant to demonstrate that off-street parking is unavailable.~~

Where appropriate, these spaces can be signposted 'No Parking, [xxxxx] Excepted', so other users can use the space to pick up or drop off, when the space is not occupied.

~~'Authorised Vehicle Zones' will be subject to regular review in light of changing needs and changes to surrounding land use. Authorised vehicle zones will be subject to annual review in light of changing needs and changes to surrounding land use.~~

2.8 *Short stay parking*

~~Short stay parking allows a driver to leave their vehicle to undertake a function, such as dropping off goods or checking into a hotel then returning to the vehicle to park it off-street. The City will locate a limited supply of short stay parking only where they are needed to support land uses such as hotels. The time limit will range from five (5) to 15 minutes.~~

2.9 *General period parking*

~~General time limited pay parking will be the default restriction for kerbside parking space whenever or wherever the space is not required for higher priority uses. Fees will be set and exhibited annually as part of the City's draft operational plan.~~

~~Pay parking will be the predominant kerbside use on evenings and weekends, and may also be considered for the inter-peak period of 10am-3pm, unless required for higher priority uses. Fees will be outlined in the City's annual Statement of revenue policy - fees and charges.~~

~~In order to encourage the use of public and sustainable transport, untimed or all-day parking for commuters will not be allocated on-street.~~

~~Short-stay motorcycle parking is accommodated by general period parking space. Like other private vehicles, the extent of untimed motorcycle-only parking for weekday commuting will be limited in order to encourage use of public or sustainable transport, and the use of off-street parking. Long stay commuter parking will only be allocated for motorcycles where it is not required for any higher priority use.~~

~~Given that motorcycles cannot securely display tickets, the City does not require tickets to be purchased or displayed for motorcycle parking. In the event that suitable payment options are introduced, parking rates may be introduced and will reflect the reduced spatial footprint of motorcycles.~~

~~General time limited pay parking will be the default restriction for kerbside parking space whenever or wherever the space is not required for higher priority uses.~~

~~Pay parking will be the predominant kerbside use on evenings and weekends, and may also be considered for the inter-peak period of 10am-3pm, unless required for higher priority uses.~~

~~In order to encourage the use of public and sustainable transport, untimed or all-day parking for commuters will not be allocated on-street.~~

~~2.8 Motorcycle parking~~

~~Short stay motorcycle parking is accommodated by general period parking space.~~

~~The extent of untimed motorcycle-only parking for weekday commuting will be limited in order to encourage use of public or sustainable transport, and the use of off-street parking. Commuter parking will be allocated for motorcycles where it is not required for higher priority uses.~~

~~Given that motorcycles cannot securely display tickets, the City does not require tickets to be purchased or displayed in these areas. In the event that suitable payment options are introduced, parking rates will reflect the reduced spatial footprint of motorcycles.~~

~~-2.10. On-street bBicycle parking – to reduce footpath clutter~~

~~The City supports increased bicycle riding. Share bike schemes reduce private vehicle use, however they can result in footpath clutter.~~

~~The City will aim to provide bicycle storage/parking in kerb locations that minimise the impact on other road users, including safety, movement or competition for kerb. One option is to allow share bikes to be stored in the departure side of intersections, areas typically signposted 'No Stopping' as part of standard intersection design. In many of these locations bicycles can be safely stored due to their smaller dimensions.~~

~~The City may supplement these storage areas with a small number of dedicated on-street bicycle parking spaces.~~

3 RESIDENT PERMIT PARKING SCHEME

3.1 Background

The Resident Parking Scheme in central Sydney provides for on-street parking for residential buildings approved prior to 2000. -Residential premises approved after 1 May 2000 are not eligible for parking permits.

No Business or Visitor Permits are available in central Sydney.

3.2 Boundaries

The boundary of the parking precinct is shown in Figure 1.

3.3 Closure of the scheme to new applicants

Given the very high demand for the use of diminishing kerbside parking space in central Sydney, it is increasingly impractical for central Sydney streets to be used for the long-duration free parking of resident vehicles, particularly during business hours.

The Resident Parking Scheme in central Sydney is closed to new applicants ~~from the date of the adoption of this policy.~~

3.4 Transitional Arrangements

In recognition of the reasonable expectations of existing permit holders, existing first permits will be honoured until the permit holder moves address, or allows the permit to lapse. ~~Second permits will not be renewed beyond a period of 18 months from the date of the adoption of the policy.~~ Resident permits are not transferrable.

4. Administration

Responsibilities

Implementation, review and enforcement of on-street parking controls is the responsibility of the City Operations division.

Resident parking permits are administered by the City Engagement Division. The Director City Engagement will establish administrative procedures necessary for the consistent implementation of the policy.

The Director City Engagement is delegated to waive or vary the requirements of this policy only in cases where application of the policy would result in prolonged or unreasonable hardship.

Consultation

During the review of this policy, City staff engaged with:

- City of Sydney business units : Traffic Operations, Parking Services, Customer Service, Rangers, Social Policy and Legal & Governance.
- Transport for NSW.

Proposed changes to parking restrictions in central Sydney will be considered by the members of the Local Pedestrian Cycling and Traffic Calming Committee. Decisions will be taken at an open meeting wherever possible, and any urgent out-of-session decisions reported to the subsequent meeting. Changes will also be reported to the Central Sydney Traffic and Transport Committee where required by the City of Sydney Act, or where desirable to improve coordination with the NSW Government.

In addition to consultation with statutory committees established under the City of Sydney Act, changes to traffic, parking and loading in central Sydney will be discussed and coordinated with Transport for NSW in order to ensure their consistency with the Sydney City Centre Access Strategy.

Where changes to kerbside space are likely to affect known nearby users, the City will consult affected properties or users in writing. User group representatives may be non-voting members of the City's Traffic Committee.

References

Laws and Standards

• NSW Roads Act 1993 and NSW Road Rules 2014

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Policies and Procedures

- [Central Sydney Planning Strategy](#)
- [City Access Strategy and Action Plan – Continuing the Vision](#)

Review period

~~The Chief Operations Officer will review this policy 3 years from the date of its adoption by Council. The Director City Planning, Development and Transport will review this policy 2 years from the date of its adoption by Council.~~

TRIM Reference Number

Document number: ~~XXX2018/024009~~

Approval Status

The ~~Chief Executive Officer~~ Council approved this policy on [DD MONTH YYYY].

~~Double-Click to insert Initials~~

~~Monica Barone, Chief Executive Officer~~

~~(To be completed by Office of CEO on approval or deleted if Council approved policy)~~

Approval History

Stage	Date	Comment	TRIM Reference
Original Policy	22 April 1996	Approved by Council	2009/111134
Review	23 November 2015	Reviewed and updated. Approved by Council	2015/623069
Fit for Purpose Review	22 November 2017	Fit for Purpose. No change. Endorsed by the Executive	2018/035212
Commence Review Date	22 February 2019		
Approval Due Date	xxxx		

Ownership and approval

Responsibility	Role
Author	Transport Policy Manager
Owner	Executive Manager City Access and Transport
Endorser	City of Sydney Executive
Approver	City of Sydney Council

Item 5.

Public Exhibition - Car Sharing Policy

File No: X111618

Summary

The City of Sydney's (the City) Car Sharing Policy (Policy) is due for review. The Policy was adopted in 2011 and updated in 2016. The Policy has been reviewed to enable: alignment with City strategies including Sustainable Sydney 2030–2050 Continuing the Vision, the Community Strategic Plan, the Access Strategy and Action Plan – Continuing the Vision and the Electrification of Transport in the City Strategy and Action Plan; alignment with changes in NSW Government policy and regulation; consideration of emerging trends in mobility, such as electric vehicle charging, and responses to reduce transport related carbon emissions; trends occurring in the car sharing industry; the use of the car sharing system in the City of Sydney; and implementation impacts and options to improve outcomes and/or operational efficiency.

There are around 880 car share spaces across the city, accounting for around 2% of the 41,000+ on-street parking spaces.

The objectives of the Policy are to increase use of car sharing, and to ensure that the City's car sharing program is well-governed and transparent. The review found that the Policy is generally operating well, with use of the system stable, the number of operators and competition increasing and with car share operators generally meeting the minimum usage requirements in their spaces. The objectives of the Policy are fit-for-purpose and continue to provide a solid basis for the management of the car sharing system in our area, including enabling on-street parking spaces more efficiently, reducing vehicle traffic and emissions and increasing social inclusion.

The review determined some areas for improvement, notably to improve management of the system and to set an emission reduction target in line with the City's Net Zero by 2035 target. The revised draft Policy is presented in Attachment A with all proposed changes shown as tracked changes in Attachment B. Primary changes include: all car share vehicles will need to be zero emissions by no later than 2035; changes to enable a car share vehicle to be parked in nearby 'permit excepted' space if the dedicated space is illegally occupied; the introduction of mandatory auditing of operator reports every 3 years; capping the maximum parking space allocation of 5% of all parking spaces per parking area; clarification for new operators to enter the system; caps for the maximum monthly installation of new spaces; clarity on how applications for new car share spaces will be prioritised; and clarification on the City's approach for free floating car share scheme proposals. These and other minor changes are documented in Section 25 of this report. The proposed changes strengthen the City's governance of spaces, competition and environmental performance.

It is recommended that the draft Car Sharing Policy is exhibited for public comment with the final Policy presented to Council for approval once community feedback has been considered. The current Car Sharing Policy will remain in effect until such time as the updated Policy is adopted by Council.

Recommendation

It is resolved that:

- (A) Council approve the draft Car Sharing Policy, as shown at Attachment A to the subject report, for public exhibition;
- (B) Council note that the Car Sharing Policy, including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (C) authority be delegated to the Chief Executive Officer to make minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Car Sharing Policy.

Attachments

Attachment A. Draft Car Sharing Policy

Attachment B. Draft Car Sharing Policy (tracked changes version)

Background

1. In 2007, the City began providing dedicated parking bays to car share operators as a trial.
2. On 4 April 2011, Council adopted a Car Sharing Policy. This was reviewed in 2016.
3. The objectives of the Car Sharing Policy are to use on-street parking more efficiently, reduce vehicle traffic, provide alternatives to private vehicle ownership, lower transport related greenhouse gas emissions, support the local economy and to increase social inclusion and health.
4. Review of the current Car Sharing Policy was delayed, primarily due to the impacts of the Covid-19 pandemic.
5. The Car Sharing Policy has now been reviewed. Proposed changes are presented in Attachment A. The review:
 - (a) enabled alignment of the Policy with City strategies including Sustainable Sydney 2030–2050 Continuing the Vision, the Community Strategic Plan, the Access Strategy and Action Plan – Continuing the Vision and the Electrification of Transport in the City Strategy and Action Plan
 - (b) enabled alignment with changes in NSW Government policy and regulation. The RMS technical direction has been updated
 - (c) considered emerging trends in mobility, such as electric vehicle charging
 - (d) considered responses to the Climate Emergency and the need for the transport sector to reduce transport emissions
 - (e) assessed trends occurring in the car sharing industry, including peer-to-peer car share and free-floating car share, and the applicability to our area
 - (f) evaluated the use of the car sharing system in the City of Sydney
 - (g) considered operational and implementation ('management') impacts and options to improve outcomes and/or operational efficiency.
6. The review found that the Policy is generally operating well in terms of use and management, with use of the system stable, the number of operators and competition increasing and with car share operators generally meeting the minimum usage requirements in their spaces. The objectives of the Policy are fit-for-purpose and continue to provide a solid basis for the management of the car sharing system in our area.
7. The use of car share over the last 3 years (in number of bookings) is stable, with some variation throughout the year (bookings tend to be higher in summer and spring months). Use declined significantly during the Covid-19 pandemic, but recovered as activity increased.

8. The Policy contains a clause outlining that the City can initiate an expression of interest (EOI) for any existing space that has been installed for ten plus years. The City has not, to date, exercised this clause using, instead, other levers in the Policy to increase competition between operators (existing and potential new ones).
9. Car share operators apply to the City to become an approved operator in the City of Sydney area. Since the last Policy review, there have been some changes to eligible operators, including:
 - (a) introduction of Car Next Door in 2017, supplementing its peer-to-peer business with a business to customer 'City' fleet consistent with the Policy (i.e. with dedicated vehicles and parked in City approved spaces). Car Next Door rebranded as Uber Carshare in 2021 (however the City's formal conferral of eligibility remained with Car Next Door)
 - (b) introduction of Popcar in 2018
 - (c) introduction of Kinto in 2023
 - (d) Uber has recently (September 2024) withdrawn from all car sharing in the City, and Car Next Door will not be operating peer to peer or business to customer car sharing. In the short term, this will likely trigger an initial reduction in car sharing membership in the City, as it is unclear how many Car Next Door members will join other operator schemes.
10. There are signs that competition has increased, as desired in the 2016 Policy review. GoGet voluntarily vacated 40+ spaces in late 2023, and the City reallocated these to other operators, further increasing the opportunities for competition.
11. GoGet continues to have a strong market share, with around 70% of spaces.
12. Car share companies apply to the City for dedicated on-street parking spaces by, when invited, nominating a location, which typically responds to increased nearby membership or usage. The number of car share bays in the city has increased from around 600 on-street spaces in 2016 to around 880 in 2024. This is around 2% of our (non-city centre) on-street spaces.
13. The City allowed significant expansion of on-street car sharing spaces in 2017-19, but did not allow operators to introduce new spaces during the pandemic, and there has been limited expansion since (reflecting the delay to the Policy review).
14. The proportion of on-street spaces allocated to car sharing spaces currently ranges from as low as 0.8% in Area 13 (Centennial Park and South Paddington) to 4.3% in Area 19 (Kings Cross).
15. The Policy treats 'high coverage areas' (more than 3.5% of spaces) differently, with a higher threshold for an operator to gain an additional space in that area, and a combined cap of only four new spaces implemented in any month. Only 2 areas are currently classified as high coverage, however another three are just below (at 3.4%). The net effect is likely to be to encourage operators to apply for spaces in areas with fewer spaces, which is a positive outcome for spreading the coverage across our area.

16. Car share operators are required to provide monthly reports on numbers and types of members (residents and business) per postcode as well as usage of vehicles itemised by location. This enables the City to determine whether the use of spaces is justified. Overall, car share operators are meeting minimum usage criteria outlined in the Policy.
17. The City charges car share operators a one-off fee to partially cover the costs of applying to be an operator (2024/25 \$1,880) and a one-off fee to partially cover the cost of new spaces (administration, installation of signage and line marking; 2024/25 fee \$2,710). Each car share vehicle must also have an Authorised Car Share Vehicle Permit (2024/25 \$188 per annum). Note that fees are exhibited and set annually as part of the Operational Plan.
18. Car sharing reduces the number of cars people own and use, resulting in benefits for members and non-members. However, the continued allocation of on-street parking spaces to car sharing on an individual basis can sometimes be contentious.
19. Car sharing reduces vehicle related emissions through reducing the number of vehicles people need to own, along with giving people access to newer (and lower emission) vehicles than they may be able to access otherwise.
20. The Car Sharing Policy currently mandates low emission vehicles. Early engagement with car share operators suggests that they will transition their fleets to electric vehicles for operational reasons once vehicles become available and affordable, and charging solutions are efficient and manageable. It is expected that operators will develop systems where they, or their members, refuel (or recharge) the cars, as occurs with the current fleet.
21. The Electrification of Transport in the City Strategy and Action Plan indicates the intention for a zero emission car sharing fleet by 2030 (Action 11 states that the City will 'Work with car share operators to develop a model to electrify their fleet by 2030. This includes changes confirmed via periodic policy review and that are cost neutral to the City'). Following the Lord Mayor writing to operators to indicate the City's intention that they bring to progress their fleets to zero emission vehicles, City officers met with approved car share operators in our area to discuss their transition plans along with the Policy review. Support for electrification of fleets is mixed at this stage, though all accept that fleets will eventually be electrified, and that they will need to develop approaches that integrate vehicle charging into their operations.
22. Car share vehicles in the local area are used on average 35km per day over about 5 hours, noting inconsistent usage patterns and variations in each member's trip purpose, distance and duration. Based on this, a car share vehicle would be required to charge on average about once every 2 weeks. The City will work with operators to better understand the charging options in the initial stages of fleet transition (when fast charging opportunities will be less available).
23. There was significant and well-resourced external interest around 2018 in trialling a free-floating car sharing system in Sydney, including in the City of Sydney. Feedback from most inner area councils was that the likely risks would significantly outweigh any benefits, and potentially threaten the success of the current system. There are no current proposals we are aware of for such a scheme.
24. In terms of Car Next Door no longer facilitating peer to peer car sharing, it is unclear whether a new operator will attempt to capitalise on this opportunity. If not, it is possible that there will be increased demand for business to customer car sharing.

25. In consideration of the above findings, the Policy has been updated. The draft is presented in Attachment A. The proposed changes strengthen the City's governance of spaces, competition and environmental performance. Specific changes proposed to the Policy are:

(a) Key proposed changes, and the rationale for them, are:

Current Policy	Proposed change	Rationale for the change
2. Obligations of car share operators. i. Vehicle Environmental Impact	Addition of a requirement for zero emissions car share vehicles by 2035. target for zero emission fleets.	While noting the emissions reduction car share generates, from reduced car ownership and use, responds to the City's Electrification of Transport in the City Strategy and Action Plan.
2. Obligations of car share operators. iii. Permit	Text added that car share permits allow the car share vehicle to be parked in nearby 'permit excepted' spaces if the dedicated space is illegally occupied.	This was discussed in the 2016 review and an operational solution explored unsuccessfully. Making this intention clear in the Policy will support operational solutions to the issue.
2. Obligations of car share operators: v. Audit of reports.	New text added to introduce a mandatory audit of each operator's monthly reporting every 3 years.	Added to strengthen transparency and management of the Policy. The recent issue with alleged Beam e-scooter fraudulent reporting in multiple jurisdictions strengthens the case for this, considering the number of decisions the City makes that would benefit an operator, which are contingent on data provided by them.
3.1 Installation	Confirmation that the City will allow scope for new operators to enter the system. Specify maximum parking space allocation of 5% of all parking spaces per parking area.	The proposed 5% cap responds to the removal in the NSW Government's Technical Direction of any guidance on a cap. Most areas are well below this proposed cap.

3.5 Priority for new space applications	Referce to prioritisation for new car share space applications.	When the City seeks new space applications, it receives more than the relevant caps. Prioritisation to reflect the Policy's objectives ensures the most appropriate spaces proceed to consultation.
3.8 Free floating car share	New section added on the City's current lack of support for free floating car share scheme proposal.	Confirms the City has no current plans to explore these schemes.

(b) Other minor changes:

- (i) Purpose: Text added to align policy to Sustainable Sydney 2030-2050 Continuing the Vision, the Community Strategic Plan and the Access Strategy and Action Plan.
- (ii) Scope: Clarification that the Policy is not currently considering on-street spaces in the area defined by the Central Sydney On-Street Parking Policy.
- (iii) Definitions, references: Updated
- (iv) Peer to Peer Car Sharing: Removed section. The City had no active role in this product, no operator ever invoked the option to provide data, and retention of the reference to this informal system will be confusing with Car Next Door having ceased operation.
- (v) 5.4 Expression of Interest for use of car sharing bays: Clarity around process when an operator vacates a space i.e. if spaces remain in system, the City to offer to other eligible operators.
- (vi) 6.1 Disclosure of data: Clarity around publishing of car share data, to more clearly reflect the decisions made in the 2016 Policy review.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

26. 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. This policy is aligned with the following strategic directions and objectives:

- (a) Direction 1 - Responsible governance and stewardship - The revised Car Sharing Policy proposes changes to strengthen and clarify the City's management of the car sharing system within our area.

- (b) Direction 2 - A leading environmental performer - Car sharing reduces transport related carbon emissions. The draft Policy further enhances the emission reduction contribution of car share by specifying that car share vehicles need to be zero emissions by 2035.
- (c) Direction 5 - A city for walking, cycling and public transport - Car sharing uses on-street parking more efficiently, reduces vehicle ownership and traffic and supports walking.
- (d) Direction 6 - An equitable and inclusive city - Car sharing reduces the burden of car ownership on households, including the on-going costs associated with car ownership.

Organisational Impact

- 27. The changes proposed in the draft Policy will not materially impact on the current on-going organisational impacts of managing and implementing the Policy.

Social / Cultural / Community

- 28. The availability of car sharing provides casual access to safe and modern vehicles by households and individuals who may not be able to afford the upfront and on-going costs of an equivalent vehicle.
- 29. Car sharing enables access vehicles on an 'as needed' basis.

Environmental

- 30. Car sharing enables the more efficient use of on-street parking spaces, as a vehicle is shared by people. Car sharing has been shown to reduce second car ownership.
- 31. As car sharing members pay the marginal cost of their driving, they tend to drive less often and for shorter distances than private vehicle owners.
- 32. On-road emissions from car share vehicles are lower than the private fleet, because they have a much lower average age, and are subject to professional fleet maintenance.
- 33. The draft Policy specifies that car share vehicles need to be zero emissions by 2035.

Economic

- 34. Car sharing reduces the financial burden of car ownership (or second car ownership) on members.
- 35. This Policy affects those in the business of car share in our area.

Financial Implications

- 36. The City collects more than \$160,000 in fees from annual permits for the dedicated spaces. The proposed changes to the Policy will not materially impact on existing operations or fees collected from annual permits. The on-going management and implementation of the current Policy is part of the existing operations of the City.

Relevant Legislation

37. Technical Direction, Traffic and Transport, TTD 2018/001 – 26 October 2018: Guidelines for on-street fixed space car share parking
38. Transport for NSW Parking Permit Guidelines 2021 set out matters which need to be considered when permits schemes are developed and implemented.
39. In accordance with section 610F of the Local Government Act 1993, proposed changes to the fees will be exhibited along with the City's draft operational plan as part of the annual review of fees and charges.

Critical Dates / Time Frames

40. The City's current Car Sharing Policy will remain in effect until such time as Council adopts a revised policy.

Public Consultation

41. General feedback from the community has been considered. This arises from individual representations on issues, but also the structured engagements on Sustainable Sydney 2030-2050, the Access Strategy and Action Plan and the Electrification of Transport in the City Strategy and Action Plan.
42. The City consulted each eligible car sharing operator on the Car Sharing Policy, including on the opportunities and challenges of zero emissions fleet transition.
43. No changes to fees will occur until 1 July 2025. In accordance with section 610F of the Local Government Act, the proposed changes to the fees will be exhibited along with the City's draft operational plan as part of the annual review of fees and charges.
44. Installation of individual car share bays are consulted on.
45. Following endorsement by Council, the draft Car Sharing Policy will be placed on public exhibition for at least 8 weeks (allowing additional time to account for the end of year holiday period).

KIM WOODBURY

Chief Operating Officer

Peter Warrington, Manager Transport Policy

Attachment A

Draft Car Sharing Policy

Car Sharing Policy

Purpose

Parking is a key component of the system that supports the access, economic, social and environmental outcomes outlined in Sustainable Sydney 2030 – 2050 Continuing the Vision, the Community Strategic Plan and the Access Strategy and Action Plan – Continuing the Vision.

As cities grow, the demands for street space intensify. The kerbside is a valuable commodity, with private parking competing with many other beneficial uses for space – including safety measures such as clear zones and pedestrian crossings; cycleways; footpath widening; outdoor dining; and plantings to reduce heat on our streets. Car sharing is one solution to maintaining access while allowing more efficient use of the kerb.

The objectives of the Car Sharing Policy ('this Policy') are to increase use of car sharing, and to ensure that the City's car sharing program is well-governed and transparent. Specific objectives include:

- using on-street parking spaces more efficiently: by replacing the parking demand created by underused private vehicles
- reducing vehicle traffic and greenhouse emissions: by reducing vehicle kilometres travelled, and shifting travel to more fuel-efficient vehicles
- supporting the local economy: by reducing the need of businesses and individuals to own a private vehicle and car space
- increasing social inclusion: by enabling access to a variety of vehicles to households who could not otherwise afford them
- increasing health: as people walk and cycle more.

Scope

This policy applies to car share spaces located on City of Sydney (the 'City') streets or property. The City is not currently considering proposals for on-street car share spaces in the area defined in the Central Sydney On-Street Parking Policy.

Definitions

Term	Meaning
Car Sharing	Scheme where a resident or business can access a shared vehicle.
Car Share Operator	A commercial entity that is an eligible operator under this Policy.
Low coverage area	Parking precincts where on-street car share spaces account for less than 3.5% of available kerbside parking.
High coverage area	Parking precincts where on-street car share spaces account for 3.5% or more of available kerbside parking.
Area/parking area	A parking area defined in the Neighbourhood Parking Policy.

Term	Meaning
Free floating	Car share schemes where vehicles do not have to return to a dedicated space.

Policy Statement

1. Eligibility of a car share operator

The City will allocate car share spaces only to car share operators who meet the following criteria described below:

- Have, or be developing, a network of cars in locations that are accessible to all members.
- Allow any licensed driver over age 18 to join, subject to reasonable creditworthiness and driving history checks.
- Supply an internet and phone-based booking system available to members 24 hours per day, allowing immediate booking of vehicles.
- Offer booking durations of one hour or less.
- Ensure that no vehicle is booked for longer than four days unless a replacement vehicle is provided for the space.
- Prohibit the routine long-duration reservation or exclusive use, including overnight use, of a car sharing space by any one user, either individual or business.
- Confirm in writing their acceptance of the obligations set out in this policy.

2. Obligations of car share operators

Operators must meet the obligations set out below:

- Vehicle Environmental Impact – An operator must not use any passenger vehicle in a dedicated on-street space which emits more than 175g/km of CO₂. In the case of other vehicle types, such as vans or utilities, an operator must demonstrate to the satisfaction of the City that the vehicle is a high environmental performer for its class. While the City recognises that car sharing contributes to emissions reduction by lowering private car use, the City is aiming to reduce emissions as quickly as possible. The aim is for car sharing vehicles to be electric by 2030, as part of the path to Net Zero Emissions by 2035. All car sharing fleets will need to be zero emissions by 2035.
- Availability of vehicles – Cars must be installed within one week of the City notifying an operator of the availability of a space for which they have applied. Once installed, a car may not be withdrawn from service for more than 72 hours for maintenance, repair or any other reason unless the City is notified, and a replacement vehicle provided after four days. Operators must acquaint themselves with upcoming road closures due to special events or other purposes and make arrangements to remove or relocate vehicles during that time.
- Permit – Car share operators must ensure that a current City issued Authorised Car Share Vehicle Permit or temporary Letter of Authorisation is obtained and displayed on each vehicle at all times. This permit identifies an authorised car share vehicle and authorises the car to park in its dedicated parking space. It will also allow the car to be parked in nearby 'permit excepted' spaces if the dedicated space is illegally occupied.

- iv. Monthly reports – Car share operators must provide an accurate and detailed monthly usage and membership report, in a template specified or approved by the City, for vehicles in every allocated car share space. The report must include, at a minimum, the number of members by postcode and suburb, quantity of car share vehicles in car share spaces (on- and off-street), total number and duration of bookings per vehicle, total trip distance per vehicle and the total number of hours the vehicle is available each month.
- v. Audit of Reports – A car share operator must submit to an independent audit of their monthly reporting and usage data every three years.
- vi. Financial Soundness - A car share operator must, upon request, demonstrate to the satisfaction of the City that the operator is financially sound, and capable of meeting obligations to the City and members.

3. Dedicated Car Share Spaces

3.1 Installation

The City will provide dedicated and exclusive on-street spaces for authorised car share vehicles. The quantity and location of on-street spaces will be commensurate with demand, while allowing scope for new operators to enter the system. Each space will be reserved for an individual car share vehicle.

The City will set a maximum allocation of car share spaces for each parking area. The maximum allocation will be 5% of parking spaces for each area (at time of application).

The City will set caps on the maximum monthly installation. These will respond to the resourcing required to consult and install, a reasonable rate of change in areas, and the need to enable more competition between operators.

3.2 Consultation

The City will consult with residents and businesses in the immediate vicinity of a proposed on-street space.

Proposals to allocate on-street car share spaces will be considered by the Local Pedestrian Cycling and Traffic Calming Committee.

3.3 Low coverage areas – new space requirements, and monthly cap

The City may allocate spaces requested by an existing operator only where it can demonstrate that the three nearest spaces held by the operator are each used at least 18 times per month or at least four hours per day, on average over the period of the preceding three months.

In order to facilitate access for new operators, the City will waive this requirement in the case of operators with fewer than three vehicles in areas with less than 900 general parking spaces, or fewer than six vehicles in those precincts with more than 900 general parking spaces.

The monthly installation cap for low coverage areas will be four spaces in any area, and eight spaces total.

3.4 High coverage areas – new space requirements, and monthly cap

The City may allocate spaces requested by an existing operator only where the operator can demonstrate that each of the four nearest spaces held by the operator are used at least 25 times per month or at least five hours per day, on average over the period of the preceding 3 months.

In order to facilitate access for new operators, the City will waive this requirement in the case of operators with fewer than three vehicles in areas with less than 900 general parking spaces, or fewer than six vehicles in those areas with more than 900 general parking spaces.

The monthly installation cap for high coverage areas will be two spaces in any parking area, and four spaces total.

3.5 Priority for new space applications

The City advises operators when it is willing to consider applications for new spaces, and the total amount of spaces it is willing to consider. In this environment, demand for new space proposals from operators is likely to exceed the City's monthly installation caps set out at Sections 3.3 and 3.4.

The City will therefore prioritise applications in low coverage and high coverage areas, in line with the objectives set out in this Policy. The City will apply a Car Sharing Application Prioritisation Procedure when the number of complying applications exceeds the cap. This will include the preferential allocation approach outlined at Section 5.2.

3.6 City car parks

The City may provide car share spaces in City-owned car parks. In the case of the Kings Cross and Goulburn Street car parks, a maximum of ten spaces will be allocated, subject to the applicant meeting the criteria and minimum use applicable for spaces in high coverage areas.

3.7 Management of spaces

The City reserves the right to reject any application to establish a car share space.

The City will also refuse speculative and large scale placement of car share vehicles in the absence of reasonably foreseeable resident and business demand.

3.8 Free floating car sharing

The City does not currently support with permits free floating car share in its local government area, or within individual parking areas. This would require a permit that exempted a vehicle from all restrictions in "permit holders excepted" spaces, and risk concentrating large numbers of free floating car share vehicles in popular areas, such as around train stations and village high streets. This is likely to increase rather than decrease parking pressure in these locations.

The City would only consider such a scheme if it strengthened the overall car sharing system, without reducing the value of existing dedicated car sharing spaces, did not significantly impact on non-members of car sharing, and did not result in more vehicle driving for short trips within parking areas.

4. Fees

Most car sharing fees payable by car share operators are set to partially recover the costs of administering the policy and the cost of installing car sharing bays. Fees shall be set annually in the Schedule of Fees and Charges.

A separate fee may be specified for the use of parking spaces in the Kings Cross and Goulburn Street car parks. Where levies or state taxes apply to a parking space, such as the Parking Space Levy, these will be payable in full by the car share operator.

5. Competition

5.1 *Any car share operator is eligible*

The City of Sydney car sharing program is open to both existing and new operators who meet the requirements of this policy, outlined at Section 1.

5.2 *Preferential allocation*

In areas where more than 75% of potential on-street spaces in a precinct are held by a single operator, the City will issue remaining spaces preferentially to another eligible operator in order to facilitate competition and user choice.

5.3 *Allocation of bays in the event of change of control*

Allocated car share spaces may not be transferred between operators, without the City's consent.

In the case of change of control or ownership by one operator of another operator, the City may, acting reasonably, revoke or reallocate any or all of the operators' spaces.

5.4 *Expression of Interest for use of car sharing bays*

The City may, at its discretion, elect to undertake an Expression of Interest for the use of any or all car sharing spaces by one or more operators.

Should an Expression of Interest be called it will be subject to a 12 month notice period. It would only apply to spaces that were at least 10 years old and the spaces will be offered for a period of 10 years. The Expression of Interest will be open to any operator, including incumbents.

Where an operator voluntarily vacates an existing space, the City may seek expressions of interest from other eligible operators to occupy this space.

6. Management

6.1 *Disclosure of data*

Detailed monthly reports will be treated as commercially confidential for 12 months from the date on which the reports are due to Council. The City will then publish them on an annual basis.

6.2 *Minimum usage*

Where, if averaged over a period of three consecutive months, the usage of a car share space is less than 10 trips per month and usage is less than 40 hours per month, the City may ask an operator to show cause as to why the space should not be withdrawn or reallocated. The City may only withdraw or reallocate spaces that have been in place for more than twelve months.

6.3 Non-compliance with Policy

In the case of non-compliance with obligations outlined in Section 2 of this Policy, the City may, acting reasonably, suspend or revoke any or all spaces assigned to an operator, or suspend an operator's eligibility to apply for additional spaces.

Authority to take action for non-compliance rests with the Chief Executive Officer (CEO). Operators will be given an opportunity to make representations prior to any action for non-compliance with this policy. In case of the revocation of spaces, the CEO is authorised to reallocate spaces to an alternative operator.

Responsibilities

City officers must follow this Policy when approving new car share operators and managing the car share system.

The City Access and Transport Unit at the City of Sydney is responsible for maintaining this Policy, the approval of new car share operators and operator data and reporting requirements.

The Traffic Operations team at the City of Sydney is responsible for the installation of new car share spaces (including approval and consultation processes), managing and maintaining these spaces, including temporary removals for construction activities and the like.

The City Rangers team at the City of Sydney is responsible for enforcement.

The Customer Service team at the City of Sydney is responsible for permits.

Consultation

In reviewing this Policy, City staff have consulted all responsible areas at the City of Sydney and all eligible car share operators at the time of review.

References

Laws and Standards

- Technical Direction, Traffic and Transport, TTD 2018/001 – 26 October 2018: Guidelines for on-street fixed space car share parking

Policies and Procedures

- Car Sharing Application Prioritisation Procedure

Review period

This Policy is to be reviewed in three years.

Approval Status

Council approved this policy xxxx.

Approval History

Stage	Date	Comment	TRIM Reference
Original Policy	04 April 2011	Approved by Council	2018/506818
Reviewed	21 November 2016	Added an 'expression of interest' process for use of any or all spaces by one or more operator, introduced a 'change of control' provision, established 'cost recovery' as basis for annual fee, adopted minimum usage and membership thresholds and standardised reporting.	2016/653220
Commence Review Date	21 February 2019		
Approval Due Date	xxxx		

Ownership and approval

Responsibility	Role
Author	Manager, Transport Policy
Owner	Chief Operations Officer
Endorser	City of Sydney Executive
Approver	City of Sydney Council

Attachment B

**Draft Car Sharing Policy
(tracked changes version)**

Car Sharing Policy

Purpose

Parking is a key component of the system that supports the access, economic, social and environmental outcomes outlined in Sustainable Sydney 2030 – 2050 Continuing the Vision, the Community Strategic Plan and the Access Strategy and Action Plan – Continuing the Vision.

As cities grow, the demands for street space intensify. The kerbside is a valuable commodity, with private parking competing with many other beneficial uses for space – including safety measures such as clear zones and pedestrian crossings; cycleways; footpath widening; outdoor dining; and plantings to reduce heat on our streets. Car sharing is one solution to maintaining access while allowing more efficient use of the kerb.

The objectives of the Car Sharing Policy ('this Policy') are to increase use of car sharing, and to ensure that the City's car sharing program is well-governed and transparent. Specific objectives include:

- using on-street parking spaces more efficiently: by replacing the parking demand created by underused private vehicles
- reducing vehicle traffic and greenhouse emissions: by reducing vehicle kilometres travelled, and shifting travel to more fuel-efficient vehicles
- supporting the local economy: by reducing the need of businesses and individuals to own a private vehicle and car space
- increasing social inclusion: by enabling access to a variety of vehicles to households who could not otherwise afford them
- increasing health: as people walk and cycle more.

Scope

This policy applies to car share spaces located on City of Sydney (the 'City') streets or property. The City is not currently considering proposals for on-street car share spaces in the area defined in the Central Sydney On-Street Parking Policy.

Definitions

<u>Term</u>	<u>Meaning</u>
<u>Car Sharing</u>	<u>Scheme where a resident or business can access a shared vehicle.</u>
<u>Car Share Operator</u>	<u>A commercial entity that is an eligible operator under this Policy.</u>
<u>Low coverage area</u>	<u>Parking precincts where on-street car share spaces account for less than 3.5% of available kerbside parking.</u>
<u>High coverage area</u>	<u>Parking precincts where on-street car share spaces account for 3.5% or more of available kerbside parking.</u>
<u>Area/parking area</u>	<u>A parking area defined in the Neighbourhood Parking Policy.</u>

<u>Term</u>	<u>Meaning</u>
<u>Free floating</u>	<u>Car share schemes where vehicles do not have to return to a dedicated space.</u>

Policy Statement

1. Eligibility of a car share operator

The City will allocate car share spaces only to car share operators who meet the following criteria described below:~~To qualify, the operator must:~~

- Have, or be developing, a network of cars in locations that are accessible to all members.
- Allow any licensed driver over age 18 to join, subject to reasonable creditworthiness and driving history checks.
- Supply an internet and phone-based booking system available to members 24 hours per day, allowing immediate booking of vehicles.
- Offer booking durations of one hour or less.
- Ensure that no vehicle is booked for longer than four days unless a replacement vehicle is provided for the space.
- Prohibit the routine long-duration reservation or exclusive use, including overnight use, of a car sharing space by any one user, either individual or business.
- Confirm in writing their acceptance of the obligations set out in this policy.

Peer to Peer Car Sharing

~~The City may list online the location of private vehicles participating in peer to peer car sharing, provided the peer to peer operator has entered into a written agreement with the City concerning vehicle availability and condition, and provides regular usage reports.~~

2. Obligations of car share operators

Operators must meet the obligations set out below:

- Vehicle Environmental Impact – An operator must not use any passenger vehicle in a dedicated on-street space which emits more than 175g/km of CO₂. In the case of other vehicle types, such as vans or utilities, an operator must demonstrate to the satisfaction of the City that the vehicle is a high environmental performer for its class. While the City recognises that car sharing contributes to emissions reduction by lowering private car use, the City is aiming to reduce emissions as quickly as possible. The aim is for car sharing vehicles to be electric by 2030, as part of the path to Net Zero Emissions by 2035. All car sharing fleets will need to be zero emissions by 2035.
- Availability of vehicles – Cars must be installed within one week of the City notifying an operator of the availability of a space for which they have applied. Once installed, a car may not be withdrawn from service for more than 72 hours for maintenance, repair or any other reason unless the City is notified, and a replacement vehicle provided after four days.

- Operators must acquaint themselves with upcoming road closures due to special events or other purposes and make arrangements to remove or relocate vehicles during that time.
- iii. Permit – Car share operators must ensure that a current City issued Authorised Car Share Vehicle Permit or temporary Letter of Authorisation is obtained and displayed on each vehicle at all times. This permit identifies an authorised car share vehicle and authorises the car to park in its dedicated parking space. It will also allow the car to be parked in nearby 'permit excepted' spaces if the dedicated space is illegally occupied.
 - iv. Monthly reports – Car share operators must provide an accurate and detailed monthly usage and membership report, in a template specified or approved by the City, for vehicles in every allocated car share space. The report must include, at a minimum, the number of members by postcode and suburb, quantity of car share vehicles in car share spaces (on- and off-street), total number and duration of bookings per vehicle, total trip distance per vehicle and the total number of hours the vehicle is available each month.
 - v. Audit of Reports – A car share operator must submit to an independent audit of their monthly reporting and usage data every three years. ~~if required by the City.~~
 - vi. Financial Soundness - A car share operator must, upon request, demonstrate to the satisfaction of the City that the operator is financially sound, and capable of meeting obligations to the City and members.

3. Dedicated Car Share Spaces

3.1 Installation

The City will provide dedicated and exclusive on-street spaces for authorised car share vehicles. The quantity and location of on-street spaces will be commensurate with demand, while allowing scope for new operators to enter the system. Each space will be reserved for an individual car share vehicle.

The City will set a maximum allocation of car share spaces for each parking area. The maximum allocation will be 5% of parking spaces for each area (at time of application).

The City will set caps on the maximum monthly installation. These will respond to the resourcing required to consult and install, a reasonable rate of change in areas, and the need to enable more competition between operators.

3.2 Consultation

The City will consult with residents and businesses in the immediate vicinity of a proposed on-street space.

Proposals to allocate on-street car share spaces will be considered by the Local Pedestrian Cycling and Traffic Calming Committee.

3.3 Low coverage areas – new space requirements, and monthly cap

~~In parking precincts where on-street car share spaces account for less than 3.5% of available kerbside parking, t~~The City ~~may will~~ allocate spaces requested by an existing operator only where it can demonstrate that the three nearest spaces held by the operator are each used at

least 18 times per month or at least four hours per day, on average over the period of the preceding three months.

In order to facilitate access for new operators, the City will waive this requirement in the case of operators with fewer than three vehicles in ~~precincts~~ areas with less than 900 general parking spaces, or fewer than six vehicles in those precincts with more than 900 general parking spaces.

~~Across all such precincts, no more than eight spaces will be installed per month. In precincts with fewer than 3.5% of spaces allocated to car sharing, no more than four spaces will be installed per precinct per month. Across all such precincts, no more than eight spaces will be installed per month. The monthly installation cap for low coverage areas will be four spaces in any area, and eight spaces total.~~

3.4 High coverage areas – new space requirements, and monthly cap

~~In parking precincts where on-street car share spaces account for more than 3.5% of available kerbside parking, t~~The City ~~may~~ will allocate spaces requested by an existing operator only where the operator can demonstrate that each of the four nearest spaces held by the operator are used at least 25 times per month or at least five hours per day, on average over the period of the preceding 3 months.

In order to facilitate access for new operators, the City will waive this requirement in the case of operators with fewer than three vehicles in ~~precincts~~ areas with less than 900 general parking spaces, or fewer than six vehicles in those ~~precincts~~ areas with more than 900 general parking spaces.

~~In precincts with more than 3.5% of spaces allocated to car sharing, no more than two spaces will be installed per precinct per month. Across all precincts exceeding 3.5%, no more than four spaces will be installed per month. The monthly installation cap for high coverage areas will be two spaces in any parking area, and four spaces total.~~

3.5 Priority for new space applications

~~The City advises operators when it is willing to consider applications for new spaces, and the total amount of spaces it is willing to consider. In this environment, demand for new space proposals from operators is likely to exceed the City's monthly installation caps set out at Sections 3.3 and 3.4.~~

~~The City will therefore prioritise applications in low coverage and high coverage areas, in line with the objectives set out in this Policy. The City will apply a Car Sharing Application Prioritisation Procedure when the number of complying applications exceeds the cap. This will include the preferential allocation approach outlined at Section 5.2.~~

3.6 City car parks

The City ~~will~~ may provide car share spaces in City-owned car parks. In the case of the Kings Cross and Goulburn Street car parks, a maximum of ten spaces will be allocated, subject to the applicant meeting the criteria and minimum use applicable for spaces in high coverage areas.

3.7 *Management of spaces*

The City reserves the right to reject any application to establish a car share space.

The City will also refuse speculative and large scale placement of car share vehicles in the absence of reasonably foreseeable resident and business demand.

3.8 *Free floating car sharing*

The City does not currently support with permits free floating car share in its local government area, or within individual parking areas. This would require a permit that exempted a vehicle from all restrictions in “permit holders excepted” spaces, and risk concentrating large numbers of free floating car share vehicles in popular areas, such as around train stations and village high streets. This is likely to increase rather than decrease parking pressure in these locations.

The City would only consider such a scheme if it strengthened the overall car sharing system, without reducing the value of existing dedicated car sharing spaces, did not significantly impact on non-members of car sharing, and did not result in more vehicle driving for short trips within parking areas.

4. Fees

Most car sharing Fees-fees payable by car share operators are set to partially recover the costs of administering the policy and the cost of installing ~~and removing~~ car sharing bays. ~~The Car Share Space Installation fee, Car Share Space Removal fee and the annual administrative fee for an Authorised Car Share Vehicle Permit Fees~~ shall be set annually in the Schedule of Fees and Charges.

A separate fee may be specified for the use of parking spaces in the Kings Cross and Goulburn Street car parks. Where levies or state taxes apply to a parking space, such as the Parking Space Levy, these will be payable in full by the car share operator.

5. Competition

5.1 *Any car share operator is eligible*

The City of Sydney car sharing program is open to both existing and new operators who meet the requirements of this policy, outlined at Section 1.

5.2 *Preferential allocation*

In ~~precincts~~ areas, where more than 75% of potential on-street spaces in a precinct are held by a single operator, the City will issue remaining spaces preferentially to another eligible operator in order to facilitate competition and user choice.

5.3 *Allocation of bays in the event of change of control*

Allocated car share spaces may not be transferred between operators, without the City's consent.

In the case of change of control or ownership by one operator of another operator, the City may, acting reasonably, revoke or reallocate any or all of the operators' spaces. ~~For the purposes of this section an ‘operator’ is a car share company with on-street spaces allocated by the City of Sydney.~~

5.4 *Expression of Interest for use of car sharing bays*

The City may, at its discretion, elect to undertake an Expression of Interest for the use of any or all car sharing spaces by one or more operators.

Should an Expression of Interest be called it will be subject to a 12 month notice period. It would only apply to spaces that were at least 10 years old and the spaces will be offered for a period of 10 years. The Expression of Interest will be open to any operator, including incumbents.

Where an operator voluntarily vacates an existing space, the City may seek expressions of interest from other eligible operators to occupy this space.

6. Management

6.1 *Disclosure of data*

~~The City will publish monthly usage summaries of car share vehicles by precinct or suburb.~~

~~Detailed monthly reports will be treated as commercially confidential for 12 months from the date on which the reports are due to Council.~~ The City will then publish them on an annual basis.

6.2 *Minimum usage*

Where, if averaged over a period of three consecutive months, the usage of a car share space is less than 10 trips per month and usage is less than 40 hours per month, the City may ask an operator to show cause as to why the space should not be withdrawn or reallocated. The City may only withdraw or reallocate spaces that have been in place for more than twelve months.

6.3 *Non-compliance with Policy*

In the case of non-compliance with obligations outlined in Section 2 of this ~~P~~policy, the City may, acting reasonably, suspend or revoke any or all spaces assigned to an operator, or suspend an operator's eligibility to apply for additional spaces.

Authority to take action for non-compliance rests with the Chief Executive Officer (CEO). Operators will be given an opportunity to make representations prior to any action for non-compliance with this policy. In case of the revocation of spaces, the CEO is authorised to reallocate spaces to an alternative operator.

Responsibilities

City officers must follow this Policy when approving new car share operators and managing the car share system.

The City Access and Transport Unit at the City of Sydney is responsible for maintaining this Policy, the approval of new car share operators and operator data and reporting requirements.

The Traffic Operations team at the City of Sydney is responsible for the installation of new car share spaces (including approval and consultation processes), managing and maintaining these spaces, including temporary removals for construction activities and the like.

The City Rangers team at the City of Sydney is responsible for enforcement.

The Customer Service team at the City of Sydney is responsible for permits.

Consultation

In reviewing this Policy, City staff have consulted Aall responsible areas at the City of Sydney have been consulted in the review of this Policy. Alland all eligible car share operators at the time of review have been consulted in the review of this Policy.

References

Laws and Standards

- Technical Direction, Traffic and Transport, TTD 2018/001 – 26 October 2018: Guidelines for on-street fixed space car share parkingGuidelines for the Implementation of On-Street Car Share Parking, Technical Direction, TDT 2007/04, NSW Roads and Traffic Authority, September 2007

Policies and Procedures

- City of Sydney Local Environmental PlanCar Sharing Application Prioritisation Procedure
- City of Sydney Development Control Plan

Review period

This Policy is to be reviewed in three years.

Approval Status

Council approved this policy xxxx.

Approval History

Stage	Date	Comment	TRIM Reference
Original Policy	<u>04 April 2011</u>	Approved by Council	<u>2018/506818</u>
Reviewed	<u>21 November 2016</u>	<u>Added an 'expression of interest' process for use of any or all spaces by one or more operator, introduced a 'change of control' provision, established 'cost recovery' as basis for annual fee, adopted minimum usage and membership thresholds and standardised reporting.</u>	<u>2016/653220</u>
Commence Review Date	<u>21 February 2019</u>		
Approval Due Date	<u>xxxx</u>		

Ownership and approval

Responsibility	Role
Author	Manager, Transport Policy
Owner	Chief Operations Officer
Endorser	City of Sydney Executive
Approver	City of Sydney Council

Item 6.

Public 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, including an action to recognise the cultural heritage of Chinatown through investigating 3 buildings (50-54 Dixon Street, 90-100 Hay Street and 75-77 Ultimo Road, Haymarket) to better understand their history and heritage significance.

The heritage assessments prepared by Hector Abrahams Architects and Dr Juanita Kwok provide detailed information on the history of each building and conclude that all three have local significance for varying reasons. The assessments conclude:

- (a) The building at 50-54 Dixon Street was 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. The Tongs played a vital role in the Chinese Australian community by offering services to assist with settling in Sydney or returning to China. The building has local significance for its historic significance, historical association, aesthetic / creative / technical achievement, social, cultural and spiritual, rare, and representative attributes.
- (b) The building at 90-100 Hay Street was constructed as municipal stores for the markets and were occupied by Chinese Australian firms which played a role in pioneering the processes of the banana and commercial vegetable growing industries in Australia. It meets the threshold for local significance in terms of its historic significance, historical association, aesthetic / creative / technical achievement, social, cultural and spiritual, research potential and rare attributes.
- (c) The building at 75-77 Ultimo Road was constructed for and has served continuously as the headquarters of the Chinese Nationalist Party of Australasia (Kuo Min Tang or KMT) since 1921. It meets the threshold for local significance in terms of its historic significance, historical association, aesthetic / creative / technical achievement, social, cultural and spiritual, research potential and rare attributes.

A planning proposal to amend the City's local environmental plan (LEP) has been prepared to list the 3 buildings as heritage items.

This report recommends the planning proposal be approved to seek a gateway determination and carry out public authority consultation and public exhibition.

Recommendation

It is resolved that:

- (A) Council approve the Planning Proposal - Chinatown Heritage Items, Haymarket as shown at Attachment A to the subject report for submission to the Department of Planning, Housing and Infrastructure with a request for gateway determination;
- (B) Council approve the Planning Proposal - Chinatown Heritage Items, Haymarket as shown at Attachment A for public authority consultation and public exhibition in accordance with any conditions imposed under the gateway determination;
- (C) Council seek authority from the Department of Planning, Housing and Infrastructure to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect the planning proposal; and
- (D) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal - Heritage Items - Chinatown to correct any drafting errors or to ensure consistency with the gateway determination.

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 - Draft Inventory Sheet - 50-54 Dixon Street
- Attachment F.** Hector Abrahams Architects - Draft Inventory Sheet - 90-100 Hay Street
- Attachment G.** Hector Abrahams Architects - Draft Inventory Sheet - 75-77 Ultimo Road
- Attachment H.**

Background

1. The Haymarket and Chinatown Revitalisation Strategy (the Strategy) was adopted by Council on 11 December 2023.
2. The Strategy provides a coordinated response to the community vision and evidence-based studies. It identifies actions in 5 areas:
 - (a) renewal of the heart
 - (b) planning and heritage
 - (c) public domain and public art
 - (d) culture, events, and activations, and
 - (e) collaboration and partnerships.
3. The Strategy includes an action to recognise the cultural heritage of Chinatown through investigating three buildings to better understand their history and significance:
 - (a) 75-77 Ultimo Road, Kuo Min Tang building
 - (b) 90-100 Hay Street, Former Municipal Stores
 - (c) 50-54 Dixon Street, Goon Yee, Loong Yee and Loon Fook Tongs building.
4. Hector Abrahams Architects and Dr Juanita Kwok were commissioned to undertake the project. The first stages were to undertake historic research of the 3 sites and engagement with community and landowners.
5. A community workshop was held on 5 April 2024 to discuss the draft historic research and get feedback. The workshop was attended by 20 attendees including academics, historians, community representatives and former residents or people with connections to the buildings.
6. The landowners were also invited via letter and email for a meeting to hear about the draft historic research and to discuss their building. Of the 8 landowners, 6 attended, one declined the meeting, and one did not respond.
7. The feedback from both the community workshop and the landowner meetings helped to inform the historic research and the initial assessment of significance.
8. With the City's instruction, Hector Abrahams Architects then carried out heritage assessments for each of the three buildings, which are summarised below.

50-54 Dixon Street, Goon Yee, Loong Yee and Loon Fook Tongs building

9. The building at 50-54 Dixon Street was 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. The Tongs played a vital role in the Chinese Australian community by offering services to assist with settling in Sydney or returning to China.

10. The heritage assessment concluded that the building meets the threshold for local significance in terms of:

- (a) Criterion (a) Historic significance: The building at 50-54 Dixon Street is a purpose-built 3-storey building for the Tung Koon (Dongguan) and Tsang Shing (Zengcheng) associations, which are key social organisations for the Chinese Australian community in Sydney. The role of the associations was significant in maintaining the Chinese Australian community's links with their hometown and facilitated the settlement of Chinese immigrants in Australia. The building also housed several other historically significant Chinese Australian organisations, The Tung Wah Times Newspaper, the NSW Chinese Chamber of Commerce, and a number of restaurants which were instrumental in developing the restaurant culture of Dixon Street.
- (b) Criterion (b) Historical association: The 3-storey building at 50-54 Dixon Street has historical association with the "Loon Fook Tong", "Loong Yee Tong" and "Goon Yee Tong" District Associations of the Tsang Shing and Tung Koon Counties. The place is also associated with the Chinese newspaper 'Tung Wah Times' (publishing address at 52 Dixon Street from 1918 until at least 1933 but likely until 1936) and the Chinese Chamber of Commerce (headquartered at 52 Dixon Street from 1918 to 1965). The place is associated with a number of prominent figures in the Chinese Australian community, particularly Ping Nam and Gilbert Yet Ting Quoy.
- (c) Criterion (c) Aesthetic / creative / technical achievement: The building at 50-54 Dixon Street is aesthetically significant in providing an understanding of the historical streetscape of Dixon Street. It is a good example of a late Federation building and it is this style that represents the founding architectural character of Dixon Street.
- (d) Criterion (d) Social, cultural and spiritual: The Loon Fook Tong, Goon Yee Tong and Loong Yee Tong district associations have owned and/or used 50-54 Dixon Street for over 100 years and has ongoing social significance for members of the Tsang Shing County and Tung Koon districts. Although many of the historical functions of the district associations have ceased, such as bone repatriation, the district associations continue to hold sociable and charitable activities at the place.

The place is symbolic of Chinese migration and settlement in Australia and is also evidence of the Chinese diaspora's practice of maintaining, over many generations, strong ties to their home country. The building contributes to the local identity of the 2 communities within Sydney.

- (e) Criterion (f) Rare: A small number of purpose-built district association buildings are known to have been erected in several parts of Australia since the late 19th century. The building at 50-54 Dixon Street is one of a handful of buildings in the country that continue to exist and function as district associations and have done so for over 100 years.
- (f) Criterion (g) Representative: The late Federation building at 50-54 Dixon Street is one of a handful of buildings on Dixon Street that is representative of the historical scale, materiality and composition of the old Chinatown streetscape.

11. The heritage assessment concluded that the building at 50-54 Dixon Street, Haymarket meets the threshold for local heritage significance and warrants potential listing as a heritage item on the local environmental plan.
12. In terms of future development, the report advised that vertical additions and alterations to 50-54 Dixon Street are acceptable but must incorporate appropriate setbacks and scale, be sympathetic to the existing building in terms of style, colour and materiality and ensure retention of the façade and any significant interiors (if existing).
13. The full heritage assessment report is at Attachment B.

90-100 Hay Street, Former Municipal Stores

14. The buildings at 90-100 Hay Street were constructed as municipal stores for the markets and were occupied by Chinese Australian firms which played a role in pioneering the processes of the banana and commercial vegetable growing industries in Australia.
15. The heritage assessment concluded that the building meets the threshold for local significance in terms of:
 - (a) Criterion (a) Historic significance: The banana industry was a major industry developed by Chinese Australian entrepreneurs in Australia and Fiji in the 1880s and 1890s, and firms such as Wing Sang based their headquarters in Sydney's Haymarket area. When the new Municipal markets opened at Haymarket in 1912, firms such as Wing Sang and its subsidiaries, leased stores at 90-100 Hay Street. Their businesses and premises are distinct places in NSW for understanding the banana industry and key destinations on this trade route. They provide a cultural history of the role of Chinese Australians in the fruit and vegetable industries, and their adaptation over time, particularly in the face of challenges posed under White Australia legislation.
 - (b) Criterion (b) Historical association: The former municipal stores at 90-100 Hay Street are associated with the Chinese merchant community who leased the buildings and operated out of them successful businesses such as Wing Sang & Co., Lee Sang & Co., Wing Tiy & Co., and Gee Ick & Co. These businesses were significant in development of the banana and vegetable produce industries of NSW and Australia. The buildings are also associated with notable individuals including Gilbert Yet Ting Quoy, the Lee family and Stanley Yee who were influential figures amongst the Chinese Australian community
 - (c) Criterion (c) Aesthetic/creative/technical achievement: The municipal stores at 90-100 Hay Street contribute to the townscape of Haymarket, particularly along Hay Street and the southern entrance to Dixon Street which is marked by its chamfered corner. The former Municipal Markets are located opposite and were once both part of the market's daily operation. Now the buildings, both of which are contemporaries of each other and designed by the City Architect, form a contextual relationship that defines the area's market character.
 - (d) Criterion (d) Social, cultural and spiritual: Members of the Chinese Australian community who were born and grew up in 90-100 Hay Street, whose parents, grandparents or great-grandparents worked in the stores hold deep connections to the buildings. For this community, the buildings are well remembered as stores which are symbolic of the hard work of the producers and the adaptability, resilience and achievements of the Chinese Australian firms.

- (e) Criterion (e) Research potential: There is some potential for evidence of the processes and operations of the banana and produce stores.
 - (f) Criterion (f) Rare: The place is a rare surviving example of stores occupied by multiple major Chinese Australian firms including Wing Sang and Co., Lee Sang and Co., Wing Tiy and Co., and Gee Ick and Co.
16. The heritage assessment concluded that the Former Municipal Stores at 90-100 Hay Street, Haymarket meet the threshold for local heritage significance and potential listing as a heritage item on the local environmental plan.
17. In terms of future development, the report advised that vertical additions and alterations to 90-100 Hay Street are appropriate but must ensure retention of the whole form and original detailing of the exterior of the principal building. Any future development is to be of a sympathetic design.
18. The full heritage assessment report is at Attachment C.

75-77 Ultimo Road, Kuo Min Tang building

19. The building at 75-77 Ultimo Road was constructed for and served continuously as the headquarters of the Chinese Nationalist Party of Australasia (Kuo Min Tang or KMT) since 1921.
20. The building and its archival collection are a key site of Chinese history in NSW and Australia, directly related to the 20th century political history of China and Taiwan, and the social and economic affairs of Chinese Australians during the operation of the white Australia policy.
21. The heritage assessment concluded that the threshold is met for local significance for:
- (a) Criterion (a) Historic significance: The KMT was globally a major political party in the 20th century and 75-77 Ultimo Road was the headquarters of the KMT in Australasia for over 100 years. It has been the locus of the Chinese Nationalist Party political activity since it was built in 1921. The building was also the publishing office for the Chinese Times newspaper (1925-1949) which was an organ of the Australasian KMT.
 - (b) Criterion (b) Historical association: 75-77 Ultimo Road is associated with the Australasian KMT who have owned and occupied the purpose-built building for over 100 years. Prominent individuals from the Chinese Australian community affiliated with the building include Charles (Peter) Yee Wing, Samuel Wong, Mar Leong Wah and Eugene Seeto. The place is also associated with the notable architect Francis Ernest Stowe and Robert Wall & Sons, a significant building company in the 19th and 20th centuries in Sydney
 - (c) Criterion (c) Aesthetic/creative/technical achievement: The composition and detailing including arch, fenestration, brick mullions, pilasters, parapet and Chinese Characters make a notable contribution to the streetscape and demonstrates aesthetic characteristics associated with Haymarket's redevelopment in the early 20th century.

- (d) Criterion (d) Social, cultural and spiritual: As a community hub where political, social and educational activities were located, 75-77 Ultimo Road continues to be highly valued by the Chinese Australian community. It is one of the major political venues of Chinatown and represents the political and social lives of the Chinese Australian community in Chinatown and NSW during the 20th century.
 - (e) Criterion (e) Research potential: 75-77 Ultimo Road is home to what is probably the largest collection of documents on the activities of the overseas KMT branches outside of China and Taiwan. The collection is an invaluable record of administrative records, publications and photographs not only of the Sydney branch but of those throughout Australia, New Zealand and the Pacific Islands. The archival collection has extensive interpretive value and potential to further our understanding of the history of the KMT.
 - (f) Criterion (f) Rare: 75-77 Ultimo Road is a rare surviving example of early Chinese Australian commissioned buildings and it is a rare example of a building purpose built for the KMT. The archival collection of the Sydney branch housed on-site, is likely a rare collection on the activities of the KMT's overseas branches.
22. The heritage assessment concluded that the headquarters of the Chinese Nationalist Party of Australasia at 75-77 Ultimo Road meets the threshold for local heritage significance and potential listing as a heritage item on the local environmental plan.
23. In terms of future management, much of the building's significance lies with its direct relationship with the KMT and associated archival and movable heritage collection. It is recommended that future use of the building maintain these ties and continues to ensure the retention of significant internal and external features and appropriate conservation of its archival collection.
24. The full heritage assessment report is at Attachment D.

Proposal for heritage listing

A planning proposal to amend the City of Sydney's Local Environmental Plan (LEP) is required to list the 3 buildings on Schedule 5 of the LEP. The planning proposal is at Attachment A to the report. The planning proposal is supported by the 3 heritage assessments prepared by Hector Abrahams Architects and Dr Juanita Kwok (Attachments B, C and D) as well as the draft Inventory Sheets for the site (Attachments E, F and G).

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

25. 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. This report is aligned with the following strategic directions and objectives:
- (a) Direction 8 - A thriving cultural and creative life - the acknowledgement of the importance of the 3 Chinatown buildings contributes to the City's culture and creative life, with the protection of the heritage fabric and promoting the history of the site and its value to the community.

Relevant Legislation

26. Environmental Planning and Assessment Act 1979.

Public Consultation

27. Should the planning proposal at Attachment A be approved, it will be forwarded to the Department of Planning, Housing and Infrastructure with a request for a gateway determination to allow public exhibition.
28. The public consultation process for the planning proposal will be subject to the conditions of the gateway determination issued by the Department of Planning, Housing and Infrastructure. Exhibition documents will be made available for viewing and comment on the City's Have Your Say website.

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

Laura Dodds-Hebron, Senior Specialist Planner

Adele Zubrzycka, Senior Specialist Planner Heritage

Attachment A

Planning Proposal – Chinatown Heritage Items, Haymarket

Planning Proposal – Chinatown Heritage Items, Haymarket



Contents

Introduction	2
Objectives and intended outcomes	13
Explanation of provisions	13
Justification	14
Mapping	29
Community consultation	29
Project timeline	30
Appendices	31

Introduction

This planning proposal explains the intent of, and justification for, proposed amendments to Sydney Local Environmental Plan 2012 (SLEP 2012). The planning proposal identifies the following three buildings for inclusion as individual heritage items under Schedule 5 (Environmental heritage), Part 1 (Heritage items), of the LEP:

- 50-54 Dixon Street, Haymarket
- 90-100 Hay Street, Haymarket
- 75-77 Ultimo Road, Haymarket

The proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (the Act) and relevant Department of Planning guidelines.

Background

Site identification

This planning proposal relates to the following land and structures within Haymarket:

1. 50-54 Dixon Street, Haymarket - Lot A-C DP 958137
2. 90-100 Hay Street, Haymarket - Lots 1-6 DP 261942
3. 75-77 Ultimo Road, Haymarket - Lot 1 DP 79765

The relevant structures, Lot and DP boundaries are outlined in red in Figure 1.

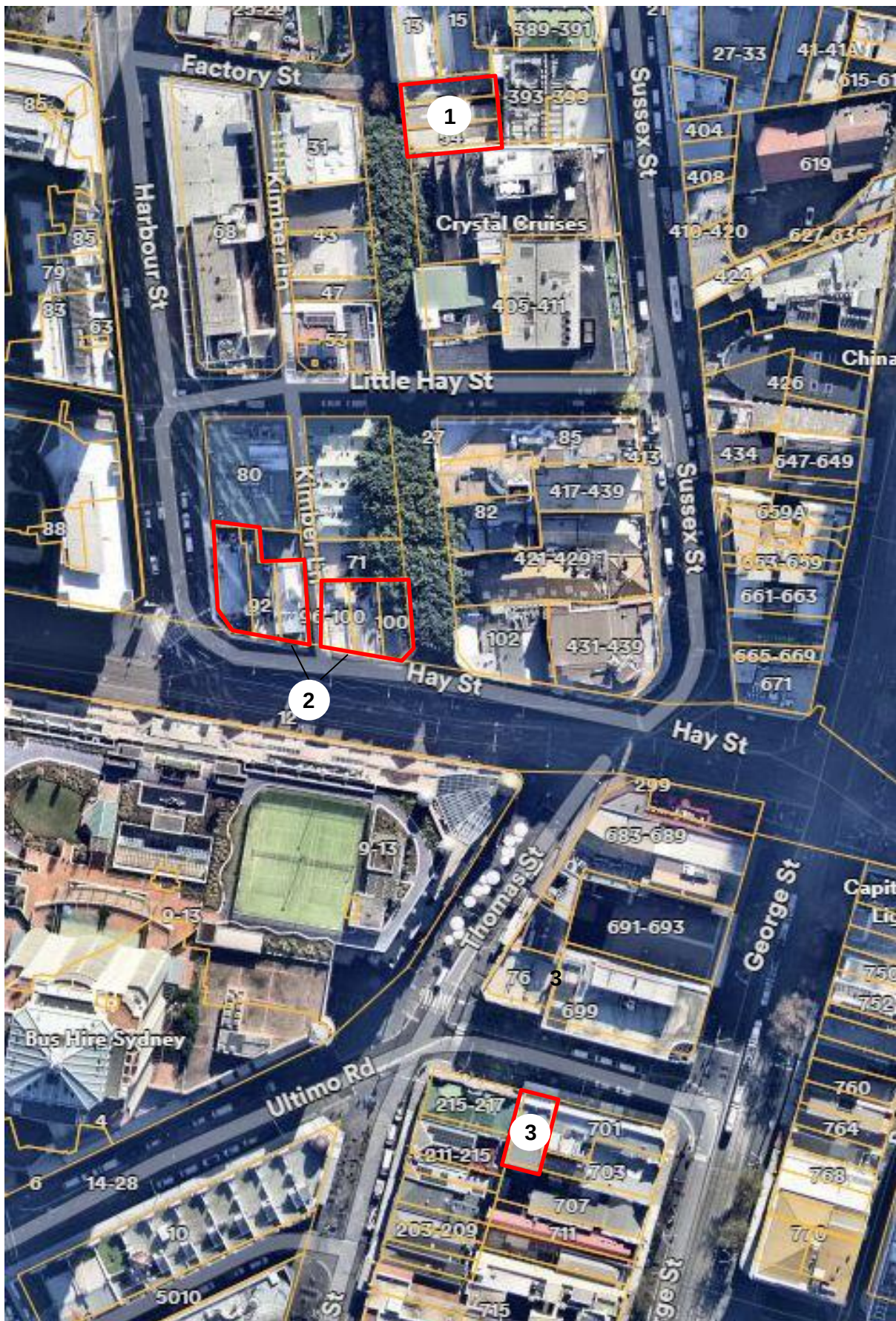


Figure 1: Location of buildings and Lot and DP boundaries for 50-54 Dixon Street (1), 90-100 Hay Street (2) and 75-77 Ultimo Road (3), Haymarket.

50-54 Dixon Street, Haymarket – Goon Yee, Loong Yee and Loon Fook Tongs building

The building at 50-54 Dixon Street, Haymarket is located towards the northern end of Dixon Street and adjacent the northern Chinatown Gate. It is a three-storey masonry structure which incorporates a number of architectural styles including a classical pediment and some Greek detailing completed in 1916. Its construction was jointly funded by the leaders of the Tsang Shing (Zengcheng) and Tung Koon (Dongguan) counties as clubhouses for the Goon Yee Tong, the Loong Yee Tong and the Loon Fook Tong. The Tongs played a vital role in the Chinese Australian community by offering services to assist with settling in Sydney or returning to China. It has been owned and used by the Tongs for over 100 years.



Figure 2: The Goon Yee, Loong Yee and Loon Fook Tongs building at 50-54 Dixon Street, Haymarket

90-100 Hay Street, Haymarket - Former Municipal Stores

The building at 90-100 Hay Street, Haymarket is situated between Harbour Street and Dixon Street with Kimber Lane traversing between 94 and 96 Hay Street. The building itself is characterised by two, three-storey masonry structures and was designed and built as Municipal stores for the neighbouring Municipal markets as a single block in 1911. It was historically occupied by Chinese Australian firms who played a role in pioneering the processes of the banana and commercial vegetable growing industries in Australia. Today, the buildings are used for a variety of food, retail and entertainment purposes.



Figure 3: The Former Municipal Stores at 90-100 Hay Street, Haymarket

75-77 Ultimo Road, Haymarket - Kuo Min Tang building

The building at 75-77 Ultimo Road, Haymarket is located in the centre of Haymarket between Thomas and George Streets. Hay Street and Dixon Street are situated to the north. The Kuo Min Tang building is a four-storey masonry structure with distinctive fenestration under a single arch. It was constructed in 1921 as the headquarters for the Chinese Nationalist Party (Kuo Min Tang). The Kuo Min Tang continue to occupy the 1st, 2nd and 3rd floors and lease the ground floor for retail purposes.



Figure 4: The Kuo Min Tang Building at 75-77 Ultimo Road, Haymarket

Planning context

The three proposed heritage items occupy land zoned SP5, Metropolitan Centre. Two of the buildings – 50-54 Dixon Street and 90-100 Hay Street - are abutted by land zoned RE1, Public Recreation.

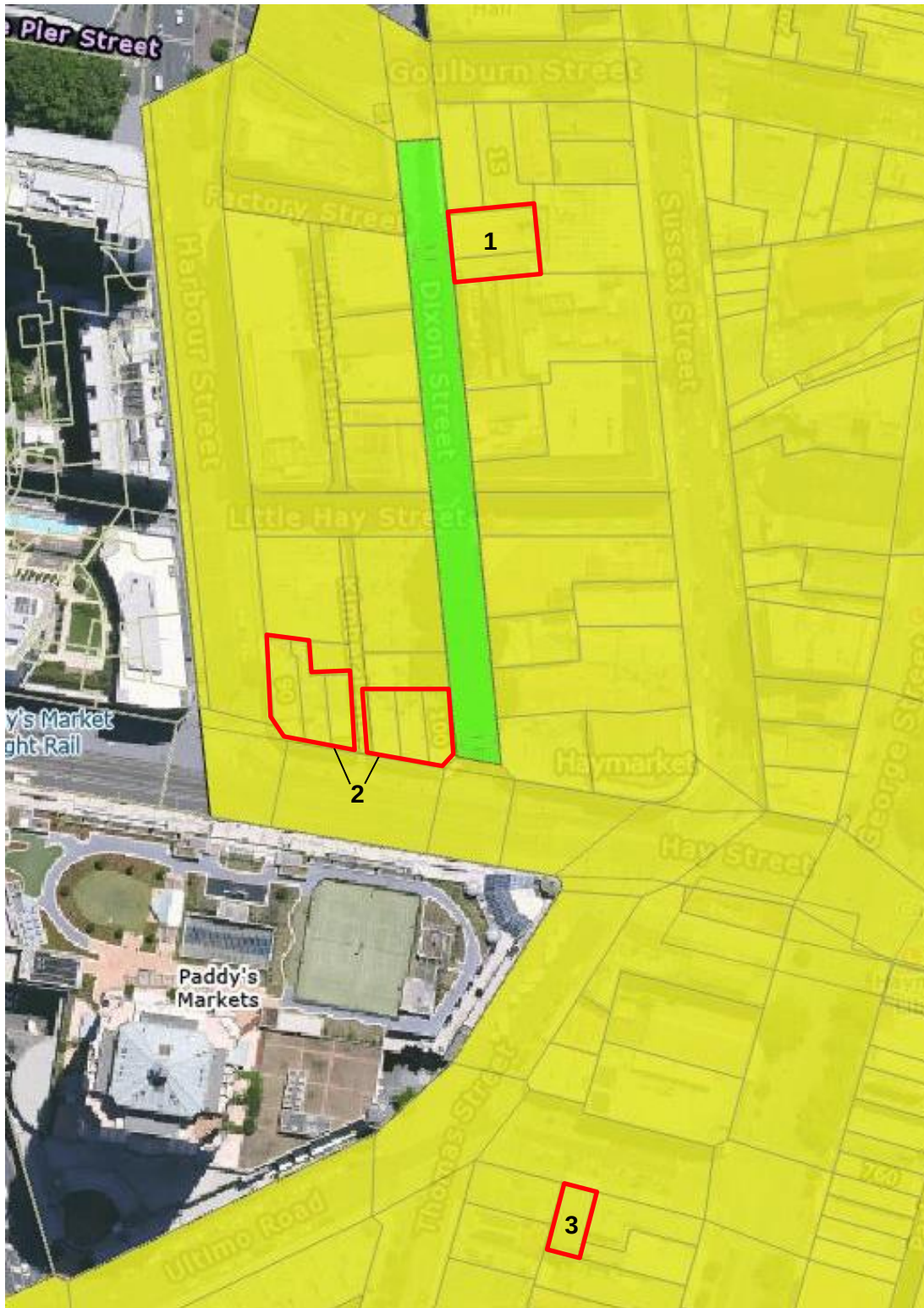


Figure 5: Extract from Zoning map in the SLEP 2012 showing zoning controls.

The three proposed heritage items are located in the vicinity of several individually items listed on the SLEP 2012:

50-54 Dixon Street, Haymarket – Goon Yee, Loong Yee and Loon Fook Tongs building

The nearest existing heritage items within the vicinity are the *Chinatown ceremonial gates and lion statues* on Dixon Street (I2301), are the *Former Kwong War Chong & Co building* at 82-84 Dixon Street (I2293) and the *Star Hotel including interior* at 385–387 Sussex Street (I864*). These are shown in Figure 6.

90-100 Hay Street, Haymarket - Former Municipal Stores

The nearest existing heritage items within the vicinity are the *Chinatown ceremonial gates and lion statues* on Dixon Street (I2301), *Former Kwong War Chong & Co building, including interiors and contents of 84 Dixon Street* at 82–84 Dixon Street (I2293*), the *Convent Garden Hotel including interior* at 102-108 Hay Street (I853) and the *Former Burlington Hotel including interior* at 431-439 Sussex Street (I865*). These are shown in Figure 6. In addition, on the opposite side of Hay Street, *Market City (Paddy's Market) Market Buildings 1 & 2* are listed on Place Management NSW's Heritage Conservation Register (s170 Register) as an item of local significance.

75-77 Ultimo Road, Haymarket - Kuo Min Tang building

The nearest existing heritage items within the vicinity are the *Mountbatten Hotel including interior* at 701–705 George Street, Haymarket (I837*) and the *Great Southern Hotel including interior* at 715–723 George Street (I838*). These are shown in Figure 6.



Figure 6: Extract from the SLEP 2012 Heritage Map (HER_15) showing heritage items adjacent to 50-54 Dixon Street (1), 90-100 Hay Street (2) and 75-77 Ultimo Road (3), Haymarket.

Heritage assessments

In 2023, as part of a coordinated response to the Chinatown Revitalisation Strategy, the City of Sydney Council engaged Hector Abrahams Architects (HAA) and Dr Juanita Kwok to prepare historic research reports and heritage assessments for the buildings at 50-54 Dixon Street, 90-100 Hay Street and 75-77 Ultimo Road, Haymarket. Each heritage assessment was prepared to determine whether the buildings met the threshold for local significance as individual heritage items on Schedule 5, Part 1 of the SLEP 2012. The historical research reports were prepared to inform each heritage assessment.

Heritage assessments prepared by HAA and Dr Juanita Kwok are included in **Appendix B**, **Appendix C** and **Appendix D**. Draft inventory sheets for each building, also prepared by HAA and Dr Juanita Kwok, are included in **Appendix E**, **Appendix F** and **Appendix G**.

Heritage assessment findings

50-54 Dixon Street, Haymarket - Goon Yee, Loong Yee and Loon Fook Tongs building

The heritage assessment concluded that the building meets the threshold for local significance in terms of:

- Criterion (a) Historic significance: The building at 50-54 Dixon Street is a purpose-built three-storey building for the Tung Koon (Dongguan) and Tsang Shing (Zengcheng) associations, which are key social organisations for the Chinese Australian community in Sydney. The role of the associations was significant in maintaining the Chinese Australian community's links with their hometown and facilitated the settlement of Chinese immigrants in Australia. The building also housed several other historically significant Chinese Australian organisations, The Tung Wah Times Newspaper, the NSW Chinese Chamber of Commerce, and a number of restaurants which were instrumental in developing the restaurant culture of Dixon Street.
- Criterion (b) Historical association: The three-storey building at 50-54 Dixon Street has historical association with the "Loon Fook Tong", "Loong Yee Tong" and "Goon Yee Tong" District Associations of the Tsang Shing and Tung Koon Counties. The place is also associated with the Chinese newspaper 'Tung Wah Times' (publishing address at 52 Dixon Street from 1918 until at least 1933 but likely until 1936) and the Chinese Chamber of Commerce (headquartered at 52 Dixon Street from 1918 to 1965). The place is associated with a number of prominent figures in the Chinese Australian community, particularly Ping Nam and Gilbert Yet Ting Quoy.
- Criterion (c) Aesthetic / creative / technical achievement: The building at 50-54 Dixon Street is aesthetically significant in providing an understanding of the historical streetscape of Dixon Street. It is a good example of a late Federation building and it is this style that represents the founding architectural character of Dixon Street.
- Criterion (d) Social, cultural and spiritual: The Loon Fook Tong, Goon Yee Tong and Loong Yee Tong district associations have owned and/or used 50-54 Dixon Street for over 100 years and has ongoing social significance for members of the Tsang Shing County and Tung Koon districts. Although many of the historical functions of the district associations have ceased, such as bone repatriation, the district associations continue to hold sociable and charitable activities at the place.

The place is symbolic of Chinese migration and settlement in Australia and is also evident of the Chinese diaspora's practice of maintaining, over many generations, strong ties to their home country. The building contributes to the local identity of the two communities within Sydney.

- Criterion (f) Rare: A small number of purpose-built district association buildings are known to have been erected in several parts of Australia since the late 19th century. The building at 50-54 Dixon Street is one of a handful of buildings in the country that continue to exist and function as district associations and have done so for over 100 years.
- Criterion (g) Representative: The late Federation building at 50-54 Dixon Street is one of a handful of buildings on Dixon Street that is representative of the historical scale, materiality and composition of the old Chinatown streetscape.

The heritage study concluded that the building at 50-54 Dixon Street, Haymarket meets the threshold for local heritage significance and warrants potential listing as a heritage item on the SLEP 2012.

In terms of future development, the report advised that vertical additions and alterations to 50-54 Dixon Street are acceptable but must incorporate appropriate setbacks and scale, be sympathetic to the existing building in terms of style, colour and materiality and ensure retention of the façade and any significant interiors (if existing).

90-100 Hay Street, Haymarket - Former Municipal Stores

The heritage assessment concluded that the building meets the threshold for local significance in terms of:

- Criterion (a) Historic significance: The banana industry was a major industry developed by Chinese Australian entrepreneurs in Australia and Fiji in the 1880s and 1890s, and firms such as Wing Sang based their headquarters in Sydney's Haymarket area. When the new Municipal markets opened at Haymarket in 1912, firms such as Wing Sang and its subsidiaries, leased stores at 90-100 Hay Street. Their businesses and premises are distinct places in NSW for understanding the banana industry and key destinations on this trade route. They provide a cultural history of the role of Chinese Australians in the fruit and vegetable industries, and their adaptation over time, particularly in the face of challenges posed under White Australia legislation.
- Criterion (b) Historical association: 90-100 Hay Street are associated with the Chinese merchant community who leased the buildings and operated out of them successful businesses such as Wing Sang & Co., Lee Sang & Co., Wing Tiy & Co., and Gee Ick & Co. These businesses were significant in development of the banana and vegetable produce industries of NSW and Australia. The buildings are also associated with notable individuals including Gilbert Yet Ting Quoy, the Lee family and Stanley Yee who were influential figures amongst the Chinese Australian community
- Criterion (c) Aesthetic/creative/technical achievement: The municipal stores at 90-100 Hay Street contribute to the townscape of Haymarket, particularly along Hay Street and the southern entrance to Dixon Street which is marked by its chamfered corner. The former Municipal Markets are located opposite and were once both part of the market's daily operation. Now the buildings, both of which are contemporaries of each other and designed by the City Architect, form a contextual relationship that defines the areas market character.
- Criterion (d) Social, cultural and spiritual: Members of the Chinese Australian community who were born and grew up in 90-100 Hay Street, whose parents, grandparents or great-grandparents worked in the stores hold deep connections to the buildings. For this community, the buildings are well remembered as stores which are symbolic of the hard work of the producers and the adaptability, resilience and achievements of the Chinese Australian firms.
- Criterion (e) Research potential: There is some potential for evidence of the processes and operations of the banana and produce stores.

- Criterion (f) Rare: The place is a rare surviving example of stores occupied by multiple major Chinese Australian firms including Wing Sang & Co., Lee Sang & Co., Wing Tiy & Co., and Gee Ick & Co.

The heritage assessment concluded that the Former Municipal Stores at 90-100 Hay Street, Haymarket meet the threshold for local heritage significance warrants potential listing as a heritage item on the SLEP 2012.

In terms of future development, the report advised that vertical additions and alterations to 90-100 Hay Street are appropriate but must ensure retention of the whole form and original detailing of the exterior of the principal building. Any future development is to be of a sympathetic design.

75-77 Ultimo Road, Haymarket - Kuo Min Tang building, moveable heritage and archival collection

The heritage assessment concluded that the building meets the threshold for local significance in terms of:

- Criterion (a) Historic significance: The KMT was globally a major political party in the 20th century and 75-77 Ultimo Road was the headquarters of the KMT in Australasia for over 100 years. It has been the locus of the Chinese Nationalist Party political activity since it was built in 1921. The building was also the publishing office for the Chinese Times newspaper (1925-1949) which was an organ of the Australasian KMT.
- Criterion (b) Historical association: 75-77 Ultimo Road is associated with the Australasian KMT who have owned and occupied the purpose-built building for over 100 years. Prominent individuals from the Chinese Australian community affiliated with the building include: Charles (Peter) Yee Wing, Samuel Wong, Mar Leong Wah and Eugene Seeto. The place is also associated with the notable architect Francis Ernest Stowe and Robert Wall & Sons, a significant building company in the 19th and 20th centuries in Sydney
- Criterion (c) Aesthetic/creative/technical achievement: The composition and detailing including arch, fenestration, brick mullions, pilasters, parapet and Chinese Characters make a notable contribution to the streetscape and demonstrates aesthetic characteristics associated with Haymarket's redevelopment in the early 20th century.
- Criterion (d) Social, cultural and spiritual: As a community hub where political, social and educational activities were located, 75-77 Ultimo Road continues to be highly valued by the Chinese Australian community. It is one of the major political venues of Chinatown and represents the political and social lives of the Chinese Australian community in Chinatown and NSW during the 20th century.
- Criterion (e) Research potential: 75-77 Ultimo Road is home to what is probably the largest collection of documents on the activities of the overseas KMT branches outside of China and Taiwan. The collection is an invaluable record of administrative records, publications and photographs not only of the Sydney branch but of those throughout Australia, New Zealand and the Pacific Islands. The archival collection has extensive interpretive value and potential to further our understanding of the history of the KMT.
- Criterion (f) Rare: 75-77 Ultimo Road is a rare surviving example of early Chinese Australian commissioned buildings and it is a rare example of a building purpose built for the KMT. The archival collection of the Sydney branch housed on-site, is likely a rare collection on the activities of the KMT's overseas branches.

The heritage assessment for 75-77 Ultimo Road, Haymarket concluded that the building meets the threshold for local heritage significance and warrants potential listing as a heritage item on the SLEP 2012.

Based on these conclusions, progressing local heritage listing for each proposed heritage item will ensure the local heritage significance of each building is appropriately considered and conserved as part of future plans or redevelopment.

Objectives and intended outcomes

The objective of the planning proposal is to recognise and conserve the significance of the three buildings at 50-54 Dixon Street, 90-100 Hay Street and 75-77 Ultimo Road by listing them as individual heritage items under Part 1, Schedule 5 of SLEP 2012.

Explanation of provisions

SLEP 2012 Heritage Schedule Amendments

The planning proposal seeks to amend the SLEP 2012 Schedule 5 Environmental Heritage by inserting the following item as shown below in **Table 1**. Text to insert is shown as **bold underline**.

Table 1: Proposed amendments to Schedule 5, Environmental heritage, Part 1, heritage items.

Locality	Item Name	Address	Property Description	Significance	Item no.
<u>Haymarket</u>	<u>Goon Yee, Loong Yee and Loon Fook Tongs building</u>	<u>50-54 Dixon Street</u>	<u>Lots A-C, DP 958137</u>	<u>Local</u>	<u>I2304</u>
<u>Haymarket</u>	<u>Former Municipal Stores</u>	<u>90-100 Hay Street</u>	<u>Lots 1-6 DP 261942</u>	<u>Local</u>	<u>I2303</u>
<u>Haymarket</u>	<u>Kuo Min Tang building, moveable heritage and archival collection</u>	<u>75-77 Ultimo Road</u>	<u>Lot 1, DP 79765</u>	<u>Local</u>	<u>I2302</u>

The name of each heritage item has been developed in accordance with the directions contained in the *Standard Instrument (Local Environmental Plans) Order 2006*, which require that an item name briefly describe those things that are part of its heritage significance.

The items are described further in the supporting information contained in the heritage inventory sheets included at **Appendix E**, **Appendix F** and **Appendix G**. The non-statutory heritage inventory sheets can continue to be updated as new information becomes available.

Justification

Section A – Need for the planning proposal

Q.1 Is the planning proposal a result of any strategic study or report?

Yes. The planning proposal is a result of three heritage assessments prepared by HAA and Juanita Kwok completed in July 2024. Preparation of the reports was an action in the Haymarket and Chinatown Revitalisation Strategy (the Strategy) prepared by the City of Sydney in 2023 and endorsed by Council on 11 December 2023. The Revitalisation Strategy and heritage assessments drew on the findings of a Thematic History of Chinatown prepared by Godden Mackay Logan (GML) in 2023.

The Strategy provides a coordinated response to the community vision and evidence based studies. It identifies actions in five areas:

- a. renewal of the heart;
- b. planning and heritage;
- c. public domain and public art;
- d. culture, events, and activations; and
- e. collaboration and partnerships.

The Strategy includes an action to recognise the cultural heritage of Chinatown through investigating three buildings to better understand their history and significance:

- a. 50-54 Dixon Street, Goon Yee, Loong Yee and Loon Fook Tongs building
- b. 90-100 Hay Street, Former Municipal Stores
- c. 75-77 Ultimo Road, Kuo Min Tang building

The proposed items identified in this planning proposal were recommended for listing in the HAA heritage assessments as they met one or more of the NSW Heritage Council's (2023) criteria for local significance. A summary of each building's significance as assessed by HAA and Dr Juanita Kwok are presented below:

50-54 Dixon Street, Haymarket – Goon Yee, Loong Yee and Loon Fook Tongs building

Criteria (a) – An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

The building at 50-54 Dixon Street is a purpose-built three-storey building for the Tung Koon (Dongguan) and Tsang Shing (Zengcheng) associations, which are key social organisations for the Chinese Australian community in Sydney. The building also housed several other historically significant Chinese Australian organisations, The Tung Wah Times Newspaper, the NSW Chinese Chamber of Commerce, and a number of restaurants which were instrumental in developing the restaurant culture of Dixon Street. A plaque on the building and the painted Chinese characters are evidence of these historical uses.

District Associations

The building at 50-54 Dixon Street is associated with the following district associations, the "Loon Fook Tong" at 50 Dixon Street, for people from Tsang Shing County, the "Goon Yee Tong" at 54 Dixon Street for people from Tung Koon County; and between 50 and 54 Dixon Street, a joint clubhouse at 52 Dixon Street, the "Loong Yee Tong". These clubs have occupied this address for over 100 years.

Funding was raised by members of these district associations for the purchase of land at 50-54 Dixon Street and construction of the building which was completed in 1916. The historical role of the district associations was to provide funds for the sick, assist the aged in returning to China, raise funds for charity, both in Australia and China, provide accommodation and assist with the settlement of new persons arriving from their districts and those returning. The associations also most likely arranged the transfer of members remittances to China. The district associations also arranged bone-repatriation, donated money to hospitals and ensured the purchase of coffins for deceased Chinamen at sea. The place thus demonstrates the strong links between members in Australia and their native places.

The role of the association is significant in maintaining the Chinese Australian community's links with their hometown and facilitated the settlement of Chinese immigrants in Australia. Historian Mei-Fen Kuo has characterised Sydney in the late 19th to early twentieth century as "a hub of Chinese mobility" and "a centre of community mobilisation and identity formation".⁹⁷ The building at 50-54 Dixon Street was central to this phenomenon.

NSW Chinese Chamber of Commerce, 52 Dixon Street, Haymarket

52 Dixon Street was the long-term (over two decades) headquarters of the NSW Chinese Chamber of Commerce which was significant for its role in promoting trade and defending the commercial interests of Chinese Australians from anti-Chinese movements and organisations such as the Anti-Chinese League and the Retail Grocers and Storekeepers Association, which ran public campaigns in the early nineteenth century to dissuade the public from patronising Chinese stores.

Members of the Chamber established the first Chinese Australian shipping line, the China-Australia Mail Steamship Line, which operated from 1917 to 1924 between Shanghai, Canton, Hong Kong and Australia.

Eastern Restaurant, 52 Dixon Street, Haymarket (1953-66)

As the first Chinese restaurant to obtain a liquor licence until 10pm, the Eastern Restaurant is significant as one of the earliest Chinese restaurants to popularise Chinese food in Sydney. Its English menu made Chinese food accessible to non-Chinese customers, demonstrating the adaptation of Chinese culture and community within the Australian context. Together the restaurants including the Eastern Restaurant and Lean Sun Low helped to develop the restaurant culture of Dixon Street.

The subject site meets this threshold at a local level

Criterion (b) An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

The three-storey building at 50-54 Dixon Street has historical association with the "Loon Fook Tong", "Loong Yee Tong" and "Goon Yee Tong" District Associations of the Tsang Shing and Tung Koon Counties. The place is also associated with the following organisations:

Notable Figures

The place is associated with a number of prominent figures in the Chinese Australian community, particularly Ping Nam and Gilbert Yet Ting Quoy.

Ping Nam was a well-known merchant, one of the founding members, and the first president of the NSW Chinese Chamber of Commerce. He was also the publisher of the Tung Wah Times, as well as an office bearer of the CERA.

Gilbert Yet Ting Quoy, a Sydney Chinese merchant, along with Ping Nam, campaigned for the establishment of the Sydney Chinese school which existed at 52 Dixon Street for over half a century.

Tung Wah Times, 52 Dixon Street

52 Dixon Street was the publishing address for the Chinese newspaper 'Tung Wah Times' from 1918 until at least 1933 but likely until 1936. The newspaper is significant for being the second Chinese newspaper in Sydney and for having had the largest circulation of any Chinese newspaper in the Commonwealth, New Zealand and Pacific Islands. It is demonstrative of the diverse political affiliations of the Chinese Australian community. Chinese newspapers promoted political interests of different factions within the community. The Tung Wah Times operated as an organ of the Chinese Empire Reform Association (CERA) which advocated reform of the imperial system and later the establishment of a constitutional monarchy in China.

NSW Chinese Chamber of Commerce, 52 Dixon Street

Formed in 1913, the Chinese Chamber of Commerce had its headquarters at 52 Dixon Street from 1918 to 1965. The place is also associated with a number of prominent figures in the Chinese Australian community, particularly Ping Nam and Gilbert Yet Ting Quoy.

Salvation Army Women's Home, 50 Dixon Street

There is potential for the place to have historical association with the Salvation Army Women's Home which was present in the building between 1919 and 1921. It could have significance as one of the earliest women's refuges. However, further research is needed to substantiate this.

The subject site meets this threshold at a local level

Criterion (c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

The building at 50-54 Dixon Street is aesthetically significant in providing an understanding of the historical streetscape of Dixon Street. It is a good example of a late Federation building and it is this style that represents the founding architectural character of Dixon Street.

The Chinese signage on the façade is a distinctive characteristic of the Chinatown area.

The subject site meets this threshold at a local level

Criterion (d) An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

The Loon Fook Tong, Goon Yee Tong and Loong Yee Tong district associations have owned and/or used 50-54 Dixon Street for over 100 years and has ongoing social significance for members of the Tsang Shing County and Tung Koon districts. Although many of the historical functions of the district associations have ceased, such as bone repatriation, the district associations continue to hold sociable and charitable activities at the place.

The place is symbolic of Chinese migration and settlement in Australia and is also evident of the Chinese diaspora's practice of maintaining, over many generations, strong ties to their home country. The building contributes to the local identity of the two communities within Sydney.

A number of moveable heritage items at the upper floors of 50 Dixon Street were identified in the 2016 photographs (figures 14 and 15), and may be held in the premises today. This is unconfirmed and needs further investigation. Items including photographs of members of the NSW Chinese Chamber of Commerce and presidents of Loong Fook Tong and other ephemera are apparent in the photographs. The display and safe keeping of these items are integral to the continued social significance of the place, should they be found upon further investigation.

The restaurants located at 50-54 Dixon Street including the Eastern Restaurant and Lean Sun Low, were popular places for eating and socialising amongst the local community and are remembered fondly by older members of the Chinese Australia community.

The subject site meets this threshold at a local level.

Criterion (e) An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

Lack of access to the interiors of 50-54 Dixon Street poses a limitation to the understating its research potential. Photographs of interiors taken in 2016 indicate that there were a number of moveable heritage items in the building, particularly photographs of members of the NSW Chinese Chamber of Commerce and presidents of Loong Fook Tong association, however their current location is unsubstantiated. These photographs and other records of the district associations membership and activities hold high research potential.

As the location of the moveable heritage items remains unsubstantiated, they cannot be assessed under this criterion. The subject site does not meet this threshold at a local level.

Criterion (f) An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

A small number of purpose-built district association buildings are known to have been erected in several parts of Australia since the late 19th century. The building at 50-54 Dixon Street is one of a handful of buildings in the country that continue to exist and function as district associations and have done so for over 100 years. Within Sydney or NSW, there is potential that the building at 50-54 Dixon Street is one of the last remaining original purpose-built district association buildings from the early 20th century.

Moveable heritage items, such as framed photographs of members of the organisations that operated at 50-54 Dixon Street, may be located within the building. This collection is likely rare as no other collection has been identified. They have the potential to provide an understanding of the cultural history of the area, particularly, the membership and operation of the NSW Chinese Chamber of Commerce, the Tung Wah Times and the district associations. It is important that the location of the photographs and any other records or ephemera pertaining to these organisations is ascertained and that the contents are documented and preserved.

The subject site meets this threshold at a local level.

Criterion (g) An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).

The late Federation building at 50-54 Dixon Street is one of a handful of buildings on Dixon Street that is representative of the historical scale, materiality and composition of the old Chinatown streetscape.

The subject site meets this threshold at a local level.

90-100 Hay Street, Haymarket - Former Municipal Stores

Criteria (a) – An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

The banana industry was a major industry developed by Chinese Australian entrepreneurs in Australia and Fiji in the 1880s and 1890s, and firms such as Wing Sang based their headquarters in Sydney's Haymarket area. When the new Municipal markets opened at Haymarket in 1912, firms such as Wing Sang and its subsidiaries, leased stores at 90-100 Hay Street. Their businesses and premises are distinct places in NSW for understanding the banana industry and key destinations on this trade route. They provide a cultural history of the role of Chinese Australians in the fruit and vegetable industries, and their adaptation over time, particularly in the face of challenges posed under White Australia legislation.

Profits from this industry were invested in commercial enterprises in China. Before Wing Sang and its subsidiaries leased 90-100 Hay Street, they established the first department stores in Shanghai, Canton and Hong Kong. These investments demonstrated the success of the Chinese diaspora in Australia and their continued connections to their native places. Although these department stores were established prior to the leasing of 90-100 Hay Street by Chinese Australian businesses, the stores serve as a marker of the achievements of Chinese Australian businesses recognised abroad by the Chinese diaspora.

The Municipal Stores at 90-100 Hay Street are also a location marker of the role of Chinese market gardeners in the vegetable industry in New South Wales. In particular, Lee Sang & Co. were agents for produce grown not only in Sydney but in the market gardens of regional New South Wales, brought to Sydney by rail and delivered to the stores where they were repacked and then sold at the Municipal Markets across the road. The importance of the Markets to the commercial interests of Chinese Australians is evident in the relocation of their businesses to be close to the new market buildings, which then facilitated the evolution of the Haymarket Chinatown. Family histories connected to the stores at 90-100 Hay Street demonstrate how the White Australia legislation restricted entry to Australia and impacted Chinese Australian commercial interests, affecting the lives of those employed by firms leasing premises at 90-100 Hay Street. Merchants with status and business turnover, such as Gilbert Yet Ting Quoy and Henry Won Yep Lum, were able to sponsor family and clan members to enter Australia, but they were the exception during the White Australia years. The histories associated with the stores demonstrate some of the difficulties faced by Chinese Australians in the early to mid 20th century.

The buildings at 90-100 Hay Street are part of the historical market landscape of the last operational fruit and vegetable markets in the city. The markets were relocated to Flemington in 1975. Markets were an important aspect of city life and 90-100 Hay Street together with the market buildings are demonstrative of this period when produce markets were prominent in Sydney.

The subject site meets this threshold at a local level.

Criterion (b) An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

Nos. 90-100 Hay Street are associated with the Chinese merchant community who leased the buildings and operated out of them successful businesses such as Wing Sang & Co., Lee Sang & Co., Wing Tiy & Co., and Gee Ick & Co. These businesses were significant in development of the banana and vegetable produce industries of NSW and Australia.

Nos. 90-100 Hay Street are associated with a number of notable individuals including Gilbert Yet Ting Quoy, the Lee family and Stanley Yee who were influential figures amongst the Chinese Australian community and fruit and produce industries.

- Ting Quoy was a prominent and influential member of the Chinese Australian community. A successful merchant, his business Lee Sang & Co., occupied 90 Hay Street for up to 20 years with his family continuing to have businesses there until after the war. He was a leader of the China Emperor Reform Association (CERA), President of the Chinese Chamber of Commerce and founding member of China-Australia Mail Steamship Line. He also campaigned to establish a Chinese school at which he taught, and he sponsored the entry of family and clan members to Australia.*
- The Lee family - Lee Gee Ick was a successful merchant whose business Gee Ick & Co., occupied 100 Hay Street from 1913-1919. His son, Lee Kee Chong, continued to occupy the address with his business, Hop Chong Co., until 1948. Gee Ick was a member of CERA, the NSW Chinese Chamber of Commerce and the Lin Yik Tong (the Chinese Commercial Association).*
- Stanley Yee, born in Chuen Luk Village in Chungshan, came to Sydney as a high school student in the early 1960s and worked at one of the banana wholesale companies in the Haymarket and at Lean Sun Low café. In the late 1970s Yee bought property at 96-100 Hay Street where he established the now landmark Emperor's Garden Restaurant. Yee also established a number of other businesses in the Chinatown areas including a Chinese bakery, a butchery and a tofu factory. Yee was a member of the Dixon Street Beautification Committee, which in the early 1970s pushed for the regeneration of Dixon Street as a centrepiece to the broader Chinatown area. His philanthropic contributions are recognised in both his hometown in China and in Australia.*

The subject site meets this threshold at a local level.

Criterion (c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

The municipal stores at 90-100 Hay Street contribute to the townscape of Haymarket, particularly along Hay Street and the southern entrance to Dixon Street which is marked by its chamfered corner. Its unified design defines the end of the city block on which it is located.

The former Municipal Markets are located opposite and were once both part of the market's daily operation. Now the buildings, both of which are contemporaries of each other and designed by the City Architect, form a contextual relationship that defines the areas market character.

The subject site meets this threshold at a local level.

Criterion (d) An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons.

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

Members of the Chinese Australian community who were born and grew up in 90-100 Hay Street, whose parents, grandparents or great-grandparents worked in the stores hold deep connections to the buildings. For this community, the buildings are well remembered as stores which are symbolic of the hard work of the producers and the adaptability, resilience and achievements of the Chinese Australian firms.

The Emperors Garden Restaurant is also a place with a strong and special association to the Chinese Australian community as it is celebrated as one of the oldest, family-run Chinese restaurants in Chinatown and continues to operate.

The subject site meets this threshold at a local level

Criterion (e) An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

There is some potential for evidence of the processes and operations of the banana and produce stores. 90 and 92 have not been inspected and therefore it is unknown if there is any evidence of these operations. There is some potential for evidence of the operations of these stores under false ceilings and floors in 94-100 but these were not inspected and cannot be confirmed.

The subject site meets this threshold at a local level.

Criterion (f) An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

The place is a rare surviving example of stores occupied by multiple major Chinese Australian firms including Wing Sang & Co., Lee Sang & Co., Wing Tiy & Co., and Gee Ick & Co. Though some stores formerly occupied Chinese Australian firms survive, such as 20-22 Campbell Street and 35-39 Ultimo Road, many of the earlier stores occupied by firms such as Gee Ick & Co. and Wing Sang & Co. were demolished in resumptions that destroyed earlier Chinatown areas in the Rocks, around Belmore Markets in the Haymarket and in land resumed for the building of Darling Harbour. Within this context rarity is a valuable criterion.

The subject site meets this threshold at a local level.

75-77 Ultimo Road, Haymarket - Kuo Min Tang building

Criteria (a) – An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

75-77 Ultimo Road was purpose built in 1921 for the Sydney branch of the Chinese Nationalist Party (its Chinese name being Kuo Min Tang or KMT). It continues to be the home of the Sydney branch of the party and an invaluable archival collection of the party's activities outside China. For a significant period of its history, it was the party's Australasian headquarters and the location of the Chinese Times newspaper. It demonstrates three historical processes: the political processes of the KMT, the social processes of the KMT and the operation of the Chinese Times.

Political processes of the KMT

The KMT was globally a major political party in the 20th century and 75-77 Ultimo Road was the headquarters of the KMT in Australasia for over 100 years. It has been the locus of the Chinese Nationalist Party political activity since it was built in 1921.

Throughout the 1920s Australasian branches of the KMT were establishing their headquarters and the construction of the headquarters of the Sydney branch in 1921 is an early example of this activity. The Sydney branch was purpose built and funded by donations from members across Australasia. The establishment of global branches,

purpose built and leased, is testament to the power and influence of the Chinese nationalist movement in the 20th century. The network of branches across Australia is representative of the contribution of Chinese Australians to the political revolution in China and the important part that the Australasian KMT played in a global network of Party branches.

The location of an Australasian headquarters in Sydney is demonstrative of the mobility and inter-connectedness of the Chinese communities across Australia and the Pacific through trade, communications and political affiliations which intersected in Sydney.

As the Australasian headquarters between 1922 and 1964, the Sydney branch is not only locally but also state, nationally and transnationally significant, as it oversaw branches in rural Australia and in capital cities, in New Zealand and in the South Pacific Islands. The Sydney office was the hub of KMT activity in the region and the site of a number of Australasian conventions over the years. Funds raised by members were remitted to support Sun Yat-Sen and then Chiang Kai-Shek Nationalist government which ruled China from 1927-1949.

The Chinese Nationalist Party of Australasia not only contributed crucial funding for the Nationalist cause and for the war effort during the Sino-Japanese War, but it was also a transmitter of ideas and technology to China. It was progressive in comparison to the KMT in China, leading the way in allowing female members to join the Party and it played a role in advocating for the rights of Chinese Australians during the White Australia years. The third floor of the building which is set up as a museum of KMT history contains a number of artefacts which show how technology was adopted and adapted over the years to share communications with China and other branches in Australia, New Zealand and the Pacific. These artefacts include cinematic projectors, audio tape records, old Gestetner machines, typewriters and printing and typographical equipment.

The building itself houses a large collection of records, documents, publications, photographs and artefacts related the history of the KMT's overseas activities.

The building is evidence of the keen interest in political reform in China maintained by Chinese Australians and how this carried over into their lives in Australia.

Social processes of the KMT

75-77 Ultimo Road was also the centre of many social activities and fundraisers for the Chinese Australian community of Sydney, particularly the annual Dragon Ball which began in 1938 and remained the major event on the social calendar for the Chinese Australian community until the early 1970s. It was also a place for people new to Sydney to connect through social activities.

Operation of the Chinese Times

75-77 Ultimo Road was the publishing office for the Chinese Times newspaper (1925-1949) which was an organ of the Australasian KMT.

The subject site meets this threshold at a local level.

Criterion (b) An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

75-77 Ultimo Road is associated with the Australasian KMT who have owned and occupied the purpose-built building for over 100 years.

Prominent individuals from the Chinese Australian community affiliated with the KMT at 75-77 Ultimo Road include:

- *Charles (Peter) Yee Wing, the merchant and managing director of Tiy Sang & Co., who served as president of the KMT from 1919-1930. He helped establish the Australasian KMT Canton Liaison Office and was a co-founder of the China-Australia Mail Steamship Line.*
- *Samuel Wong, the merchant of Tiy Sang & Co. who was Vice President of the Australasian KMT. His membership, was revoked for objecting to Chiang Kai-Shek's leadership and the Communist purges of the Party, but in 1945 he re-joined, the party and proposed a plan for the relief of the refugees which resulted in the establishment of the Chinese Youth League.*
- *Mar Leong Wah, merchant and manager of Wing Sang & Co., was leader of the KMT for over 20 years and a founding member of the Society of Chinese Residents in Australia supporting Chinese resistance during the Sino Japanese War.*
- *Eugene Seeto, a wartime refugee who came to Australia and was later elected to the executive of the Australasian KMT. Seeto instigated the preservation of the KMT's historical collection.*

The place is also associated with Robert Wall & Sons, a significant building company in the 19th and 20th centuries in Sydney who built 75-77 Ultimo Road and a number of other significant buildings such as Culwulla Chambers.

75-77 Ultimo Road is associated with the architect Francis Ernest Stowe. A notable architect and engineer of the late 19th and early 20th centuries, Stowe was a prominent Freemason who was the Grand Architect of the Grand Lodge. Besides designing 75-77 Ultimo Road, he designed a number of masonic buildings, as well as the Ball's Head Coal Loading Depot. He also founded the Sydney Marine Engineer College where students such as Florence Taylor attended.

The subject site meets this threshold at a local level.

Criterion (c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

Architecturally, 75-77 Ultimo Road is an early example of an office building in Sydney. It is of some architectural interest for its unusual composition where the fenestration is arranged under a single arch and reads as a single window. The composition and detailing including arch, fenestration, brick mullions, pilasters, parapet and Chinese Characters make a notable contribution to the streetscape and demonstrates aesthetic characteristics associated with Haymarket's redevelopment in the early 20th century.

The subject site meets this threshold at a local level

Criterion (d) An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons.

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

75-77 Ultimo Road has a strong association with the Australasian KMT and its members who have occupied the place for over 100 years. The place continues to be actively used and is the hub of the KMTs political activity in Sydney. As a community hub where political, social and educational activities were located, 75-77 Ultimo Road continues to be highly valued by the Chinese Australian community as it evidence of one of the major political venues of Chinatown, and represents the political and social lives of the Chinese Australian community in Chinatown during the 20th century. As the headquarters of a network of branches across Australasia it also represents the political activities of the Chinese in NSW.

The subject site meets this threshold at a local level.

Criterion (e) An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

The heritage assessment prepared by HAA and Dr Juanita Kwok notes:

75-77 Ultimo Road is home to what is probably the largest collection of documents on the activities of the overseas KMT branches outside of China and Taiwan. The collection is an invaluable record of administrative records, publications and photographs not only of the Sydney branch but of those throughout Australia, New Zealand and the Pacific Islands. The archival collection has extensive interpretive value for not only the Sydney branches but those across Australasia including those in regional NSW. The collection has great potential in furthering our understanding of the history of the KMT and the Chinese Australian community in NSW and beyond. The collection was crucial in the development of the Mei-Fen Kuo and Judith Buttler's book Unlocking the History of the Australasian Kuo Min Tang 1911-2013 though it is unclear to what extent the collection has been analysed. There is also further research potential in the activities of the KMT across Australasia, such as the establishment of other headquarters and their links to 75-77 Ultimo Road.

The subject site meets this threshold at a local level.

Criterion (f) An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

The archival collection of the Sydney branch of the KMT, housed at 75-77 Ultimo Road, is likely a rare collection on the activities of the KMT's overseas branches. It is also likely the largest of its kind outside of China and Taiwan. Rarity is a valuable criterion in the context of the Chinese in Australia as there is a history of resumptions and even later development demolishing places associated with the early Chinese settlement in Australia. 75-77 Ultimo Road is a particularly significant building. 75-77 Ultimo Road is a rare surviving example of early Chinese Australian commissioned buildings and it is a rare example of a building purpose built for the KMT.

The subject site meets this threshold at a local level.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. Appropriate heritage protection for this site is best achieved through their identification as local heritage items in an environmental planning instrument.

The buildings at 50-54 Dixon Street (Goon Yee, Loong Yee and Loon Fook Tongs building), 90-100 Hay Street (Former Municipal Stores) and 75-77 Ultimo Road (Kuo Min Tang building), currently have no statutory protection as individually listed heritage items or a heritage conservation area on the SLEP 2012 or under the *NSW Heritage Act 1977*.

Progressing local heritage listing for each proposed heritage item will ensure that their local heritage significance is appropriately considered and conserved. It will also ensure formal consultation with the landowners and broader community prior to any future change or development to the items. These outcomes are only achieved in the longer term through protection under Part 1, Schedule 5 of the SLEP 2012.

Section B – Relationship to strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

Yes. See comments below.

Greater Sydney Region Plan: A Metropolis of Three Cities

The Greater Sydney Region Plan, completed in March 2018, is the Greater Sydney Commission's vision for a Greater Sydney of three cities where most residents live within 30 minutes of their jobs and services. City of Sydney is situated within the Eastern Harbour City.

This plan sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters. This sets out how the State Government's 10 directions for a Greater Sydney are to be implemented through integrated planning. These 10 directions, with 40 supporting objectives, address infrastructure, liveability, productivity and sustainability. This planning proposal is consistent with these high level directions and objectives. In particular it addresses the liveability great places direction objective:

Objective 13: Environmental heritage is identified conserved and enhanced

By listing each building on the SLEP 2012, this planning proposal will fulfill this objective.

Eastern City District Plan

The Eastern City District Plan completed by the Greater Sydney Commission in March 2018 is a 20-year plan to manage growth in the context of economic, social and environmental matters. The district plan identifies 22 planning priorities and associated actions that support a liveable, productive and sustainable future for the district. This planning proposal gives effect to the following key planning priority and actions:

Liveability Planning Priority E6 – Creating and renewing great places and local centres, and respecting the District's heritage

Action 26 - Identify, conserve and enhance environmental heritage by:

- (a) engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place*
- (b) applying adaptive re-use and interpreting heritage to foster distinctive local places*
- (c) managing and monitoring the cumulative impact of development on the heritage values and character of places.*

This priority seeks to enhance the district's liveability by identifying, conserving and enhancing the heritage of local centres and neighbourhoods. It notes that built heritage contributes to an area's sense of place, its distinctive character and diversity of built form and uses and brings people together.

By consulting the community to consider listing this item as having local heritage significance, this planning proposal will address the district plan by respecting the City's multi-cultural heritage and fostering great places to bring people together. The retention and conservation of the Chinatown Gates on Dixon Street, with strong links to the Chinese-Australian community, has potential to enhance the character and distinct sense of place of Chinatown.

Q4. Is the planning proposal consistent with council's local strategy or other local strategic plan?

Yes.

Sustainable Sydney 2030 – 2050 Community Strategic Plan

The City's Sustainable Sydney 2030 Strategic Plan is the vision for the sustainable development of the City to 2050 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This planning proposal is consistent with the key directions of Sustainable Sydney 2030 – 2050, particularly Direction 4 'Design excellence and sustainable development.'

Local strategic planning statement

The City Plan 2036 Local Strategic Planning Statement was completed in March 2020. This statement is the 20-year vision for land use planning in the city. It aims to link the NSW State Government's strategic plans and the community strategic plans with the city's planning controls. This plan highlights that the unique heritage character of Sydney is a strong focus for local communities.

The planning proposal identifies 50-54 Dixon Street (Goon Yee, Loong Yee and Loon Fook Tongs building), 75-77 Ultimo Road (Kuo Min Tang building, moveable heritage and archival collection), 90-100 Hay Street (Former Municipal Stores) as heritage items, thereby facilitating their conservation and allowing future generations to understand Haymarket's historical development. The heritage listing will ensure future development considers and maintains the heritage significance of each building.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

This planning proposal is consistent with applicable State Environmental Planning Policies (SEPPs) as summarised in Table 2 and detailed in the following section. In this table, consistent means that the planning proposal does not contradict or hinder the application of the relevant state environmental planning policy.

Table 2: Consistency with State Environmental Planning Policies.

State Environmental Planning Policy	Comment
SEPP (Biodiversity and Conservation) 2021	This planning proposal is consistent
SEPP (Building Sustainability Index: BASIX) 2004	This planning proposal is consistent
SEPP (Exempt and Complying Development Codes) 2008	This planning proposal is consistent
SEPP (Housing) 2021	This planning proposal is consistent
SEPP (Industry and Employment) 2021	This planning proposal is consistent
SEPP (Planning Systems) 2021	This planning proposal is consistent
SEPP (Precincts–Central River City) 2021	This planning proposal is consistent
SEPP (Precincts–Eastern Harbour City) 2021	This planning proposal is consistent
SEPP (Precincts–Regional) 2021	This planning proposal is consistent
SEPP (Precincts–Western Parkland City) 2021	This planning proposal is consistent
SEPP (Primary Production) 2021	This planning proposal is consistent
SEPP (Resilience and Hazards) 2021	This planning proposal is consistent
SEPP (Resources and Energy) 2021	This planning proposal is consistent

State Environmental Planning Policy	Comment
SEPP No 65 - Design Quality of Residential Flat Development	This planning proposal is consistent
SEPP (Transport and Infrastructure) 2021	This planning proposal is consistent
SEPP (Housing) Amendment (Transport Oriented Development) 2024	This planning proposal is consistent

Q6. Is the planning proposal consistent with applicable ministerial directions?

This planning proposal is consistent with all Ministerial Directions issued under section 9.1 of the *Environmental Planning and Assessment Act 1979*, as summarised in Table 2.

Table 3: Consistency of the planning proposal with ministerial directions.

Ministerial Direction	Comment
Focus area 1: Planning Systems	
1.1 Implementation of Regional Plans	This planning proposal is consistent
1.2 Development of Aboriginal Land Council land	Not applicable
1.3 Approval and Referral Requirements	This planning proposal is consistent
1.4 Site Specific Provisions	This planning proposal is consistent
Focus area 1: Planning Systems – Place-based	
1.6 Parramatta Road Corridor Urban Transformation Strategy	Not applicable
1.7 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable
1.8 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.9 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.10 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable
1.11 Implementation of the Western Sydney Aerotropolis Plan	Not applicable
1.12 Implementation of Bayside West Precincts 2036 Plan	Not applicable
1.13 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable
1.14 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable
1.15 Implementation of Greater Macarthur 2040	Not applicable
1.16 Implementation of the Pyrmont Peninsula Place Strategy	Not applicable
1.17 North West Rail Link Corridor Strategy	Not applicable
Focus area 2: Design and Place	No directions in place

Ministerial Direction	Comment
Focus area 3: Biodiversity and Conservation	
3.1 Conservation Zones	This planning proposal is consistent
3.2 Heritage Conservation	This planning proposal is consistent
3.3 Sydney Drinking Water Catchments	Not applicable
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
3.5 Recreation Vehicle Areas	Not applicable
Focus area 4: Resilience and Hazards	
4.1 Flooding	This planning proposal is consistent
4.2 Coastal Management	This planning proposal is consistent
4.3 Planning for Bushfire Protection	This planning proposal is consistent
4.4 Remediation of Contaminated Land	This planning proposal is consistent
4.5 Acid Sulfate Soils	This planning proposal is consistent
4.6 Mine Subsidence and Unstable Land	Not applicable
Focus area 5: Transport and Infrastructure	
5.1 Integrating Land Use and Transport	This planning proposal is consistent
5.2 Reserving Land for Public Purposes	This planning proposal is consistent
5.3 Development Near Regulated Airports and Defence Airfields	This planning proposal is consistent.
5.4 Shooting Ranges	Not applicable
Focus area 6: Housing	
6.1 Residential Zones	Not applicable
6.2 Caravan Parks and Manufactured Home Estates	Not applicable
Focus area 7: Industry and Employment	
7.1 Business and Industrial Zones	This planning proposal is consistent
7.2 Reduction in non-hosted short-term rental accommodation period	Not applicable
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
Focus area 8: Resources and Energy	
8.1 Mining, Petroleum Production and Extractive Industries	Not applicable
Focus area 9: Primary Production	
9.1 Rural Zones	Not applicable

Ministerial Direction	Comment
9.2 Rural Lands	Not applicable
9.3 Oyster Aquaculture	Not applicable
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable

Section C – Environmental, social and economic impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The planning proposal will not adversely affect any critical habitat or threatened species, populations or ecological communities or their habitats.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No. It is unlikely that the proposed amendment to Part 1, Schedule 5 of SLEP 2012 will result in development creating any environmental effects that cannot be readily controlled.

Q9. How has the planning proposal adequately addressed any social and economic effects?

Identification and recognition of each heritage item and its significance will facilitate retention of physical, social, cultural and historic values that may have significance to the community. No changes to current zoning controls are proposed. The merit-based heritage provisions provide capacity for Council and any proponent to take into account these matters when development is proposed.

Section D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

Yes. The proposed listing does not generate demand for infrastructure.

Q11. What are the views of State and Commonwealth public authorities consulted in the gateway determination?

If required by the Gateway Determination, the Heritage Council of NSW will be consulted during the public exhibition period. The identification of this heritage item, based on a comprehensive heritage assessment, is consistent with Heritage Council of NSW standards.

Mapping

The Heritage Map tile HER_015 will be updated to shade in brown the location of the three new heritage items. The heritage map extract at **Figure 7** shows the new heritage item.



Figure 7: Proposed heritage boundary for each item, Heritage Map tile HER_015.

Community consultation

Public Exhibition

This planning proposal shall be exhibited in accordance with the requirements of gateway determination once issued by the Department of Planning, Housing and Infrastructure.

It is anticipated that public exhibition will be for a period of at least 20 working days, which is consistent with the Environmental Planning and Assessment Act 1979 and the Local Environmental Plan Making Guideline prepared by the Department dated August 2023.

The public exhibition of the documents will be on the City of Sydney website and carried out in accordance with the City's Community Participation Plan.

Consultation with the necessary NSW agencies, authorities and other relevant organisations will be undertaken as required by the conditions contained within the gateway determination.

Project timeline

The anticipated timeline for the completion of the planning proposal is as follows:

Stage	Timeframe
Gateway request	November 2024
Public exhibition & government agency consultation	March 2025
Consideration of submissions	May 2025
Post exhibition consideration of proposal	June 2025
Draft and finalise LEP	August 2025

Appendices

Appendix B - Heritage Assessment, 50-54 Dixon Street, Haymarket

Appendix C - Heritage Assessment, 90-100 Hay Street, Haymarket

Appendix D - Heritage Assessment, 75-77 Ultimo Road, Haymarket

Appendix E - Heritage Inventory Sheet, 50-54 Dixon Street, Haymarket

Appendix F - Heritage Inventory Sheet, 90-100 Hay Street, Haymarket

Appendix G - Heritage Inventory Sheet, 75-77 Ultimo Road, Haymarket



Attachment B

**Hector Abrahams Architects - Heritage
Assessment Report - 50-54 Dixon Street**

50-54 Dixon Street, Haymarket

Heritage Assessment

FINAL Version 1.2

19 July 2024



For City of Sydney
By Hector Abrahams Architects

Acknowledgment of Country

We acknowledge the Gadigal and Wiradjuri, the original inhabitants of the land on which we work. Nos 50-54 Dixon Street is located on the land of the Gadigal.

Aboriginal and Torres Strait Islander peoples have a connection to place, land, water and community, established over many thousands of years. We recognise the cultural significance inherent in these connections, that sovereignty over this land was never ceded and that it continues to be sacred to its rightful owners.

We pay respect to Elders past and present, and stand with all First Peoples in their quest for justice, truth telling, and reconciliation.

CONTENTS

1.	Introduction	4
2.	Site Description.....	6
3.	History (written by Dr Juanita Kwok)	7
3.1.	<i>Contextual Background</i>	7
3.1.	<i>50 Dixon Street</i>	19
3.1.	<i>52 Dixon Street</i>	22
3.1.	<i>54 Dixon Street</i>	28
4.	Physical Analysis	34
5.	Comparative analysis.....	42
6.	Assessment of Significance	48
6.1.	<i>Ability to demonstrate</i>	48
6.2.	<i>Assessment against NSW Heritage Assessment Criteria</i>	52
6.3.	<i>Statement of Significance</i>	63
7.	Listing Recommendations	64
8.	Management Recommendations	65
8.1.	<i>Obligations arising from significance</i>	65
8.2.	<i>Tolerance for change</i>	65
8.3.	<i>Conservation of fabric</i>	65
8.4.	<i>Interpretation</i>	66
8.5.	<i>Future development</i>	66
8.6.	<i>Future use</i>	66

Version	Authors	Status	Date
Version 1.0	Hector Abrahams Architects and Dr Juanita Kwok	Draft for internal review	18 June 2024
Version 1.1	Hector Abrahams Architects and Dr Juanita Kwok	Draft for review by City of Sydney	24 June 2024
Version 1.2	Hector Abrahams Architects and Dr Juanita Kwok	Final for City of Sydney	19 July 2024

1. Introduction

This report has been prepared in response to actions developed in the Haymarket and Chinatown Revitalisation Strategy. The past few years have been challenging for Haymarket and the City heard from the community that it is in need of revitalisation. The City adopted the Haymarket and Chinatown Revitalisation Strategy in December 2023 to outline actions in five priority areas to deliver on the community's vision for the area. The Strategy includes an action to strengthen recognition of cultural heritage, identifying three sites as potentially having cultural significance, linked to the Chinese Australian community. In order to provide a foundational understanding of the key themes from Chinatown's history, the City commissioned GML Heritage in 2022 to provide a Thematic History of Chinatown.

Hector Abrahams Architects (HAA) were engaged by the City of Sydney to investigate the significance of the place. The first stage was to examine the history and potential significance of three places at 90-100 Hay Street, 75-77 Ultimo Road and 50-54 Dixon Street, Haymarket. The findings of the first stage were compiled into standalone historical research reports which informs the second stage. Following the development of the Historical Research reports, HAA was engaged to undertake a heritage assessment of all three sites. HAA's approach to these reports is to work in co-authorship with the Chinese Australian Historian, Dr Juanita Kwok. Dr Kwok was engaged to conduct research and provide a contextual written history for the place and to advise on the place's significance and management.

This report assesses the heritage significance of 50-54 Dixon Street. The purpose of this report is to advise the City of any significance, to make a recommendation on heritage listing as well as management recommendations to conserve significance. This assessment will only make a recommendation on heritage listing within the Sydney LEP 2012.

This report briefly outlines the acquisition of the land and construction of the place by the Goon Yee Tong (the district association for migrants from Tung Koon) and the Loon Fook Tong (the district association for migrants from Tsang Shing). It then discusses these buildings as the meeting place, not only for members of the district associations, but for members of the NSW Chinese Chamber of Commerce and as the publishing address of the early Chinese newspaper, the *Tung Wah Times*. The report identifies other uses of the place and notable figures associated with the building.

A physical description of the place's current external condition is then provided and a comparative analysis investigates other district associations in Australia. The history and comparative analysis inform the assessment of significance which is based on Heritage NSW's *Assessing Heritage Significance Guidelines* (2023) and from which a recommendation is made on whether or not the place should be listed under Schedule 5, part 1 of the Sydney LEP 2012. The report concludes with management recommendations for the place.

This report was prepared by Hector Abrahams, Sioned Lavery and Sherly Robert of Hector Abrahams Architects, and Dr Juanita Kwok, historian. Research using Chinese language sources and Chinese-to-English translations were carried out by historical translator and consultant linguist, Ely Finch. The authors acknowledge Paul Macgregor for his input in section 5. The authors acknowledge and thank descendants and those who lived or worked in Chinatown for sharing their family stories and memories.

Note on romanisations

There is a distinction between historical and contemporary names for the district associations and districts in China. When known, the historical names for associations and districts have been used. Where the reference is contemporary, the contemporary name has been used.

Historical name	Contemporary pinyin romanisation
Loon Fook Tong	Luen Fook Tong
Tsang Shing	Zengcheng
Tung Koon	Dongguan

2. Site Description

The building at Nos. 50-54 Dixon Street, Haymarket is located towards the northern end of Dixon Street and adjacent the northern Chinatown gate. Its land title is Lot A DP 958137, lot B DP 958137 and lot C DP958137. Constructed in 1916, the place is a three-storey masonry building which incorporates a number of architectural styles including a classical pediment and some Greek detailing.

50-54 Dixon Street has been owned and used by the Goon Yee Tong, the Loong Yee Tong and the Loon Fook Tong associations for over 100 years. Besides its use as a meeting place and residential accommodation for members, particularly those newly arriving from or departing to the home district in China, the building was home to two significant Chinese Australian institutions – the NSW Chinese Chamber of Commerce and the *Tung Wah Times* newspaper. The building is also distinguished for housing early restaurants, the *Eastern Restaurant* and *Lean Sun Low Cafe*, both of which opened in the 1950s and were instrumental in the development of the restaurant culture of Dixon Street. Today the building continues to be owned by the district associations and the ground floors are leased to restaurants.



Figure 1. Aerial view showing 50-54 Dixon Street, Haymarket indicated in red. Source: Nearmap. Annotated by HAA.

3. History (written by Dr Juanita Kwok)

3.1. Contextual Background

The great majority of Chinese migrants who came to the Australian colonies for the goldrushes in the early 1850s came from counties in the Pearl River Delta, in the vicinity of the provincial capital of Canton. As Dr Michael Williams' research shows, they maintained strong ties to their villages.¹ People tied by native place, languages and kinship established associations to support and sponsor others from the same place or of the same surname. These associations included the Goon Yee Tong, for people from Tung Koon (Dongguan) County, and the Loon Fook Tong (Luen Fook Tong), for people from the Tsang Shing (Zengcheng) County.

The Goon Yee Tong was established by at least 1857, as the influential merchant Way Kee is known to have been Treasurer of the association from 1857 to 1889.² In the late 19th century, after the goldrushes had ended, the Chinese population in the Australian colonies was still largely a rural-based population. In NSW, people from Tung Koon were concentrated in rural towns such as Tamworth, Newcastle, Bathurst, Camden and Liverpool, where they mainly worked as market gardeners or storekeepers. A notice published in the *Chinese Australian Herald* in December 1902 indicates that the Goon Yee Tong association was established by Tung Koon natives to organise bone repatriation and engage in charitable endeavours.³ A 1906 article in the *Tung Wah Times* named N. Lean Fore as the director of the organisation with responsibility for bone repatriation.⁴

People from Tsang Shing were concentrated in towns such as Wellington and Newcastle, and in Victoria and New Zealand, where they were also largely engaged in market gardening and storekeeping. The district association for people from Tsang Shing was called the Loon Fook Tong. These two district associations merged to create a joint Tung Koon-Tsang Shing association called the Loong Yee Tong.

Evidence given in the 1891 *Report on the Royal Commission on alleged Chinese gambling and immorality and charges of bribery against members of the police force* shows that the Loong Yee Tong was in existence from at least 1891. Way Shong, Treasurer of the Loong Yee Tong, who was amongst the many Chinese community members interviewed for the 1891 Commission, stated he knew of two Chinese societies in Sydney – the Goon Yee Tong and the Loong Yee Tong.⁵ Way Shong stated that the objects of the Loong Yee Tong are to “provide a fund for sick people and people who are unable to pay their passages home”. He also spoke of funds donated to the hospital and sent to Hong Kong for buying coffins to put on board the boats so that if any Chinaman died at sea his body would not be thrown overboard.⁶ Another interviewee, Pow Chee stated that “the Loong Yee Tong belongs to two districts, and I think about 80 or 90 percent of [the migrants from] those districts belong to the Society”.⁷

Early development of the area

The buildings which occupy 50-54 Dixon Street are part of 15 acres of Gadigal land at the head of Cockle Bay, granted to John Dickson in 1813. The grant was subsequently sub-divided and in 1830 and 1833 allotments were sold in Sussex, Goulburn and Dickson (sic) Streets (see figure 2).

¹ See WILLIAMS, M. 2018. *Returning Home With Glory: Chinese Villagers around the Pacific, 1849 to 1949*, Hong Kong University Press.

² People from Tung Koon were concentrated in rural NSW in towns such as Tamworth, Newcastle, Orange, Bathurst, Camden and Liverpool. Their district association, t

³ The *Chinese Australian Herald*, 27 December, 1902, 5, <https://trove.nla.gov.au/newspaper/article/169055770>

⁴ 1906 '敬告本邑梓友', *Tung Wah Times* (Sydney, NSW: 1901 - 1936), 30 June, 5. , viewed 21 Feb 2024, <http://nla.gov.au/nla.news-article247428605>

⁵ *Report of the Royal Commission on alleged Chinese gambling and immorality and charges of bribery against members of the police force*, appointed August 20, 1891, presented to Parliament by command, Hathi Trust, accessed 6 December 2023, <https://babel.hathitrust.org/cgi/pt?id=coo1.ark:/13960/t59c7hk45&seq=49>

⁶ Way Shong, 22 September 1891, *Report of the Royal Commission on alleged Chinese gambling*.

⁷ Pow Chee, 12 October 1891, *Report of the Royal Commission on alleged Chinese gambling*.

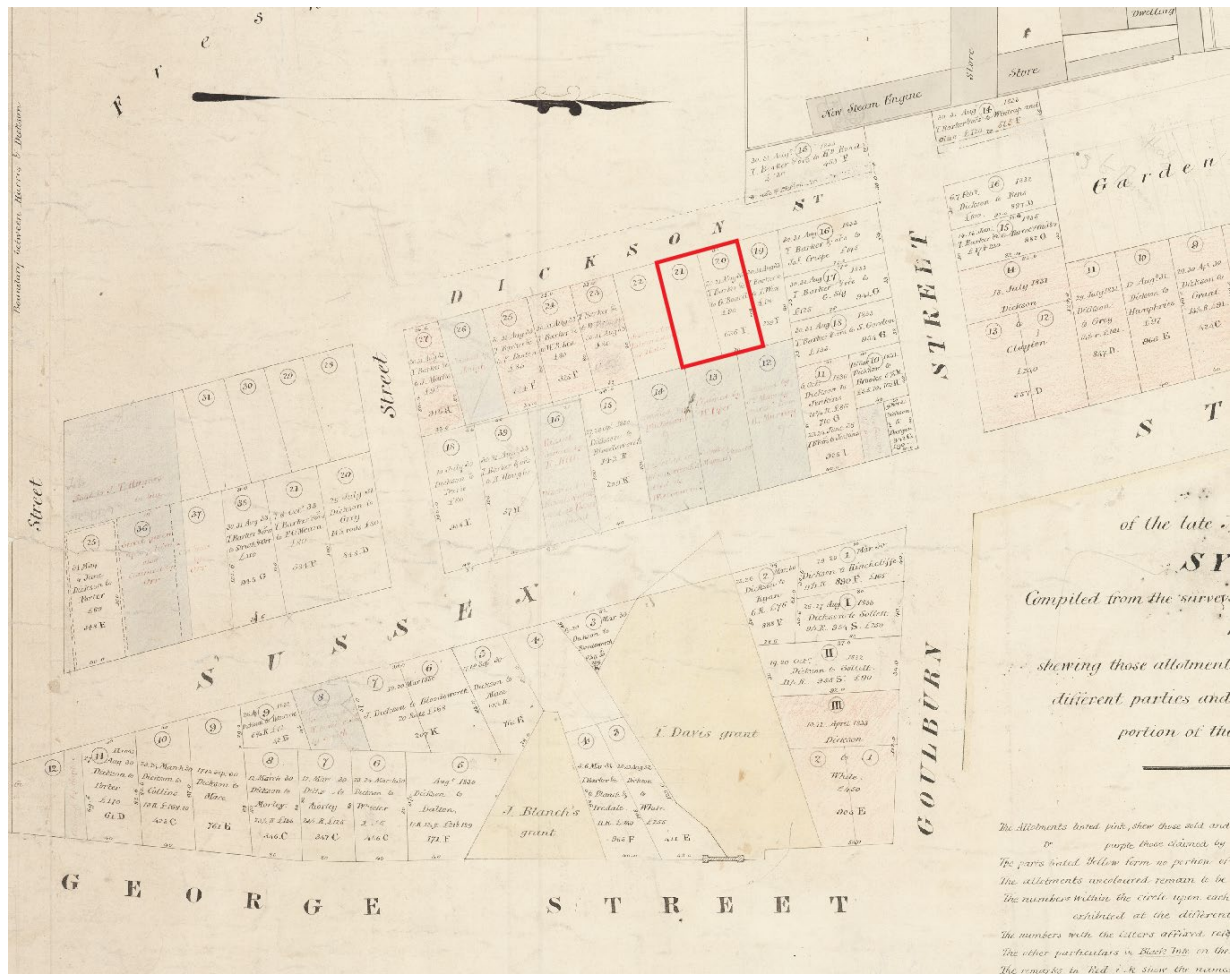


Figure 2. 1844 plan of John Dickson's grant showing allotments sold in 1830 and 1833. 50-54 Dixon Street indicated in red at lots 20 and 21. The former has been sold but the later yet to be sold. Source: Mitchell Library [SLNSW_FL3710912]. Annotated by HAA.

Dove's Plan 1880 plan shows two plots where 50-54 Dixon Street stands today. The northern plot was a yard with two single-storey wooden buildings with shingle roofs at the west entrance, three two-storey brick or stone buildings with shingle roofs to the south, and one single-storey wooden structure with a slate or metal roof in the eastern corner (figure 3).

The southern plot was a timber yard with a wood and iron shed along the northern edge of the plot, as well as a single-storey wooden structure with slate or metal roof in the north east corner (figure 3). It is unknown when these structures were demolished.



Figure 3. 1880 Dove's Plans of Sydney with the location of 50-54 Dixon Street highlighted in red. Source: City of Sydney Archives (A-00880144). Annotated by HAA.

In 1900, the title for 50-54 Dixon Street was transferred to Dugald Thomson.⁸ By that time, buildings on Dixon Street were run-down. A photograph showing the rear view of a row of conjoined brick cottages at 37-47 Dixon Street, Haymarket, reveals the state of nearby buildings on Dixon Street at the turn of the century (see figure 4).

⁸ (Assessment book, Lang ward 1914, 88)



Figure 4. City of Sydney, Print - Dixon Street Haymarket, circa 1901 (01/01/1901 - 31/12/1901). Source: City of Sydney Archives [A-00040934].

In 1908, Sydney Municipal Council resumed terrace houses, mills and workshops spread over four acres bounded by Ultimo, Thomas, Hay, Quay and Engine Streets to make way for new market buildings designed by the City Architect. The first Municipal Market building opened in

1909 and the second in 1910.⁹ These developments were reported in the *Chinese Australian Herald* in March 1909, with the comment that numerous Chinese firms were expected to move in light of the market's relocation.¹⁰ From 1910, Chinese firms which had previously been centred around Campbell Street, Haymarket in proximity to the Belmore Markets, began to open stores in Hay, Dixon, Quay, Harbour Streets and Ultimo Road close to the new Municipal Markets.

50-54 Dixon Street – clubhouses for the Tung Koon “Goon Yee Tong”, Tung-Jaang “Loong Yee Tong”, and Tsang Shing “Loon Fook Tong”

In an oral history interview conducted sometime around 1991, businessman Leslie Chang, whose family were from Tung Koon recalled:

When the Tung Koon people came to Sydney, there were so many of them, they decided to join forces with people from the neighbouring county of Jaang Sheng [sic]. They put their money together and bought three shops in Dixon Street, the rent from which was to be used for charitable and educational purposes.¹¹

Maxwell Yip, Secretary of the Goon Yee Tong stated:

I was told by my late Uncle Henry Lum Yip that money was raised by donations from businessmen, market gardeners and anyone willing to contribute towards the purchasing of 50-52-54 Dixon Street. Goon Yee Tong and Ling Fook Tong [sic] formed a combined association called Ling Yee Tong [sic].¹²

50-54 Dixon Street was in fact purpose-built on purchased land using funds raised from members of the associations. In 1907, nine rounds of donations for the Loong Yee Tong were published in the *Tung Wah Times* newspaper.¹³ By early 1916, sufficient funds had been raised for the Goon Yee Tong and the Loon Fook Tong to purchase land in Dixon Street. On 11 February 1916, land title for two blocks of land at 50-54 Dixon Street was transferred from Dugald Thomson to Goon Yee Tong representatives, Chee Sung and Gilbert Yet Ting Quoy and Loon Fook Tong representatives Fung Nam and James Kwong Sing.¹⁴ That same year, a building application was made to the Council and a plan submitted by G. L. Quoy (likely Gilbert Yet Ting Quoy), for a three-storey building at 50-54 Dixon Street to house three stores and dwellings (see Figure 5).¹⁵ Gilbert Yet Ting Quoy was a leader of the Tung Koon community. He was the lessee of produce business, Lee Sang & Co. which occupied the Municipal building at 90 Hay Street. The pediment of the building at 50-54 Dixon Street shows the date of its completion as 1916. See Figure 6.

⁹ Description, City of Sydney, *Glass Negative - Fruit and vegetable markets, Haymarket, circa 1920* (01/01/1920 - 31/12/1920), [A-01001328]. City of Sydney Archives, accessed 11 Jan 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1726756>

¹⁰ 1909 '決議改建街市', *Guang yi hua bao = The Chinese Australian Herald* (Sydney, NSW: 1894 - 1923), 13 March, 2. viewed 21 Feb 2024, <http://nla.gov.au/nla.news-article168080171>

¹¹ CHANG, THELMA AND LESLIE, “In a Nutshell” in, Gock Yen, Mavis, Yen Siaoman, and Richard Horsburgh. *South Flows the Pearl*. Sydney: Sydney University Press, 2022, 47.

¹² Chinese Community of Sydney in the Past, facebook group. Post by Anthony Ah Kee, 22 May 2022. Accessed 21 February 2024, <https://www.facebook.com/groups/1535721703222852>

¹³ For example, 1907 '東增聯義堂第一次捐款芳名', *Tung Wah Times* (Sydney, NSW: 1901 - 1936), 27 July, 7. , viewed 21 Feb 2024, <http://nla.gov.au/nla.news-article246930263>.

¹⁴ Land Titles, Vol. Fol. 1323-162; 1830, 1900, 1916.

¹⁵ *Dixon St (50-54) G L Quoy three stores* (01/01/1916 - 31/12/1916), [A-00580341]. City of Sydney Archives, accessed 08 Feb 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1449673>

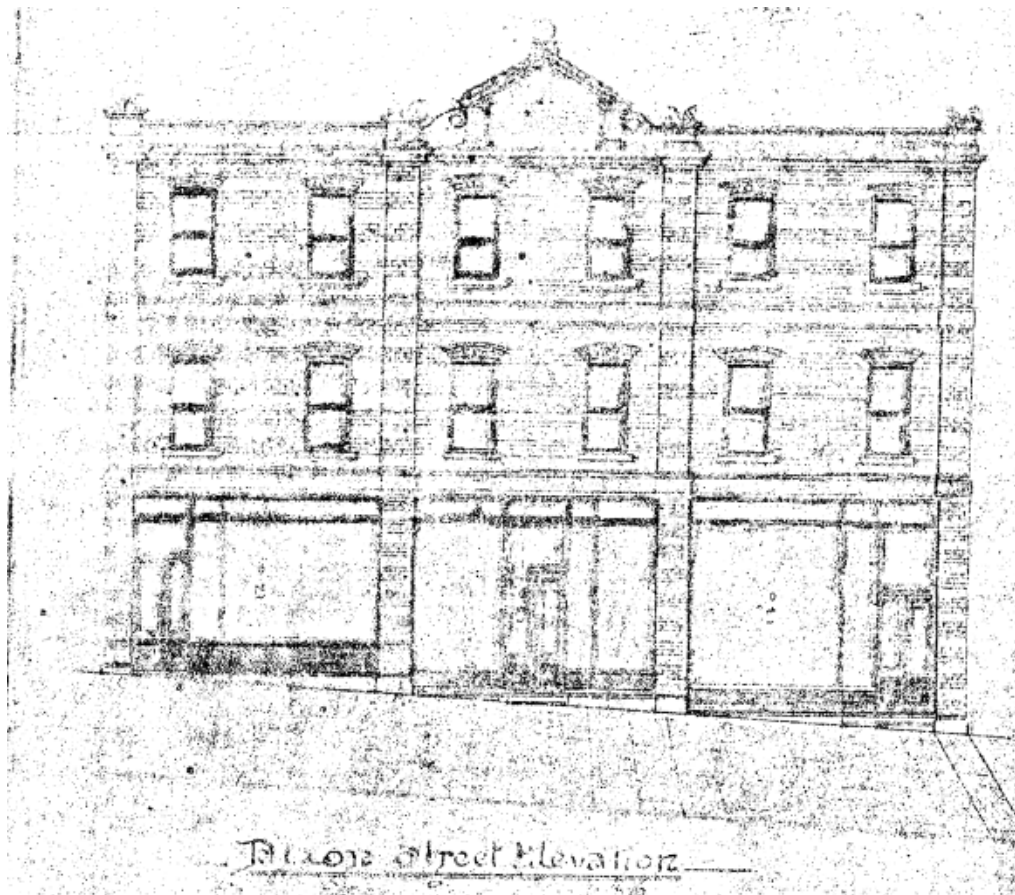


Figure 5. Part of Plan showing front of Dixon Street (50-54) G L Quay three stores (01/01/1916 - 31/12/1916), Source: City of Sydney Archives [A-00580341].



Figure 6. Pediment of 50-54 Dixon Street showing the date 1916. Source: Juanita Kwok, January 2024.

A plaque at the entrance to the building at 50-54 Dixon Street reads in English *Loong Yee Tong Inc.* See Figure 7.

The Chinese characters read:

增城聯福堂
東增聯義堂會所
東莞公義堂

In translation:

Tsang Shing “Loon Fook Tong”,
Tung Koon Goon Yee Tong, and
Tung-Jaang Loong Yee Tong clubhouse.”

[“Quotation marks indicate a coined romanisation”]



Figure 7. Loong Yee Tong plaque, 50-54 Dixon Street. Source: Juanita Kwok, January 2024.

According to Daphne Lowe Kelley, former President of the Luen Fook Tong and the Loong Yee Tong:

The original access to the upper floors of 50-52 Dixon St was internally through each building. However, as this was not always convenient to the lessee shop-owners, a decision was made to build a separate stairway to access the upper floors to LFT and GYT. I can't remember the exact year but it was after 1995 when Loong Fook Tong Inc was registered. The street plaque was added at that time.¹⁶

Signs are painted in Chinese on the exterior of 50-54 Dixon Street. See Figure 8.

The signs read from right to left:

東莞公義堂
東增聯義堂
增城聯福堂

They translate, respectively, to:
Tung Koon Goon Yee Tong,
Tung-Jaang Loong Yee Tong, and
Tsang Shing “Loon Fook Tong”



Figure 8. Chinese signs on the exterior of 50-52 Dixon Street. Source: Juanita Kwok, January 2024.

¹⁶ Daphne Lowe Kelley, pers. comm. 18 June 2024.

There are two additional faded painted signs on the exterior of the building. A sign above 52 Dixon Street (see Figure 9) appears to read:

中華總商會

This translates as *Chinese Chamber of Commerce*, though the third and fourth characters are not clear.¹⁷



Figure 9. Photograph of faded calligraphy on upper floor of 52 Dixon Street. Source: Juanita Kwok, January 2024.

¹⁷ Translation by Ely Finch.

A sign above 54 Dixon Street (see Figure 10) reads:

"聯新樓"¹⁸

This translates as *Lean Sun Low*.

The Chinese Chamber of Commerce at 52 Dixon Street and the Lean Sun Low restaurant at 54 Dixon Street are discussed later in this report.

Earlier photographs of 50-54 Dixon Street show that the signs on the exterior of buildings at 50, 52 and 54 Dixon Street have been repainted over the years. See Figures 11 and 12.



Figure 10. Chinese sign on the exterior of 54 Dixon Street reads "Lean Sun Low". Source: HAA, March 2024.

¹⁸ Translation by Ely Finch.



Figure 11. 1979 View of 50-54 Dixon Street showing Chinese signs on the façade indicated in red. Source: City of Sydney Archives [A-00008201]. Annotated by HAA.



Figure 12. 1984 photograph showing part of 50-54 Dixon Street and the Chinese characters on 50 Dixon Street that have since been painted over. Source: City of Sydney Archives [A-00058682]

There has been a change to the joint ownership of the three buildings between the two associations. According to Daphne Lowe Kelley “the land on which the buildings known as 50, 52 and 54 Dixon Street are located was purchased in the name of four trustees, two of whom were from Dongguan [sic] and two from Jung Seng [sic]. A short while after the three adjoining buildings were completed, 54 had a change of trustees when Charlie Young replaced the two Jung Seng trustees.”¹⁹

The land title record confirms that in August 1917, the title for 54 Dixon Street was transferred from Chee Sung, Gilbert Yet Ting Quoy, Fung Nam and James Kwong Sing to Chee Sung, Gilbert Yet Ting Quoy and Charlie Young.²⁰ With this transfer, joint trusteeship of 54 Dixon Street ceased and trustees were exclusively from Tung Koon. Upon the death of Chee Sung in 1927, 54 Dixon Street was transferred to Gilbert Yet Ting Quoy and Charlie Young, the remaining trustees.²¹ In 1930, it was further transferred to Yet Quork Yan, Chung Lun, Charley Foo On and Noble Lean Fore as joint tenants.²² The loss of joint trusteeship of 54 Dixon Street has, since 1917, disadvantaged the members of the Luen Fook Tong.²³

According to Lowe Kelley, the societies were only registered as incorporated associations in 1995. When they registered, 50 and 52 Dixon Street were registered as belonging to the joint association. No.50 and 52 Dixon Street are still owned by the joint association of the Loong Yee Tong. The Goon Yee Tong is no longer an incorporated association, but a company limited by guarantee.²⁴

¹⁹ Chinese Community of Sydney in the Past, facebook group. Post by Anthony Ah Kee, 22 May 2022, comment by Daphne Lowe Kelley.

²⁰ Land Titles, Vol. Fol. 2782-50, 1917.

²¹ Land Titles, Vol. Fol. 2782-50, 1927.

²² Land Titles, Vol. Fol. 2782-50, 1930.

²³ Daphne Lowe Kelley, pers. comm. 27 April 2024.

²⁴ Daphne Lowe Kelley, pers. comm. 27 April 2024.

3.1. 50 Dixon Street



Figure 13. 50 Dixon Street, with Canton Restaurant on the ground floor. Source: Juanita Kwok, 2024.

Although 50 Dixon Street was built as a clubhouse for the Tsang Shing Loon Fook Tong Association, the earliest land title for 50 Dixon Street lists Salvation Army (General) William Bramwell Booth as leasing the building in 1918.²⁵ 50 Dixon Street is listed in the 1919 Sands Directory as the Salvation Army Women's Home.²⁶ The Assessment Books do not stipulate which floor/s was leased for this purpose. While it is established that the Salvation Army worked and recruited amongst the Chinese community, particularly on the tin fields of Northern NSW in the 1870s - early 1920s, there appears to be little written on this early history of the Salvation Army Women's Home and any relationship between the Chinese Australian owners of the building and the Salvation Army. The Salvation Army Women's Hostel was not established at its long-term address at 471 South Dowling Street, Surry Hills until 1924.

The Sands Directory of 1922 lists 50 Dixon Street as occupied by W. & G. Ping, Manufacturers agents.²⁷ William and George Ping dissolved their partnership in 1925 when George Ping retired and William Ping carried on the business until 1933.²⁸ In 1923, Ho Hing & Co. Importers was also listed at 50 Dixon Street.²⁹ Upon the death of Chee Sung in 1927, land at 50 Dixon Street was

²⁵ Land Titles, Vol. Fol. 2782-51, 1918.

²⁶ 1919 Part 1 - City Street Directory - A-Gou (01/01/1919 - 31/12/1919), [A-01136885]. City of Sydney Archives, accessed 09 May 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1899634>;

²⁷ Sands Directory, 1922 part 1 City St Directory, Call No. A-01136237, (50)

²⁸ Advertising (1925, December 4). *The Daily Telegraph* (Sydney, NSW : 1883 - 1930), 11. Retrieved February 20, 2024, from <http://nla.gov.au/nla.news-article245063064>; Sands Directory, 1932-33 Part 1 City Street Directory - A-Mar (39)

²⁹ Sands Directory, 1923a part 1 City St Directory, Call No. A-01136236, (49)

transferred to surviving joint trustees Gilbert Yet Ting Quoy, James Kwong Sing and Ping Nam.³⁰

Between 1920 and 1928, the ground floor of 50 Dixon Street was occupied by the Eastern Residential House, advertising accommodation “for Eastern tourists, merchants, travellers and students, both interstate and country”.³¹ An advertisement from 1920 names the proprietors (葉秉樑 and 葉秉棟). They share the same surname ("Yip/Yet"), and first character of their given name, suggesting that they are brothers or cousins.³²

A building survey of 50-54 Dixon Street conducted in 1945 recorded 4 to 6 persons in residence in each building. The type of business was described as Chinese stores, bulk stores, Chinese Club with 30-40 at Club meetings.³³ It is not clear which club this referred to.

The district association in recent times

Today the Loon Fook Tong is named the Zengcheng Association of Australia. According to Lowe Kelley, in the last 40 years or so, as a result of the committees conducting meetings in Chinese, the membership has few English-speaking descendants from the older families. In recent years, there are now some committee members who have both Chinese and English.³⁴

In 2016, King Fong conducted a walking tour of Chinatown which included a visit to 50 Dixon Street. Photos taken upstairs at 50 Dixon Street (see Figures 14 and 15) and posted on Facebook show framed photographs hanging on a wall. According to Daphne Lowe Kelley, these are photographs of the members of the NSW Chinese Chamber of Commerce for different years.³⁵

The photographs on display, along with any other records, documents and ephemera, are an integral part of the history of this building and are a rich source of information about the associations, their members and activities.

³⁰ Land Titles, Vol. Fol. 2782-51, 1927.

³¹ Advertising (1922, May 20). *Tung Wah Times* (Sydney, NSW : 1901 - 1936), 6. Retrieved February 20, 2024, from <http://nla.gov.au/nla.news-article227656590>;

Advertising (1928, October 6). *Tung Wah Times* (Sydney, NSW : 1901 - 1936), 1. Retrieved February 20, 2024, from <http://nla.gov.au/nla.news-article224803806>.

³² 1920 'Advertising', *Tung Wah Times* (Sydney, NSW : 1901 - 1936), 25 December, 6. , viewed 21 Feb 2024, <http://nla.gov.au/nla.news-article227013534>.

³³ *Building Survey Card - Chinese stores and club, 50-54 Dixon Street Haymarket, 1945* (01/01/1945), [A-00508333]. City of Sydney Archives, accessed 08 Feb 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/959411>

³⁴ Daphne Lowe Kelley, pers. comm. 27 April 2024.

³⁵ Pers. comm. Daphne Lowe Kelley, 2 March 2024.



Figure 14. “Inside the native place of the Duan Guan [sic] people”, posted by Michael Williams, 10 September 2016 on the Chinese Australian History Facebook page, accessed 20 March 2024, (3) Chinese Australian History | Inside the native place association of the Duan Guan people. | Facebook



Figure 15. Photos of former Presidents of the Loong Fook Tong, courtesy of Daphne Lowe Kelley

3.1. 52 Dixon Street



Figure 16. Photo showing 50 and 52 Dixon Street. Source: Juanita Kwok 2024.

52 Dixon Street was the address of the joint Tung Koon-Tsang Shing association, the Loong Yee Tong. Contemporary newspaper accounts shed little light on the purpose of the association. Historian Mei-Fen Kuo writes that “the Loong Yee Tong’s main objective was to collect money “to put coffins on board ships passing to and from China.”³⁶ The Sands Directory shows that the earliest tenants of the building were the *Tung Wah Times* newspaper and the NSW Chinese Chamber of Commerce. Members of the Goon Yee Tong and the Loon Fook Tong were associated with both the *Tung Wah Times* and the NSW Chinese Chamber of Commerce.

The *Tung Wah Times* (1902-1936)

From 1918, the address of the *Tung Wah Times* newspaper was given as 52 Dixon Street.³⁷ Its publisher was J. Young of Dixon Street, Haymarket.³⁸ Published from 1898–1902 as the *Tung Wah News*, then as the *Tung Wah Times*, it was the second Chinese newspaper to be established in Sydney after the *Chinese Australian Herald*, which began publication in 1894.³⁹ Mei-Fen Kuo argues that the Chinese press has special distinction as:

³⁶ KUO, M.-F. 2018. Jinxin: The remittance trade and enterprising Chinese Australians, 1850–1916. In: BENTON, G., LIU, H. & ZHANG, H. (eds.) *The Qiaopi Trade and Transnational Networks in the Chinese Diaspora*. Abingdon, Oxon and New York: Routledge.

³⁷ *Sands Directory*, 1918 part 1 City St Directory, Call No. A-01136241, (49)

³⁸ Advertising (1918, May 4). *Tung Wah Times* (Sydney, NSW : 1901 - 1936), 8. Retrieved February 8, 2024, from <http://nla.gov.au/nla.news-article227019117>; “Advertising”, *Tung Wah Times*, 28 June 1919, 1, <https://trove.nla.gov.au/newspaper/article/227015723>

³⁹ YONG, C. F. 1977, *The New Gold Mountain*, 117.

*The only foreign-language press in Sydney to publish without interruption over three decades from the 1890s to the 1920s ... no foreign-language newspapers of any stamp could match the record of continuous circulation of Chinese-language newspapers in Sydney from the 1890s into the 1950s.*⁴⁰

Besides associations based on native place or lineage, Chinese people established organisations which were aligned to their social, commercial and political ideals. Chinese diaspora migrants in Australia sought to modernise China, but had different ideas on how this might be achieved. For example, the Yee Hing Society, active from the gold rush times, sought the overthrow of imperial rule in China. The *Tung Wah News* encouraged Chinese in Australia to set up the Chinese Empire Reform Association (CERA), which promoted Chinese intellectuals Kang Youwei and Liang Qichao's advocacy of reform of the imperial system and later the establishment of a constitutional monarchy in China. In 1900, supported by the NSW Chinese Chamber of Commerce, the *Tung Wah Times* became the official organ of the Chinese Empire Reform Association.⁴¹ Gilbert Yet Ting Quoy was an office bearer of the CERA along with other well-known merchants in the Sydney Chinese community, including Thomas Yee Hing, Ping Nam, C. Leanfore, Henry Fine Cheong, Goon Ick, W.R.G. Lee and George Bew.⁴²

Ting Quoy also launched a campaign through the *Tung Wah Times* newspaper in 1908 and 1909 advocating the need to establish schools to teach Chinese language. Along with Ping Nam, Leong Cheong, Lee Chun, John Hoe and Lean Fore, Ting Quoy taught at the first Sydney Chinese School which was established at the Loong Yee Tong clubhouse at 52 Dixon Street in the early twentieth century. The school lasted for more than half a century.⁴³

In 1914, the *Tung Wah Times* boasted the largest circulation of any Chinese newspaper in the Commonwealth, New Zealand and the Pacific Islands.⁴⁴ The *Tung Wah Times* ceased publishing in 1936, but it is unclear why. The *Tung Wah Times* was located in 52 Dixon Street until at least 1933.⁴⁵

The NSW Chinese Chamber of Commerce

In 1917, 52 Dixon Street was also the headquarters of the NSW Chinese Chamber of Commerce⁴⁶, which was a successor to earlier merchants' associations, the Lin Yik Tong (Chinese Commercial Association, 1892-1903) and the Chinese Merchants Society (1903-1912), established by Tsang Shing merchants Thomas Yee Hing and Ping Nam. According to historian C.F. Yong, the NSW Chinese Chamber of Commerce was formed in 1913 in order to send a representative to Peking for the election of the first Parliament. The first President of the NSW Chinese Chamber of Commerce was Ping Nam, a merchant in the firm of On Chong & Co.⁴⁷ Ping Nam was publisher of the *Tung Wah Times* in 1912, and one of the joint title-holders to 50-52 Dixon Street in 1927.⁴⁸ The constitution of the NSW Chinese Chamber of Commerce, which stated that the sole aim of the Chamber was to maintain and promote trade, prevented Chinese labouring and farming classes from joining.⁴⁹ The Chamber defended the commercial interests of Chinese merchants against organisations such as the *Anti-Chinese League* and the *Retail Grocers and Storekeepers Association* which ran public campaigns in the early nineteenth century to dissuade the public from patronising Chinese stores. Amongst the influential

⁴⁰ KUO, M. F. 2013, *Making Chinese Australia*, 1.

⁴¹ Fitzgerald, J. (2007). *Big white lie: Chinese Australians in white Australia*. University of New South Wales Press.

⁴² YONG, C. F. 1977, *The New Gold Mountain*, 120-121.

⁴³ YONG, C. F. 1977, 214; KUO, *Making Chinese Australia*, 229; Pers. comm. with Mei-Fen Kuo, 1 May 2024.

⁴⁴ Advertising (1914, September 19). *Tung Wah Times (Sydney, NSW : 1901 - 1936)*, 1. Retrieved February 20, 2024, from <http://nla.gov.au/nla.news-article227973558>

⁴⁵ *Sands Directory*, 1932-33 part 1 City St Directory, Call No. A-01136227, (39).

⁴⁶ *Sands Directory*, 1918 part 1 City St Directory, Call No. A-01136241, (49)

⁴⁷ Yong, C.F., 1977, 86-88.

⁴⁸ Land Titles, Vol. Fol. 2782-51, 1927.

⁴⁹ Yong, C.F., 1977, 90-2.

businessmen who were members of the Chinese Chamber of Commerce was Gilbert Yet Ting Quoy, who was President of the Chamber in 1924.

According to Yong, “five round-table meetings were held in the headquarters of the NSW Chinese Chamber of Commerce at 52 Dixon Street which culminated in the formation in 1917 of the first Chinese Australian shipping line, the China-Australia Mail Steamship Line.”⁵⁰ With funds raised from shares sold to Chinese in Australia and the Pacific, the Line purchased three passenger ships to sail between Shanghai, Canton, Hong Kong and Australia. According to Yong, there was aggressive competition from established British and Japanese shipping companies, coupled with losses resulting from the Australian government requisitioning the ships for the war effort. He writes,

“Amidst accusations of poor administration and the disintegration of the entente between rival factions, the line suffered irrecoverable losses and the business was wound up in 1924”.⁵¹

The NSW Chinese Chamber of Commerce was dissolved in 1965.⁵²



Figure 17. (1928, October 13). “New South Wales Chinese Chamber of Commerce Anniversary Picnic Committee”, Tung Wah Times (Sydney, NSW : 1901 - 1936), 5. Source: <http://nla.gov.au/nla.news-page24098979> Reproduction by NSW State Library, courtesy of Ely Finch.

⁵⁰ Yong, C. F., 97-109.

⁵¹ YONG, C. F. 1977, *The New Gold Mountain*, 106-9.

⁵² Dictionary of Sydney, NSW Chinese Chamber of Commerce, accessed 13 May 2024, https://dictionaryofsydney.org/organisation/new_south_wales_chinese_chamber_of_commerce

The Eastern Restaurant

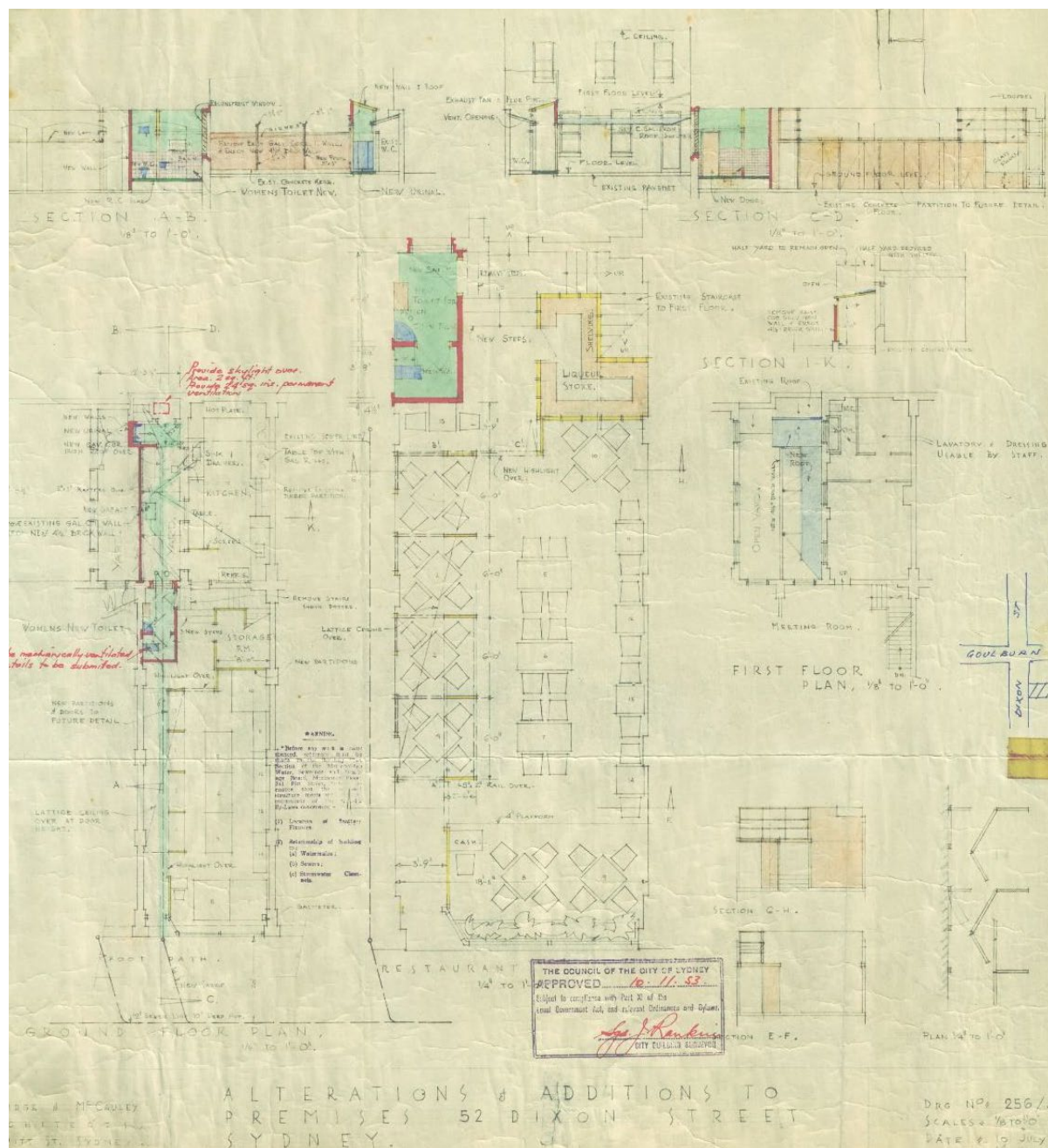


Figure 18. 1953 Plans for Alterations and Additions to 52 Dixon Street, Haymarket. Source: City of Sydney Archives [A-00558224].

In 1950 and 1952, applications were made to make alterations to the shopfront of 52 Dixon Street and in 1953 Council approved the conversion of 52 Dixon Street into a restaurant.⁵³ The City Archives contains plans of 52 Dixon Street in 1953 showing the restaurant layout on the ground and first floor of the building. See Figure 18.⁵⁴

The Eastern Restaurant (in Chinese “Doong Shan”) on the ground floor of 52 Dixon Street. was run by Victor Peter Googan (Lowe Hing Choy, born in Coonamble) and his wife Louie Lee

⁵³ City Council Applications (1953, September 30). *Construction (Sydney, NSW : 1938 - 1954)*, 24. Retrieved February 8, 2024, from <http://nla.gov.au/nla.news-article222898664>

⁵⁴ *Dixon St (52)* (01/01/1953 - 31/12/1953), [A-00558224]. City of Sydney Archives, accessed 21 Feb 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1414776>

(Wong Loy Day, born in Stuart Town, NSW). The story behind the Googan name is that the name of Peter's father, Lowe Goo Gun (born in Tong Mei village, Tsang Shing), was recorded as Googan. Peter Googan was bilingual, which allowed him to deal easily both with his Australian suppliers and customers and with Chinese businesses. The chefs brought out from Hong Kong to work in his restaurant lived upstairs from the restaurant. Peter had an import/export licence which allowed him to import such items as crockery, various foodstuffs and a noodle machine to make wonton wrappers.

The restaurant had modern, square, coloured linoleum tiles on the floor, but also had a feature wall decorated with antique carved wooden decorative panels from Quong Tart's tearoom in the Queen Victoria Building, given to the Googans by the McEvoy family, descendants of Quong Tart. Peter's eldest daughter Gwenda recalls waitressing at the restaurant still wearing her school uniform. There were around 16 tables in the restaurant, though if there were banquets, guests could go upstairs to dine.

The Eastern was the first Chinese restaurant to obtain a liquor licence until 10pm, at a time when liquor service in hotels ended at 6pm (see Figure 19). The liquor licence and the English menu attracted non-Chinese customers. Gwenda recalls that at the time of the big flood in Maitland in the mid-1950s, customers queued up to support a flood relief fundraiser held at the Eastern. The restaurant's signature dish was "Doong Shan Faan" a rice lined bowl filled with a combination of chicken, pork and prawn tipped onto a plate and served with an egg-white and milk sauce.⁵⁵

The Eastern Restaurant was in business from the mid-50s to the late 60s.

In the 1960s at least, the upper floors of 52 Dixon Street provided dormitory accommodation. In an interview with Lance Lai conducted by Christopher Cheng for the Australians with Chinese Heritage Oral History Project, Lance discussed how he and his family lived on the top floor of 52 Dixon Street before moving to 54 Dixon Street, above their family-run restaurant Lean Sun Low. Lance described the first and second floors of 52 and 54 Dixon Street as a "commune" for people from Tung Koon.⁵⁶

In 1988, the Luen Fook Tong made a building application for internal fit-out for a shop and office at 50-52 Dixon Street.⁵⁷ In the 1990s, the Eastern August Moon Restaurant operated across both 52 and 54 Dixon Street.⁵⁸

Today, the Luen Fook Tong have their office at 52 Dixon Street and committee meetings are still held there, but the three flights of stairs make it difficult for older members. Functions are now held off-site, such as the recent Chinese New Year celebrations at Fitzroy Hall and Woodstock Community Centre and Park in Burwood.⁵⁹ The current arrangement is that Goon Yee Tong has a sub-lease from Loong Yee Tong for 50 Dixon Street and Luen Fook Tong has a similar arrangement for 52 Dixon Street.⁶⁰ The ground floor of 52 Dixon Street is currently leased as a Chinese BBQ restaurant.

⁵⁵ Author's interview with Gwenda Bau, 20 January 2024.

⁵⁶ "Lance Lai Interviewed by Christopher Cheng for the Australians with Chinese Heritage Oral History Project." By Christopher Cheng, 2023, <https://nla.gov.au/nla.obj-3183559394/listen>.

⁵⁷ BA (Building Applications) 50 - 52 Dixon St Sydney Eastern Restaurant - Internal Fitout Shop & Office - \$30000 - 12 05 88 LUEN FOOK TONG SOCIETY (12/05/1988 - 25/02/1993), [A-00661100]. City of Sydney Archives, accessed 21 Feb 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1478464>

⁵⁸ DEVELOPMENT APPLICATION - 50 - 52 Dixon St Sydney - Erect Top Hamper & Under Awning Signs - \$133 80 - 29 04 96 - Eastern August Moon Chinese (11/06/1996 - 27/01/2000), [A-00672244]. City of Sydney Archives, accessed 21 Feb 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1489726>

⁵⁹ Pers. comm with Daphne Lowe Kelley, 2 March 2024.

⁶⁰ Pers. comm. Daphne Lowe Kelley, 2 March 2024.



Figure 19. Dixon Street Chinatown, circa 1960, photographer unknown, Facebook post by Chinese Heritage Association of Australia, posted 23 June 2020, accessed 23 February 2024, <https://www.facebook.com/photo/?fbid=2872483332873777>

3.1. 54 Dixon Street



Figure 20. 50-54 Dixon Street, foregrounding 54 Dixon Street. Source: Juanita Kwok, January 2024.

54 Dixon Street was built as the clubhouse of the Tung Koon Association. Over the more than 100 years that the Goon Yee Tong has owned the building, it has also fulfilled an important role in providing accommodation for people from Tung Koon, who were either arriving or returning to China. In 1918, a building application was approved to make alterations to 54 Dixon Street, to build partitions to create six rooms on the first and second floor of 54 Dixon Street by Council.⁶¹

As Leslie Chang recalled:

*In the early days there were also dormitories in the upstairs of the Dixon Street buildings for Tung Koon and Tsang Shing people passing through Sydney. Under the constitution of the society the shops can only be leased to a Tung Koon person at a very reasonable rental.*⁶²

On the ground floor of 54 Dixon Street in 1920 was the China Trading Co., which was advertised as “Importers, exporters, Eastern Merchants and indent agents”.⁶³ As indent agents, the company distributed goods on receipt of purchasing orders. An advertisement from 1921 showed the company sold imported rice, ginger, sauce, peanuts, silks and teas and sought to buy shark fins and beche-de-mer.⁶⁴

A Chinese restaurant called Lean Sun Low which had opened on the ground floor of 54 Dixon Street by December 1922, advertised banquets, meals, Chinese cakes, barbequed meats and welcomed birthday, marriage and other celebrations.⁶⁵ In the 1950s, the Lean Sun Low Café was run by the Lai family. Historian Shirley Fitzgerald wrote:

*Alan Lai, who had arrived in Sydney as a teenager in 1951 and lived in Dixon Street, was at the time running Lean Sun Low... He recalled that in the 50s, girls would walk past holding their noses, and the only Aussies who came in were often drunk and reluctant to pay the bill.*⁶⁶

⁶¹ *Dixon St (54) Jim Le Ling partition (01/01/1918 - 31/12/1918)*, [A-00551744]. City of Sydney Archives, accessed 09 Feb 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1417942>

⁶² CHANG, THELMA AND LESLIE, “In a Nutshell” in, Gock Yen, Mavis, Yen Siaoman, and Richard Horsburgh. *South Flows the Pearl*. Sydney: Sydney University Press, 2022, 47.

⁶³ Advertising (1920, October 23). *Tung Wah Times (Sydney, NSW : 1901 - 1936)*, 7. Retrieved February 19, 2024, from <http://nla.gov.au/nla.news-article227018088>

⁶⁴ Advertising (1921, July 13). *Daily Commercial News and Shipping List (Sydney, NSW : 1891 - 1954)*, 2 (Weekly Summary). Retrieved February 9, 2024, from <http://nla.gov.au/nla.news-article159593337>

⁶⁵ Advertising (1922, December 9). *Tung Wah Times (Sydney, NSW : 1901 - 1936)*, 4. Retrieved February 19, 2024, from <http://nla.gov.au/nla.news-article227655088>

⁶⁶ Fitzgerald, S. (1997). *Red tape gold scissors: The story of Sydney's Chinese*. Sydney, State Library of New South Wales Press, 149, citing Graham Shirley.



Figure 21. 1979 Street view showing Lean Sun Low Café and Eastern Restaurant on the ground floor of 50-54 Dixon Street, Haymarket to the left. Source: City of Sydney Archives [A-00011720].

Amongst the Chinese community, however, Lean Sun Low was very popular for its wonton (short soup). Irene Moss, born in Dixon Street in 1948, recalled her childhood:

Mum and Dad used to work quite hard packing tomatoes. And sometimes when Mum didn't have time to cook a meal, she would give me a couple of bob and, because she knew the people at Lean Sun Low pretty well, I'd go in there and they'd know what to get me - a little bowl of wonton soup. I used to do that quite a lot.⁶⁷

Fashion designer Jenny Kee, whose father was a produce agent at the markets, also recalled going to the Lean Sun Low Café after visiting her father's office upstairs at the markets in the early 1950s. "On the way home, we always stopped by the Lin [sic] Sun Low Café to have our billy cans filled with a savoury rice porridge called juk."⁶⁸ A 1959 photograph titled "Chinese in Sydney" shows the street number 54 at the top of the glass door. The restaurant in the photograph is Lean Sun Low. See Figure 22.

According to Lance Lai's recollections, his father Lai Kum Hung was in his early twenties when he was sponsored to come Australia around 1954. Lance's mother Eileen Hung Wah Lai arrived in Australia when she was fourteen. There were many people like the Lai family, who moved from their villages to Hong Kong and then to Australia, and on arrival lived for cheap rent at 52 and 54 Dixon Street until finding a place to rent in the suburbs. According to Lance, his father Lai Kum Hung became an elder in the community and was President of the Goon Yee Tong in

⁶⁷ Shun Wah, Annette and Aitken, Greg, *Banquet: Ten Courses to Harmony*, Sydney, Doubleday, 1999, 130.

⁶⁸ Chinese Community of Sydney in the Past, Facebook post by Anthony Ah Kee, 29 May 2018, accessed 9 February 2024, (1) Chinese Community of Sydney in the past | Jenny Kee describes her childhood impressions of Haymarket Chinatown in the early 1950s: | Facebook

the 1980s. Along with others such as Henry Tsang, King Fong, Bernard Chan and Stanley Wong, Lai Kum Hung was one of the founders of the Chinatown Mall and his name is inscribed on the northern archway.⁶⁹

The Lean Sun Low Café continued operating into the early 1990s when an application was made to build a new shop front for the restaurant.⁷⁰ In 2000, the restaurant operating across both 52 and 54 Dixon Street, was called the Eastern August Moon (see Figure 23).



Figure 22. Chinese in Sydney, October 1959/ Photographs by Ivan. Source: Mitchell Library [ON 388/Box 085/Item 047]

⁶⁹ "Lance Lai Interviewed by Christopher Cheng for the Australians with Chinese Heritage Oral History Project." By Christopher Cheng, 2023, <https://nla.gov.au/nla.obj-3183559394/listen>.

⁷⁰ *BUILDING APPLICATION - 54 Dixon St Sydney - New Shopfront To Restaurant Lean Sun Low - \$8000 - 28 12 90 - Jackson Design* (28/12/1990 - 19/10/1993), [A-00661361]. City of Sydney Archives, accessed 09 Feb 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1478725>



Figure 23. c.2000 View of 50-54 Dixon Street showing Eastern August Moon Chinese Restaurant on the ground floor. Source: City of Sydney Archives [A-01129462].

The ground floor of 54 Dixon Street is currently leased for retail and dining whilst the Goon Yee Tong Ltd occupies Level 1 of 50 Dixon Street, Haymarket. Its website describes the association as:

A registered non-profit Chinese society based in Sydney, Australia. It was founded over a century ago by Chinese migrants from the district of Dongguan, Guangdong province in southern China.⁷¹

The current arrangement is that Goon Yee Tong has a sublease from Loong Yee Tong for 50 Dixon Street and Luen Fook Tong has a similar arrangement for 52 Dixon Street.⁷²

⁷¹ Goon Yee Tong Ltd website, accessed 21 February 2024, <https://goonyeetong.org.au/en/about/>

⁷² Pers. comm. Daphne Lowe Kelley, 2 March 2024.

Community appreciation

A discussion about the buildings at 50-54 Dixon Street took place amongst participants of the Chinatown Heritage Study Stakeholder Workshop, hosted by the City of Sydney on 5 April 2024. Daniel Ma, who also spent his childhood growing up in Chinatown, would like to see the building at 50-54 Dixon Street preserved. Making reference to 58 Hay Street [the Wing Sang Headquarters Building] which was lost to redevelopment and can no longer communicate its stories in the same way, Daniel commented, “*Buildings are stories in themselves*”. Daniel expressed the opinion that without the building and its internal fabric, its history is meaningless. However, some participants of the workshop did not believe that the buildings needed to be retained and that their significance could be interpreted in other ways.

The participants expressed that the building is important as it is the only building where clan societies have operated continually for over 100 years. More recently the composition of the association has changed leading to different appreciations of the place. For instance:

More recent arrivals (post-Tiananmen) from China have little appreciation of the history of the district, and the racism and exclusion experienced by 19th and early 20th Century migrants. The White Australia legislation reduced the Cantonese population. The mainland Chinese (who settled in large numbers from the late 1980s) did not experience the racism and the feeling of being in an isolated minority. Different waves experienced Chinatown differently, and many have no sentimental attachment to the building let alone a historical one.⁷³

Notwithstanding recent changes, the associations remain very strong. For instance, Man-Yee Leanfore, who has a family connection to the building both through her own (Ho) family and her late-husband’s family, would like for the story of the place to be told and the history to be recognised.

⁷³ Brad Powe, Chinatown Heritage Study Stakeholder Workshop, hosted by the City of Sydney on 5 April 2024.

4. Physical Analysis



Figure 24. External view of 50-54 Dixon Street. Source: HAA, 2024.

The physical analysis of the building at nos.50-54 Dixon Street is limited to the external façade of the building's Dixon Street frontage. Internal access to the building was not provided.

The building at nos.50-54 Dixon Street is a three-storey masonry building. Two brick pilasters divide the façade into three vertical bays. Each bay corresponds to the three individual lot boundaries upon which the single building was built. The ground floor awning, a painted cement band at the second floor level and a cornice and parapet at the roof level creates a visual division indicating each floor. Atop the building is a parapet with a central pediment and inscription 'AD 1916' indicating the date of completion of the building (figure 25).



Figure 25. Pediment and architrave detailing on 50-54 Dixon Street. Source: HAA, 2024.

The ground floor of the building has been significantly altered by the introduction of contemporary food and retail premises with contemporary fit outs.

The façade of the upper floors consists of 12 equidistant windows. A noteworthy feature of the façade are the Chinese characters written across the first floor exterior. The Lean Sun Low sign painted in Chinese characters on the exterior of 54 Dixon Street appears to be original, as does the very faded Chinese Chamber of Commerce sign on 52 Dixon Street. The signs painted on the exterior of the building between 50 and 52 Dixon Street appears in later photographs dating from 1984 (see figures 8 to 12).

The ground floor is sublet to eateries, the above floors are believed to be owned and occupied by the district associations. Internal configurations, surviving fabric and contemporary use are unknown. Signage on the ground floor door of 54 Dixon Street indicates that the above floors are available for commercial office or retail shop lease, with street level advertising allowed.

50 Dixon Street



Figure 26. View of 50 Dixon Street. Source: HAA, 2024.

The ground floor of 50 Dixon Street hosts the *Canton* restaurant and is characterised by contemporary glazed maroon tiles, kitchen window and main entrance. A plaque with Chinese characters is located at the edge of the tiled façade.

The first floor brick façade has been painted grey, covering the original Chinese writing shown in figure 12, while the second floor retains its original brick finish.

Each floor comprises of two window openings with exposed arched brick lintels and bullnose brick sills. The first floor comprises of two double hung windows with opaque glazing and metal framing, and the second floor has four-panel transparent glazed sliding windows with metal frames. The top left window on the second floor is fitted with an external grill mesh. Air conditioning units sit above the awning (figure 27).



Figure 27. View of the upper floors of 50 Dixon Street. Source: HAA, 2024.

52 Dixon Street



Figure 28. View of 52 Dixon Street. Source: HAA, 2024.

No.52 Dixon Street's ground floor facade is embellished with contemporary grey stone cladding and shopfront windows for the *Skewer BBQ* restaurant. A stairway installed in circa 1995 leading to the first floor, is located on the northern side of the shop. A plaque indicating the names of the district associations is positioned on the wall to the left of the stairway on the ground floor, and was mounted in circa 1995.

The awning at 52 Dixon Street has been set back to accommodate the Chinatown gates abutting the building (figure 29). On the first and second storeys, the building is a face brick finish with two window openings with arched brick lintels and bullnose brick sills per floor. These four-panel glazed sliding windows have metal frames and are modern additions to the building, dating to some time after 1979 (figure 11). The first floor windows have internal metal grills. The northern window on the second floor is fitted with an external grill mesh (figure 28).

The Chinese characters on 52 Dixon Street are obstructed by the addition of electrical conduits (figure 29). Air conditioning units sit above the awning. Metal embellishments with Chinese motifs can be seen on the pilaster between 52 and 54 Dixon Street (figure 29).



Figure 29. View of 52 Dixon Street. Source: HAA, 2024.

54 Dixon Street



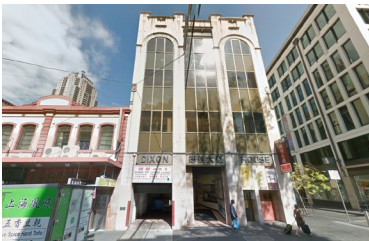
Figure 30. View of 54 Dixon Street. Source: HAA, 2024.

On the ground floor, 54 Dixon Street is currently occupied by *Super Emoji* juice shop. A door identifying the district associations is located north of the juice shop. Signage over the door shows the logo of the *Goon Yee Tong Limited* association (figure 30). It is assumed that the doorway leads to a stairwell to the above floors.

The ground floor façade is clad with grey tiles and contains three steps leading to a setback glazed shopfront. On the first and second floor, the façade comprises of four window openings with arched brick lintels and bullnose brick sills, two at each floor. The windows are double hung with frosted glass panels and metal frames. The old Lean Sun Low sign painted on the exterior of 54 Dixon Street is obstructed by the addition of electrical conduits (figure 30). Air conditioning units are located above the awnings.

5. Comparative analysis

The creation of district associations across Australia is a historic process which continues today with a number of new associations being created in the late 20th century and early 21st century.⁷⁴ This comparative analysis focuses on the district associations founded in the 19th and early 20th century, in order to understand the historical significance, rarity and representativeness of 50-54 Dixon Street.

Image	Address	Description
New South Wales		
	Sydney, NSW	Chin Wah Benevolent Association⁷⁵ It is unclear when this Association was established, but it has existed since at least 1913. Information on the functions of the association and its address is unknown.
	158 George Street, Redfern	Chung Hwa National Association⁷⁶ It is unclear when this Association was established, but it has existed since at least 1913. Information on the functions of the association and whether it is extant is unknown. Historical aerials indicate that the building had been demolished by 1975.
 Figure 31. Dixon House building. Source: Google Street view, October 2015.	417 Sussex Street, Haymarket	Yiu Ming Hung Fook Tong The Yiu Ming Hung Fook Tong was founded in 1880 for the Ko Yiu people in Sydney. ⁷⁷ Today, the place is known as Dixon House. It is unclear if the building was purpose-built for the District Association or if it leased space within the building. The exact functions of the Tong or whether the Tong continues to use the building is unknown.

⁷⁴ Alexandra Wong, Kay Anderson, Ien Ang and Donal McNeill, "Sydney's Chinatown in the Asian Century: From ethnic enclave to global hub", Western Sydney University, July 2016, p.47,

⁷⁵ "International Chinese Business Directory of the world for the year 1913", International Chinese Business Directory Co., Inc., San Francisco, California, USA, p.1225, [https://babel.hathitrust.org/cgi/pt?id=uc1.\\$b440600&seq=9](https://babel.hathitrust.org/cgi/pt?id=uc1.$b440600&seq=9)

⁷⁶ "International Chinese Business Directory of the world for the year 1913", p.1225

⁷⁷ "Sydney's Chinatown in the Asian Century: From ethnic enclave to global hub", p.47.

Image	Address	Description
 Figure 32. Chinese Youth League building. Source: Google Street view, September 2020.	10 Dixon Street, Haymarket	Chinese Youth League of Australia The Chinese Youth League was founded in 1939 in an attempt to gather patriotic Chinese youth to form an association to fight the Japanese invasion in China. The league assisted in providing jobs, meals and accommodation to stranded Chinese seamen who jumped ship or came to Sydney as refugees during WWII. The league is also known for its efforts in fighting the white Australian policy. The building is extant and the league conducts activities and sports events for Chinese youth in Sydney.⁷⁸
 Figure 33. Kwong War Chong building at 84 Dixon Street. Source: HAA, 2019.	84 Dixon Street, Haymarket	Kwong War Chong Building The Kwong War Chong building was erected in 1909 for Philip Lum Chun Lee's company 'Kwong War Chong & Co.' The ground floor of the building was a general store. The above floors served as an early community centre for the Zhongshan (Chungshan) people in Sydney, and as a meeting place for the 'Tong Sen Tong', a society for the Long Du people.⁷⁹ The place is no longer used by the associations. The place is listed on the NSW State Heritage Register (Listing No. 02089) and on the Sydney LEP (Item no. I2293)⁸⁰

⁷⁸ Chinese Youth League of Australia website, <https://www.cyl.org.au/>

⁷⁹ "Former Kwong War Chong Building received heritage listing", The China-Australia heritage corridor, <https://www.heritagecorridor.org.au/news-and-blogs/former-kwong-war-chong-building-received-heritage-listing>

⁸⁰ "Kwong War Chong", State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5067050>

Image	Address	Description
 Figure 34. Chungshan Society at 50 Albion Street, Sydney. Source: Google Street view, 2024.	50 Albion Street, Surry Hills	Chungshan Society of Australia Inc. Founded in 1983, the Chungshan society offers migration services for Chinese immigrants from Zhongshan. The society also conducts tours to attend winter camps and cultural exchanges in Zhongshan, particularly for the descendants of the Zhongshanese in Sydney.⁸¹ The organisation continues to operate out of this address. This building is located within the Reservoir Street & Fosterville Heritage Conservation Area.⁸²
 Figure 35. Sze Yup Temple in c.2005. Source: City of Sydney Archives [A-01154329].	2 Edward Street, Glebe	Sze Yup Temple The Sze Yup Temple was funded and built by Chinese immigrants from the four Sze Yup districts of Kwangtung in 1898, as a place of worship and as a cultural centre. The place provided accommodation for Chinese travellers and migrants, material assistance, and conducted bone repatriation for deceased Chinese people in Sydney.⁸³ The place is listed on the NSW State Heritage Register (Listing No. 00267) and on the Sydney LEP (Item no. I680)⁸⁴
 Figure 36. Yiu Ming Temple. Source: State Heritage Inventory [#01297].	16-22 Retreat Street, Alexandria	Yiu Ming Temple Construction of the Yiu Ming Temple began in 1908. It functioned as a temple as well as a cultural and social centre for the community. The place assisted new arrivals with funding, provided accommodation and employment opportunities for the people from Gaoyao and Gaoming districts. The temple also organised

⁸¹ "Xiao Yu RUAN", The China-Australia Heritage Corridor website, <https://www.heritagecorridor.org.au/people/xiao-yu-ruan>

⁸² E-Planning Spatial Viewer website, <https://www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/address>

⁸³ "Sze Yup Temple", The Glebe Society website, <https://glebesociety.org.au/buildings/sze-yup-temple/>

⁸⁴ "Sze Yup Temple", State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5045668>

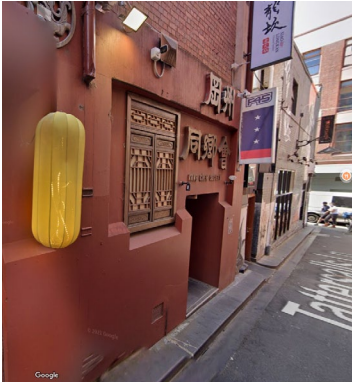
Image	Address	Description
		bone repatriation of deceased society members. The place is listed on the NSW State Heritage Register (Listing No. 01297) and on the Sydney LEP (Item no. I28) ⁸⁵
Victoria		
 Figure 37 Num Pon Soon Society Building at 200-202 Little Bourke Street, Melbourne. Source: Victorian Heritage Database.	200-202 Little Bourke Street, Melbourne	Num Pon Soon Society Building The place was purpose-built in 1861 for Sam Yup Society (later the Num Pon Soon Society) the district association for people from the three Sam Yup districts. It is the earliest surviving Chinese community building in Victoria. It is significant for its historical and social association with Chinese immigrants, their customs and traditions. The place is listed on the Victorian Heritage Register (Listing No. H0485).⁸⁶
 Figure 38. Ning Yang Society building. Source: Google Street view, 2024.	208 Little Bourke Street, Melbourne	Ning Yang Society The Ning Yang Society (also known as Taishan Society) was formed in c.1909.⁸⁷ The place was built for the people of the Ning Yang (Sim Hing) district of Canton.⁸⁸ The district association is located in the upper floors.

⁸⁵ "Yiu Ming Temple", State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5044695>

⁸⁶ Victorian Heritage database report, 'Num Pon Soon Society Building' <https://vhd.heritagecouncil.vic.gov.au/places/780>

⁸⁷ "Ning Yang Society", Chinese-Australian Historical Images in Australia, <https://www.chia.chinesemuseum.com.au/biogs/CH01855b.htm>

⁸⁸ "Ning Yang Woikwon- New Chinese Society", The Herald (Melbourne, Vic. :1861-1954, 16 June 1909, p.1, <https://trove.nla.gov.au/newspaper/article/242065980?searchTerm=Ning%20Yang%20Society#>

Image	Address	Description
 Figure 39. Kong Chew Society building at 4 Tattersalls Lane, Melbourne. Source: Google Street view, 2024.	4 Tattersalls Lane, Melbourne	Kong Chew Society Founded in c.1850, the Kong Chew Society functioned as a welfare and mutual aid organisation for the people of the Guangdong province of China. The society still exists as a registered organisation.⁸⁹ It is the earliest See Yup (now known as Siyi) association in Australia. People from the Siyi region migrated overseas and created district associations known as “Kong Chew” to illustrate their ancestry and ties to their home region.⁹⁰
 Figure 40. See Yup Temple at 76 Raglan Street, Melbourne. Source: Victorian Heritage Database.	76 Raglan Street, South Melbourne	See Yup Society Temple The See Yup Society Temple was constructed in 1866 to support the Chinese people of four See Yup districts⁹¹ who arrived in Melbourne in the late 19th century.⁹² The place is the principal centre of worship and death registry of the Cantonese in Victoria. The place is listed on the Victorian Heritage Register (Listing No. H0219).⁹³

⁸⁹ Australian National University Archives, ‘Kong Chew Society’, <https://archivescollection.anu.edu.au/index.php/kong-chew-society>

⁹⁰ Kong Chew Society website, <https://www.kongchewsociety.com.au/about-us/>

⁹¹ Paul Macgregor, in email to authors, June 2024.

⁹² “The search for Ah Loong: A Chinese Grandfather Rediscovered”, My China Roots Traceable, <https://www.mychinaroots.com/blog/stories/the-search-for-ah-loong-a-chinese-grandfather-rediscovered/>

⁹³ Victorian Heritage Database report, ‘See Yup Temple’, http://vhd.heritage.vic.gov.au/search/nattrust_result_detail/66652

Image	Address	Description
Perth		
 Figure 41. Chung Wah Association building. Source: Chung Wah Association website.	128 James Street, Northbridge	Chung Wah Association Established in 1909, the Chung Wah Association is the largest and oldest surviving non-profit organisation in WA. The association was formed to support the social welfare of the Chinese migrants in Perth and continues to operate at the same location.⁹⁴ The place is listed on the WA State Register (Place No. 02027)⁹⁵
Darwin		
 Figure 42. Chung Wah Society building. Source: Google Street view, November 2021.	6 Litchfield Street, Darwin City	Chung Wah Society Established in 1911, the Chung Wah Society was built as a social and sporting club for the Chinese population in Darwin. The place promotes cultural education, social interests and welfare of the members. It also functions as a Chinese temple. The place continues to operate at the same location.⁹⁶

Comparative analysis conclusion

Since the 1850s, Chinese migrants in Australia have built both temples and association buildings as a way of providing a meeting place for the local community and for offering services and assistance in various aspects of life. The majority of purpose-built district association buildings still in use today are located in Victoria. Within NSW, there is a mix of purpose built, leased and multi-use buildings including temples. The building at nos. 50-54 Dixon Street is a rare example in NSW of a purpose-built building constructed primarily for the use of the district associations and continues to be owned and used by these associations.

⁹⁴ Chung Wah Association website, <https://www.chungwah.org.au/en/about-us/>

⁹⁵ "Chung Wah Association Hall", Govt. of Western Australia Heritage Council, <https://inheriit.dph.wa.gov.au/Public/Inventory/Details/26f3e0a6-c7d9-4642-8e8c-640d7cedef06>

⁹⁶ Chung Wah Society website, <https://www.chungwahnt.asn.au/>

6. Assessment of Significance

6.1. Ability to demonstrate

Guidelines from the NSW Heritage Office emphasise the role of history in the heritage assessment process. A list of state historical themes has been developed by the NSW Heritage Council, in *New South Wales Historical Themes Table showing correlation of national, state and local themes, with annotations dated 4 October 2001*.

The table below identifies fabric, spaces and visual relationships that demonstrate the relevant historic themes in evidence at 50-54 Dixon Street.

Australian Theme	NSW Theme	Notes	Discussion
2 Peopling Australia	Ethnic influences	Activities associated with common cultural traditions and peoples of shared descent, and with exchanges between such traditions and peoples	The building at 50-54 Dixon Street is evidence of cultural traditions of the Chinese diaspora, specifically the establishment of district associations by migrants in their place of settlement.
2 Peopling Australia	Migration	Activities and processes associated with the resettling of people from one place to another (international, interstate, intrastate) and the impacts of such movements	The Goon Yee Tong, the Loong Yee Tong and the Loon Fook Tong facilitated the migration of people from the Zengchen and Dongguan district of Guangdong to Australia throughout the 20th century. These associations assisted newly arrived members by providing temporary accommodation and services. Assistance was also provided to those making return trips back to China. The associations were also responsible for making arrangements for deceased members.
3 Developing local, regional and national economies	Communication	Activities relating to the creation and conveyance of information	52 Dixon Street is associated with the influential Chinese ' <i>Tung Wah Times</i> newspaper'. Its circulation extended throughout the Commonwealth, New Zealand and Pacific Islands.

Australian Theme	NSW Theme	Notes	Discussion
3 Developing local, regional and national economies	Transport	Activities associated with the moving of people and goods from one place to another, and systems for the provision of such movements	The district associations at 50-54 Dixon Street arranged bone repatriation of deceased Chinese migrants to China. In 1920, the China Trading Co., at 54 Dixon Street imported and distributed goods from China.
4 Building settlements, towns and cities	Land tenure	Activities and processes for identifying forms of ownership and occupancy of land and water, both Aboriginal and non-Aboriginal	Historical occupancy of the building at 50-54 Dixon Street by the Chinese Chamber of Commerce, and the continued use and ownership by each district associations, is indicated by painted signage on the façade.
4 Building settlements, towns and cities	Accommodation	Activities associated with the provision of accommodation, and particular types of accommodation – does not include architectural styles – use the theme of Creative Endeavour for such activities.	The upper floor of 50-54 Dixon Street provided accommodation for members of the Associations and boarders. Some specific examples cited in the Report are: 50 Dixon Street briefly provided residential housing for tourists, merchants, travellers and students, between 1920 and 1928. 52 Dixon Street provided dormitory accommodation for the people of the Tung Koon districts during the 1960s. 54 Dixon Street provided temporary accommodation for people who were arriving at Sydney from the Tung Koon and Tsang Shing district, and those returning to China.

Australian Theme	NSW Theme	Notes	Discussion
6 Educating	Education	Activities associated with teaching and learning by children and adults, formally and informally.	52 Dixon Street was the location of the Sydney Chinese School, at which at which Cantonese was taught for over half a century.
7 Governing	Welfare	Activities and process associated with the provision of social services by the state or philanthropic organisations	In 1919, 50 Dixon Street was leased by the Salvation Army and opened as the Salvation Army Women's Home. It pre-dates the the Salvation Army Women's Hostel at 471 South Dowling Street, Surry Hills which opened in 1924. The district associations at 50-54 Dixon Street provided support for newly arrived migrants such as temporary accommodation, provided services for members, most likely arranging remittances and assisted with bone repatriation of deceased members.
8 Developing Australia's cultural life	Social institutions	Activities and organisational arrangements for the provision of social activities	The restaurants at 50-54 Dixon Street such as the Eastern Restaurant and the Lean Sun Low café were dining hubs, not only for members of the district associations, but for the broader Chinese Australian community and for non-Chinese diners. These two restaurants played a key part in pioneering the restaurant culture of Dixon Street for which it became famous.
9 Marking the phases of life	Birth and Death	Activities associated with the initial stages of human life and the bearing of children, and with the final stages of human life and disposal of the dead.	The district associations arranged the bone-repatriation and also provided funds for the purchase of coffins for deceased Chinamen at sea.

GML's *Chinatown Thematic History* (2023) was developed to provide key historical themes to guide understanding of the development of Chinatown. The following table identifies the relevant themes from GML's report.

GML main theme	GML sub-theme	Discussion
Theme 1: Evolving Chinatown	Creating 'Chinatown'	The restaurants on the ground floor of 50-54 Dixon Street played a key role in popularising the Chinese food culture of Dixon Street.
Theme 2: Living and working in Chinatown	Burgeoning businesses	The restaurants at the ground floor of 50-54 Dixon Street were family-run Chinese restaurants. The ground floor premises have a long history of being leased as restaurants and continue to operate as restaurants today. In the 1920s, 54 Dixon Street was also the location of the China Trading Co., a company that imported and distributed a variety of food items from China.
	Return to the flowery land	The district associations at 50-54 Dixon Street provided funds for their members travelling back to their home countries and likely assisted with sending remittances to their hometowns. Bone repatriation was also arranged by the district associations.
Theme 3: Belief, Culture and Community	Clan houses, clubs and associations	The building at nos. 50-54 Dixon Street was purpose-built to function as two individual and one joint clubhouse for the people of the Tung Koon and Tsang Shing districts.
	The taste of Chinatown	The restaurants on the ground floor of 50-54 Dixon Street played an important role in the popularisation of Chinese food culture in Dixon Street.

6.2. Assessment against NSW Heritage Assessment Criteria

Criterion A Historic Significance

An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

The building at nos.50-54 Dixon Street is a purpose-built three-storey building for the Tung Koon (Dongguan) and Tsang Shing (Zengcheng) associations, which are key social organisations for the Chinese Australian community in Sydney. The building also housed several other historically significant Chinese Australian organisations, The *Tung Wah Times* Newspaper, the NSW Chinese Chamber of Commerce, and a number of restaurants which were instrumental in developing the restaurant culture of Dixon Street. A plaque on the building and the painted Chinese characters are evidence of these historical uses.

District Associations

The building at nos. 50-54 Dixon Street is associated with the following district associations, the “Loon Fook Tong” at 50 Dixon Street, for people from Tsang Shing County, the “Goon Yee Tong” at 54 Dixon Street for people from Tung Koon County; and between 50 and 54 Dixon Street, a joint clubhouse at 52 Dixon Street, the “Loong Yee Tong”. These clubs have occupied this address for over 100 years.

Funding was raised by members of these district associations for the purchase of land at 50-54 Dixon Street and construction of the building which was completed in 1916. The historical role of the district associations was to provide funds for the sick, assist the aged in returning to China, raise funds for charity, both in Australia and China, provide accommodation and assist with the settlement of new persons arriving from their districts and those returning. The associations also most likely arranged the transfer of members remittances to China. The district associations also arranged bone-repatriation, donated money to hospitals and ensured the purchase of coffins for deceased Chinamen at sea. The place thus demonstrates the strong links between members in Australia and their native places.

The role of the association is significant in maintaining the Chinese Australian community's links with their hometown and facilitated the settlement of Chinese immigrants in Australia. Historian Mei-Fen Kuo has characterised Sydney in the late 19th to early twentieth century as “a hub of Chinese mobility” and “a centre of community mobilisation and identity formation”.⁹⁷ The building at nos. 50-54 Dixon Street was central to this phenomenon.

NSW Chinese Chamber of Commerce, 52 Dixon Street, Haymarket

52 Dixon Street was the long-term (over two decades) headquarters of the NSW Chinese Chamber of Commerce which was significant for its role in promoting trade and defending the commercial interests of Chinese Australians from anti-Chinese movements and organisations such as the Anti-Chinese League and the Retail Grocers and Storekeepers Association, which ran public campaigns in the early nineteenth century to dissuade the public from patronising Chinese stores.

Members of the Chamber established the first Chinese Australian shipping line, the China-Australia Mail Steamship Line, which operated from 1917 to 1924 between Shanghai, Canton, Hong Kong and Australia.

Eastern Restaurant, 52 Dixon Street, Haymarket (1953-66)

As the first Chinese restaurant to obtain a liquor licence until 10pm, the Eastern Restaurant is significant as one of the earliest Chinese restaurants to popularise Chinese food in Sydney. Its English menu made Chinese food accessible to non-Chinese customers, demonstrating the

⁹⁷ KUO, M. F. 2013, *Making Chinese Australia : Urban elites, newspapers and the formation of Chinese Australian Identity*, Melbourne, Monash University Publishing.

adaptation of Chinese culture and community within the Australian context. Together the restaurants including the Eastern Restaurant and Lean Sun Low helped to develop the restaurant culture of Dixon Street.

Significance indicator	Assessment
Association with an event, or series of events, of historical, cultural or natural significance	Not applicable.
Demonstration of important periods or phases in history	The district associations are directly associated with and facilitated the settlement of Chinese migrants from the Tsang Shing and Tung Koon districts. The raising of funds to have a purpose-built district association building demonstrates the increasing number of Chinese migrants in the area during the early 20th century Restaurants of 50-54 Dixon Street helped develop the restaurant culture of Dixon Street. The Chinese Chamber of Commerce evidences the success of Chinese owned business in the early 20th century. It played a key role in maintaining and promoting trade and defended the rights of Chinese merchants during the early 20th century.
Association with important cultural phases or movements	The building at 50-54 Dixon Street played a key role in facilitating the migration of people from the Tsang Shing and Tung Koon districts and the establishment of Chinatown in proximity to the municipal markets. The <i>Tung Wah Times</i>, at 52 Dixon Street, operated as an organ of the Chinese Empire Reform Association (CERA) which advocated reform of the imperial system and later the establishment of a constitutional monarchy in China. The <i>Tung Wah Times</i> had a wide circulation across NSW and Sydney.

Significance indicator	Assessment
Demonstration of important historical, natural or cultural processes or activities	The China Trading Co., on the ground floor of 54 Dixon Street is demonstrative of historical trading processes as it operated as an import export company, selling imported rice, ginger, sauce, peanuts, silks and teas and buying shark fins and beche-de-mer. The district associations provided community services such as bone-repatriation, accommodation for new arrivals and charitable events in the local area. The associations also most likely arranged remittances to China. The upper floors of 50-54 Dixon Street were intended as temporary accommodation for association members moving between China and Australia, however, in some cases, they accommodated individuals, or families for years. This pattern of domestic life can be seen in other buildings in Dixon Street, such as the Kwong War Chong Building which at times housed the Lee and Pang families, and 96 Hay Street which housed members of the Ma family.
Symbolism and influence of place for its association with an important historical, natural or cultural event, period, phase or movement	The place is symbolic to the local Chinese Australian community, of the historical process of establishing district associations by the Chinese diaspora in Australia. The district associations at 50-54 Dixon Street, the Eastern Restaurant and Lean Sun Low café supported employment and migration into Chinatown and the development of the dining culture centred on Dixon Street.

Criterion B Historical Association

An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

The three-storey building at nos. 50-54 Dixon Street has historical association with the “Loon Fook Tong”, “Loong Yee Tong” and “Goon Yee Tong” District Associations of the Tsang Shing and Tung Koon Counties. The place is also associated with the following organisations:

Notable Figures

The place is associated with a number of prominent figures in the Chinese Australian community, particularly Ping Nam and Gilbert Yet Ting Quoy.

Ping Nam was a well-known merchant, one of the founding members, and the first president of the NSW Chinese Chamber of Commerce. He was also the publisher of the Tung Wah Times, as well as an office bearer of the CERA.

Gilbert Yet Ting Quoy, a Sydney Chinese merchant, along with Ping Nam, campaigned for the establishment of the Sydney Chinese school which existed at 52 Dixon Street for over half a century.

Tung Wah Times, 52 Dixon Street

52 Dixon Street was the publishing address for the Chinese newspaper ‘*Tung Wah Times*’ from 1918 until at least 1933 but likely until 1936. The newspaper is significant for being the second Chinese newspaper in Sydney and for having had the largest circulation of any Chinese newspaper in the Commonwealth, New Zealand and Pacific Islands. It is demonstrative of the diverse political affiliations of the Chinese Australian community. Chinese newspapers promoted political interests of different factions within the community. The *Tung Wah Times* operated as an organ of the Chinese Empire Reform Association (CERA) which advocated reform of the imperial system and later the establishment of a constitutional monarchy in China.

NSW Chinese Chamber of Commerce, 52 Dixon Street

Formed in 1913, the Chinese Chamber of Commerce had its headquarters at 52 Dixon Street from 1918 to 1965. The place is also associated with a number of prominent figures in the Chinese Australian community, particularly Ping Nam and Gilbert Yet Ting Quoy.

Salvation Army Women's Home, 50 Dixon Street

There is potential for the place to have historical association with the Salvation Army Women's Home which was present in the building between 1919 and 1921. It could have significance as one of the earliest women's refuges. However, further research is needed to substantiate this.

Significance indicator	Assessment
A key phase(s) in the establishment or subsequent development at the place or object was undertaken by, or directly influenced by, the important person(s) or organisation	The presence of the district associations at 50-54 Dixon Street has assisted the local community for over 100 years. The NSW Chinese Chamber of Commerce played a key role in maintaining and promoting trade in NSW and the local area, and defended the rights of Chinese merchants during the early 20th century. Ping Nam and Gilbert Yet Ting Quoy played significant roles in the functioning of the <i>Tung Wah Times</i>, the Chinese Empire Reform Association, the NSW Chinese Chamber of Commerce and the Sydney Chinese School. The Lean Sun Low Café and Eastern Restaurant were popular Chinese family-run restaurants that served the area in the 20th century.
An event or series of events of historical importance occurring at the place or object were undertaken by, or directly influenced by, the important person(s) or organisation	The NSW Chinese Chamber of Commerce and <i>Tung Wah Times</i> were important organisations located at 52 Dixon Street, with influence across NSW and beyond.
One or more achievements for which the person(s) or organisation are considered important are directly linked to the place or object	The <i>Tung Wah Times</i> is significant for having had in 1914, the largest circulation within Sydney, the Commonwealth and Australasian region of any Chinese newspaper. Ping Nam and Gilbert Yet Ting Quoy played significant roles in establishing the Sydney Chinese School at 52 Dixon Street.

Criterion C Aesthetic /Creative/technical achievement

An item is important in demonstrating aesthetic characteristics and/ or a high degree of creative or technical achievement in NSW (or the local area).

The building at nos. 50-54 Dixon Street is aesthetically significant in providing an understanding of the historical streetscape of Dixon Street. It is a good example of a late Federation building and it is this style that represents the founding architectural character of Dixon Street.

The Chinese signage on the façade is a distinctive characteristic of the Chinatown area.

Significance indicator	Assessment
Recognition as a landmark or distinctive aesthetic natural environment	The late Federation aesthetic is distinctive to this building and is a defining character of Dixon Street.
Recognition of artistic or design excellence	Not applicable.
Represents a breakthrough or innovation in design, fabrication or construction technique, including design/technological responses to changing social conditions	Not applicable.
Distinctiveness as a design solution, treatment or use of technology	Not applicable.
Adapts technology in a creative manner or extends the limits of available technology	Not applicable.

Criterion D Social, cultural and spiritual

An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons.

The Loon Fook Tong, Goon Yee Tong and Loong Yee Tong district associations have owned and/or used 50-54 Dixon Street for over 100 years and has ongoing social significance for members of the Tsang Shing County and Tung Koon districts. Although many of the historical functions of the district associations have ceased, such as bone repatriation, the district associations continue to hold sociable and charitable activities at the place.

The place is symbolic of Chinese migration and settlement in Australia and is also evident of the Chinese diaspora's practice of maintaining, over many generations, strong ties to their home country. The building contributes to the local identity of the two communities within Sydney.

A number of moveable heritage items at the upper floors of 50 Dixon Street were identified in the 2016 photographs (figures 14 and 15), and may be held in the premises today. This is unconfirmed and needs further investigation. Items including photographs of members of the NSW Chinese Chamber of Commerce and presidents of Loong Fook Tong and other ephemera are apparent in the photographs. The display and safe keeping of these items are integral to the continued social significance of the place, should they be found upon further investigation.

The restaurants located at 50-54 Dixon Street including the Eastern Restaurant and Lean Sun Low, were popular places for eating and socialising amongst the local community and are remembered fondly by older members of the Chinese Australia community.

Significance indicator	Assessment
Highly regarded by a community as a key landmark (built feature, landscape or streetscape) within the physical environment	Not applicable.
Important to the community as a landmark within social and political history	Not applicable.
Important as a place of symbolic meaning and community identity	As the meeting place of the district associations, the place symbolically represents the historic migration of Chinese people to Australia and their contributions to the development of Chinatown around the Haymarket area. It is also evidence of the support provided by the district associations to their members through various services and social activities.
Important as a place of public socialisation	Properties 50-54 Dixon Street have continually functioned as clubhouses for the district associations, where the communities have gathered for over 100 years.
Important as a place of community service (including health, education, worship, pastoral care, communications, emergency services, museums)	Not applicable.
Important in linking the past affectionately to the present	The building at nos.50-54 Dixon Street continues to be owned by the district associations. There may be moveable heritage items, in particular photos of past committee members, located in the upper floors of 50 Dixon Street. There is photographic evidence of these items from 2016 but due to limitations in the inspections it is unsubstantiated if they remain at the place. These items are demonstrative of the continual link between the past and present by the local community.

Criterion E Research potential

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

Lack of access to the interiors of 50-54 Dixon Street poses a limitation to the understating its research potential. Photographs of interiors taken in 2016 indicate that there were a number of moveable heritage items in the building, particularly photographs of members of the NSW Chinese Chamber of Commerce and presidents of Loong Fook Tong association, however their current location is unsubstantiated. These photographs and other records of the district associations membership and activities hold high research potential.

As the location of the moveable heritage items remains unsubstantiated, they cannot be assessed under this criterion.

Significance indicator	Assessment
Comparative analysis	Not applicable.
Potential to improve knowledge of a little-recorded aspect of an area's past or to fill gaps in our existing knowledge of the past	The site may have some archaeological potential.
Potential to inform/confirm unproven historical concepts or research questions relevant to our past	Not applicable.
Potential to provide information about single or multiple periods of occupation or use	There may be moveable heritage items at 50 Dixon Street, which may possess research potential for furthering understanding of the historical occupation by the district associations, the NSW Chinese Chamber of Commerce and other functions. However, their current location is unconfirmed.
Potential to yield site-specific information that would contribute to an understanding of significance against other criteria	Not applicable.

Criterion F Rare

An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

A small number of purpose-built district association buildings are known to have been erected in several parts of Australia since the late 19th century. The building at nos.50-54 Dixon Street is one of a handful of buildings in the country that continue to exist and function as district associations and have done so for over 100 years. Within Sydney or NSW, there is potential that the building at nos.50-54 Dixon Street is one of the last remaining original purpose-built district association buildings from the early 20th century.

Moveable heritage items, such as framed photographs of members of the organisations that operated at 50-54 Dixon Street, may be located within the building. This collection is likely rare as no other collection has been identified. They have the potential to provide an understanding of the cultural history of the area, particularly, the membership and operation of the NSW Chinese Chamber of Commerce, the *Tung Wah Times* and the district associations. It is important that the location of the photographs and any other records or ephemera pertaining to these organisations is ascertained and that the contents are documented and preserved.

Significance indicator	Assessment
Rare surviving evidence of an event, phase, period, process, function, movement, custom or way of life in an area's history that continues to be practised or is no longer practised	Within NSW, the building at nos. 50-54 Dixon Street has potential to be one of the last remaining purpose-built district association building that is still owned and used by the associations.
Evidence of a rare historical activity that was considered distinctive, uncommon or unusual at the time it occurred	Not applicable
Distinctiveness in demonstrating an unusual historical, natural, architectural, archaeological, scientific, social or technical attribute(s) that is of special interest.	Not applicable
Demonstrates an unusual composition of historical, natural, architectural, archaeological, scientific, social or technical attributes that are of greater importance or interest as a composition/collection	Not applicable

Criterion G Representative

An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).

The late Federation building at nos.50-54 Dixon Street is one of a handful of buildings on Dixon Street that is representative of the historical scale, materiality and composition of the old Chinatown streetscape.

Significance indicator	Assessment
A class of places or objects that demonstrate an aesthetic composition, design, architectural style, applied finish or decoration of historical importance.	The late Federation building at 50-54 Dixon Street is representative of the historical streetscape of Dixon Street particularly its composition scale and architectural style.
Representative of a class of places that demonstrate a construction method, engineering design, technology, or use of materials, of historical importance	Not applicable.
Representative of a class of places that demonstrate an historical land use, environment, function, or process, of historical importance	Not applicable.
Representative of a class of places that demonstrates an ideology, custom or way of life of historical importance	Not applicable.

6.3. Statement of Significance

The building at 50-54 Dixon Street has historical significance as key social organisations for the Chinese Australian community, and for enabling its members to maintain links to their hometowns. The three-storey building at 50-54 Dixon Street was jointly funded and purpose-built in 1916 by leaders of the Tsang Shing (Zengcheng) and Tung Koon (Dongguan) counties. It was built to house the Loon Fook Tong (Luen Fook Tong) clubhouse at 50 Dixon Street for people from the Tsang Shing County; the "Goon Yee Tong" clubhouse at 54 Dixon Street for people from Tung Koon County; and between the two clubhouses, at 52 Dixon Street, a joint clubhouse, the "Loong Yee Tong". The three district associations have occupied 50-54 Dixon Street for over 100 years. The associations played a vital role in the Chinese Australian community by offering services to assist with settling in Sydney or returning to China, arranged bone-repatriation, provided accommodation, conducted charitable events and most likely arranged the transfer of members' remittances to China.

52 Dixon Street has historical association with the *Tung Wah Times* newspaper (1902–1936), the second Chinese newspaper to be established in Sydney. In 1914, the *Tung Wah Times* boasted the largest circulation of any Chinese newspaper in Australasia. The coexistence of a number of different Chinese newspapers indicates the diverse political affiliations of Chinese diaspora and the newspapers' role in shaping Chinese Australian identity. 52 Dixon Street was also the meeting place for members of the NSW Chinese Chamber of Commerce (1913-1965), which promoted overseas trade and defended Chinese Australian commercial interests from anti-Chinese campaigns. Historian Mei-Fen Kuo has characterised Sydney in the late 19th to early twentieth century as "a hub of Chinese mobility" and "a centre of community mobilisation and identity formation".⁹⁸ 50-54 Dixon Street was central to this development.

The form and aesthetics of the building are consistent with those of early 20th century buildings pertaining to Chinatown and thereby contribute to the understanding of the historical streetscape of Dixon Street. The Chinese signage on the façade is significant as markers of the historical uses of the building.

The district associations continue to play a social role amongst their respective communities. The historical uses of the place such as the popular restaurants which occupied the ground floors are remembered fondly by the local Chinese Australian community.

The place is representative of early purpose-built district association buildings built across the country to serve the increasing Chinese diaspora in Australia. The building at nos. 50-54 Dixon Street is likely to be the last surviving example of a purpose-built district association building in Sydney or NSW, continually owned by the associations for over 100 years.

⁹⁸ KUO, M. F. (2013). *Making Chinese Australia : Urban elites, newspapers and the formation of Chinese-Australian Identity*. Melbourne, Monash University Publishing.

7. Listing Recommendations

Under its Local Environmental Plan (2012), the City of Sydney is required under 5.10(a) to “conserve the environmental heritage of the City of Sydney”. For a place to be heritage listed it needs to substantially meet at least one of NSW Heritage’s criteria (2023) for assessing significance. The significance assessment of 50-54 Dixon Street has found that the place meets six criteria at least at a local level, and therefore warrants protection under the Local Environmental Plan. The significance assessment has demonstrated that the place has importance to Sydney with its distinct history in the Haymarket precinct, its representing of the significant role of Chinese in Australia and the current regard held for the buildings by the community. Therefore, the place should be listed under Schedule 5, Part 1 of the City of Sydney LEP 2012.

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8. Management Recommendations

The following recommendations are drawn solely from a consideration of the significance of the place and good heritage practice.

Given that the historical and social significance of the place is particularly important, these recommendations are framed with an understanding that heritage conservation is a social contract, requiring responsibility to be shared by the owners and consent authorities for the mutual benefit of all stakeholders, including the Chinese community.

As such, these recommendations are written with consideration of possible future ambitions of the owners, while striving to achieve the best heritage outcome for the place, and with an expectation that the consent authority, in representing the community's interest, will assist/support the owners in managing and conserving the significance of the place, where possible.

8.1. Obligations arising from significance

The high cultural significance of the place identified in the statement of significance obliges its conservation and good management (Burra Charter Article 2).

In the Burra Charter, significance is embodied in the place, where place means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views. Place also includes fabric, setting, use, associations, meanings, records, related places, and related objects. (Burra Charter Article 1).

This place has been in continual ownership by the district associations for over 100 years and should, where practicable, continue to do so.

Markers of historical use such as the painted Chinese signage on the façade, should be conserved.

8.2. Tolerance for change

There is limited tolerance for change to original fabric on the first and second floors of the building façade. The internal layout and extent of original internal fabric is unknown.

There is a greater tolerance for change to non-original fabric particularly on the ground floors which are currently occupied by food retail stores. Retail signage should not be located above the awning.

Internal changes to the building for service upgrades and access, including lifts and reconfiguration of any original staircases is appropriate, but should consider impacts to any significant fabric or floor plans (if applicable).

8.3. Conservation of fabric

The façade contributes to understanding the historical streetscape of Dixon Street. The Chinese characters painted on the façade communicate historical association with the district associations. It is recommended that the following fabric be conserved to support these significances:

- All original fabric on the façade including face brick finish, lintels and sills, cornices, and pediment, entablature and associated embellishments.
- The plaque on the ground floor facade of the building denoting the names “Loon Fook Tong”, “Goon Yee Tong”, and “Loong Yee Tong”.
- The Chinese characters painted onto the façade of the upper floors, indicating the names of the district associations, the NSW Chinese Chamber of Commerce and Lean Sun Low restaurant.

8.4. Interpretation

Where the opportunity arises, the paint to 50 Dixon Street should ideally be removed to restore the original face brick finish. The Chinese characters should also be repainted by a calligrapher, with careful attention to retaining the calligraphic style, and intrusive elements such as electrical conduits on the facade removed.

There may be movable heritage items in the upper floors of 50 Dixon Street. It is recommended that further investigation of the interiors be carried out in order to confirm the existence of this collection. If confirmed, the moveable heritage items have high interpretative value and therefore it is advised that the collection be professionally photographed, catalogued and made accessible to professionals for research.

The significance of the place is not independent of the history and development of Chinatown in the Haymarket area, and as such, interpretive strategies for 50-54 Dixon Street should be considered within an overall interpretation strategy for Chinatown.

It is recommended that the City of Sydney and the owners work together in considering additional interpretive strategies for the place such as:

- Setting up a plaque(s) identifying the history and significance of the place.
- Creation of digital archives/ websites showcasing the history and significance of Chinatown, identifying 50-54 Dixon Street as a place of significance in the area.

A heritage interpretation plan must be provided in the event of altering the building for change of use and/or major developments.

8.5. Future development

Additions and alterations to 50-54 Dixon Street is acceptable but must ensure retention of the façade and any significant interiors (if existing), and be sympathetic to the existing building in terms of style, colour and materiality. Future development must also be sympathetic to the overall Dixon Street streetscape, nearby heritage items, and locality statements for the area.

The setback and scale of any vertical additions to the place must be sufficient to maintain the readability of the existing form and scale of the principal building.

8.6. Future use

As much as practicable, it is recommended that the place continues to be used and accessed by the district associations and their members. Where necessary, development/ upgrading of the place to support this use is acceptable.

Other appropriate uses include but may not necessarily be limited to office, retail and commercial use, but these should not preclude use of the place as clubhouses by the district associations and their members.

Prior to any proposed major development including change of use, respectful and purposeful engagement with members of the district associations and with the Chinese Australian community, including descendants of early committee members is recommended.

Attachment C

**Hector Abrahams Architects - Heritage
Assessment Report - 90-100 Hay Street**

90-100 Hay Street, Haymarket

Heritage Assessment

Final Version 1.2

19 July 2024



for City of Sydney
by Hector Abrahams Architects

Acknowledgment of Country

We acknowledge the Gadigal and Wiradjuri, the original inhabitants of the land on which we work. Nos 75-77 Ultimo Road is also located on the land of the Gadigal.

Aboriginal and Torres Strait Islander peoples have a connection to place, land, water and community, established over many thousands of years. We recognise the cultural significance inherent in these connections, that sovereignty over this land was never ceded and that it continues to be sacred to its rightful owners.

We pay respect to Elders past and present, and stand with all First Peoples in their quest for justice, truth telling, and reconciliation.

CONTENTS

1. Introduction	4
1.1. Limitations.....	4
2. Description of Site.....	5
3. History.....	6
3.1. Preface.....	6
3.2. Contextual Background	7
3.3. 90-100 Hay Street: The Municipal Stores.....	15
3.4. No. 90 Hay St	18
3.5. No. 92 Hay St.....	24
3.6. No. 94 Hay Street.....	27
3.7. No. 96 Hay St	31
3.8. No. 98 Hay St.....	38
3.9. No. 100 Hay St.....	40
4. Physical Analysis	44
5. Comparative analysis.....	52
6. Assessment of Significance	58
6.1. Ability to demonstrate.....	58
6.2. Assessment against NSW heritage assessment criteria.....	61
6.3. Statement of Significance.....	71
7. Listing Recommendations	72
8. Management Recommendations	73
8.1. Obligations arising from significance.....	73
8.2. Tolerance for change to fabric, form and layout.....	73
8.3. Future development.....	73
8.4. Interpretation.....	74
8.5. Future use.....	74

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1. Introduction

This report has been prepared in response to the Haymarket and Chinatown Revitalisation Strategy. The past few years have been challenging for Haymarket and the City heard from the community that the area needs revitalisation. The City adopted the Haymarket and Chinatown Revitalisation Strategy in December 2023 to outline actions in five priority areas to deliver on the community's vision for the area. The Strategy includes an action to strengthen recognition of cultural heritage, identifying three sites as potentially having cultural significance, linked to the Chinese Australian community. To provide a foundational understanding of the key themes from Chinatown's history the City commissioned GML Heritage in 2022 to provide a Thematic History of Chinatown.

Hector Abrahams Architects (HAA) have been asked by the City of Sydney to investigate the significance of three places identified in the strategy: 90-100 Hay Street, 75-77 Ultimo Road and 50-54 Dixon Street, Haymarket. Our first stage was to examine the history and potential significance of these places. The findings were compiled in standalone historical research reports. Following the development of the Historical Research reports, HAA was then asked to undertake a heritage assessment of 90-100 Hay Street, Haymarket. Our approach to all of these reports is to work in co-authorship with the Chinese Australian historian, Dr Juanita Kwok. Dr Kwok was asked to conduct research and provide a contextual written history for the place and to advise on the place's significance and management.

This report assesses the heritage significance of 90-100 Hay Street, Haymarket. Its purpose is to advise the City of any significance, to make a recommendation on heritage listing and provide management recommendations. This assessment will only make a recommendation on heritage listing within the Sydney Local Environmental Plan 2012.

The history of 90-100 Hay Street has been put in context by providing a brief discussion of the pioneering role of Chinese migrants in the commercial vegetable and banana industries as well as how White Australia legislation impacted on their family and business lives. It goes on to outline the development of Chinatown in the Haymarket and the establishment of the Municipal Markets and Stores. The report details the Chinese Australian firms which leased the Municipal Stores, identifying people and uses associated with the buildings at 90-100 Hay Street.

A detailed description of the place in its current condition follows the history, along with a detailed comparative analysis of other banana and produce stores owned and run by Chinese Australian firms. Our history and comparative analysis then inform the assessment of significance which is based on Heritage NSW's *Assessing Heritage Significance Guidelines* (2023) and from which a recommendation on whether or not the place should be listed. The report concludes with management recommendations to conserve significance.

This report was prepared by Hector Abrahams and Sioned Lavery of Hector Abrahams Architects, and Dr Juanita Kwok, historian. Research using Chinese language sources and Chinese-to-English translations and research were done by historical translator and consultant linguist, Ely Finch.

The authors acknowledge and sincerely thank descendants and those who lived or worked in Chinatown for sharing their family stories and memories.

1.1. Limitations

The authors were not able to gain internal access to all premises. Therefore for some premises, specifically 90-22 Hay Street, inspections were external only.

2. Description of Site

The place is located at 90-100 Hay Street in the centre of Haymarket between Harbour Street and Dixon Street with Kimber Lane traversing between nos. 94 and 96 Hay Street. Its land title reference is Lot 1 DP261942, Lot 2 DP261942, Lot 3 DP261942, Lot 4 DP261942, Lot 5 DP261942 and Lot 6 DP261942.

Designed and built as a single block in 1911, nos. 90-100 Hay Street are three-storey masonry buildings historically occupied by fruit and produce stores with residences upstairs. Today the buildings have a variety of restaurants and entertainment uses.



Figure 1 Aerial of 90-100 Hay Street indicated in red. Source Sixmaps with HAA overlay.

3. History

3.1. Preface

The history of the buildings at 90-100 Hay Street might be divided into a market period and a post market period. In the market period, from the 1910s to the 1970s, the buildings functioned as Municipal Stores, leased from the City Council, for the most part by Chinese Australian fruit and vegetable merchants. At this time, the majority of the Chinese originated from the Pearl River Delta, in the vicinity of the provincial capital of Canton, and Cantonese or district languages were the main Chinese languages spoken in Sydney. It was also a time when the Chinese Australian population was a minority population, owing to White Australia legislation which virtually prohibited the entry of new migrants from China or Hong Kong and restricted the family life, occupations and industries of resident Chinese Australians. The end of this period in the mid-late 1970s coincides with the abolition of White Australia legislation and the relocation of the Municipal Market to Flemington.

The later period dates from around the late 1970s, by which time migration was increasing with the relaxation of restrictions and Chinatown evolved as a dining destination. From this time and up to the current day, the buildings at 90-100 Hay Street, which were no longer owned by the City of Sydney, were primarily used as restaurants. As the authors of *China Unbound* write:

By the 1980s, when these Western societies had largely given up their racially discriminatory immigration policies and opened up to Asian immigration, the dominant conception of Chinatown was no longer that of an abject ethnic ghetto: rather, Chinatown was now seen as a positive expression of multicultural heritage and difference.¹

This report on 90-100 Hay Street focuses on the market period as the most historically significant period in the history of the buildings. According to Major General (retd) Darryl Low Choy, President of the Chinese Australian Historical Society, the connections of 90-100 Hay Street with the banana trade tells the story of Chinatown and demonstrates the adaptability of Chinese Australians to changing economic and political conditions in order to survive. Low Choy believes Chinese Australian migrants are misrepresented only as sojourners who eventually left Australia, but the history of 90-100 Hay Street (and also 75-77 Ultimo Road and 50-54 Dixon Street) tells a different story of the many unrecognised contributions which Chinese migrants settlers made to Australia. He argues that the buildings must be understood in their political context as businesses adapted to the changing laws and policies of Australia.²

More information on the second period of Chinatown from the 1970s can be found in *Chinatown Unbound* and in the Chinatown Gates, Haymarket Heritage Assessment Report, Prepared by GML for City of Sydney, June 2023.

In preparing this historical report, the authors acknowledge the assistance of Dr Michael Willams and Paul Macgregor and extend special thanks to Ely Finch who did all the Chinese-to-English translations and research. The authors would also like to thank descendants and those who lived or worked in Chinatown for sharing their family stories and memories.

¹ Anderson, Kay, Ien Ang, Andrea Del Bono, Donald McNeill, and Alexandra Wong. *Chinatown Unbound: Trans-Asian Urbanism in the Age of China*, Rowman & Littlefield Publishers, 2019.

² Major General Darryl Low Choy, in conversation during Chinatown Heritage Study Stakeholder Workshop held April 5, 2024 by City of Sydney.

3.2. Contextual Background

Chinese Australians in the fruit and vegetable industries

The great majority of Chinese migrants who arrived in the Australian colonies from the early 1850s came from counties in the Pearl River Delta, in the vicinity of the provincial capital of Canton. Initially they were drawn by the goldrushes, but later came to work in a variety of other occupations, including as tin miners, market gardeners, scrub clearers and cabinet makers. They maintained strong ties to their villages.³

Chinese immigrants to the goldfields brought horticultural skills with them, which not only included water management skills and age-old knowledge of growing vegetables and fruit, but capital sharing and marketing strategies.”⁴ In Australia, they adapted to different climates and market needs to develop successful commercial growing and wholesale businesses. In the latter decades of the 19th century, fruit and vegetable production, distribution and sales became major occupations of Chinese people in the Australian colonies. The 1885 Sands Directory listed 54 gardens in Sydney, largely in Alexandria and Botany.⁵ The extension of rail networks enabled regional producers to send their produce to the market in Sydney. As historian C.F. Yong writes, “the extensive cultivation of vegetables by Chinese growers gave Chinese greengrocers in cities and towns a large share in the wholesale and retail vegetable trade, for Chinese market gardeners often supplied their produce to Chinese greengrocers.”⁶

Besides growing vegetables, Chinese migrants also developed fruit industries, in particular the banana industry. Chinese who had arrived in North Queensland to work on the Palmer and Hodgkinson gold fields turned to agriculture in the mid-1870s. The *Cairns Post* of 28 May 1887 declared, “The Chinese farmers and fruit growers of the North may almost be regarded as the fathers of agriculture in the Cairns district”.⁷ Chinese fruit merchant firms were involved in all aspects of the banana industry from land-clearing, cultivation, and developing the means of transport. Chinese banana growers, particularly along the Johnstone River would alter water courses to accommodate their banana laden sampans.⁸ Bananas were freighted to southern cities for sale by wholesale fruit merchant firms. One of the most successful of the Sydney-based Chinese fruit merchants was Wing Sang & Co. founded in 1890. Wing Sang & Co. invested capital gained from its banana wholesale business into ventures in Hong Kong and China, founding the Sincere Co. which opened the first department store in Hong Kong in 1900 (see Figure 2).

Another banana wholesale firm, Wing On & Co. followed suit, opening a department store in Hong Kong in 1907, then in Shanghai (see Figure 3), and diversifying into banking, insurance and textile milling. Wing Sang and Wing On developed business networks which extended throughout Asia and the Pacific and in Hong Kong and China. The decision to invest capital earned from Australian ventures into Hong Kong and China was due in no small part to colonial and Commonwealth legislations which obstructed business opportunities for Chinese people in Australia and the Pacific.

Wing Sang & Co. and other Chinese Australian firms had begun establishing these department stores and transnational business networks a decade before the Municipal markets were

³ See WILLIAMS, M. 2018. *Returning Home With Glory: Chinese Villagers around the Pacific, 1849 to 1949*, Hong Kong University Press.

⁴ Boileau, Joanna. *Chinese Market Gardening in Australia and New Zealand*. Cham, Switzerland: Palgrave, 2017, pp 2-7.

⁵ FITZGERALD, S. 1997, *Red tape gold scissors: The story of Sydney's Chinese*, Sydney, State Library of New South Wales Press, 95.

⁶ YONG, C. F. 1977, *The New Gold Mountain*, 36.

⁷ Johnston, Connor. "The Chinese Contribution to Agriculture in the Cairns District.

⁸ Johnston, Connor. "The Chinese Contribution to Agriculture in the Cairns District from 1870 to 1920" , p. 23, https://www.academia.edu/18059032/The_Chinese_Contribution_to_Agriculture_in_the_Cairns_District_from_1870_to_1920, accessed 24 April 2024.

completed, Wing Sang & Co. and its subsidiaries leased 94 and 96 Hay Street and a Chinatown area centred on Dixon Street evolved.



Figure 2. The first Sincere Department store in Hong Kong. Source from the China-Australia Heritage Corridor Project website, <https://www.heritagecorridor.org.au/places/sincere-department-stores-hong-kong> accessed 8 March 2024.



Figure 3. Wing On in the 1920s at the corner of Nanking and Chekiang roads, Shanghai. Source: Shanghai Daily online, 6 June 2019, accessed 8 March 2024, <https://www.shine.cn/feature/art-culture/1906066204/>

White Australia legislation

Australian colonies had already introduced legislation to restrict the entry of Chinese people to Australia in the late 19th century, but the *1901 Immigration Restriction Act* introduced a dictation test designed to prevent entry of non-whites into the Commonwealth. Chinese people already resident in Australia who wished to travel could apply to be exempted from the Dictation Test. Certain categories of Chinese people had some exemptions from the restrictions, such as students and merchants. Import/export merchants with a certain business turnover were allowed to bring in assistants and special clerks to assist them in their businesses, with extensions renewable on an annual basis. As Alexandra Wong and Ien Ang write, “the system of exemptions was a complicated bureaucratic process and required the active sponsorship of a merchant or employer already in Australia, which reinforced the entry of people from the same hometowns or lineages”.⁹ The effect of these policies can be seen very much in the lives of the Yip families at 90 Hay Street and the Ma families at 94 and 96 Hay Street.

The merchant class represented 15.6 percent of the whole Chinese population in NSW in 1901.¹⁰ After 1905, only wives of well-established merchants were admitted, and for short periods only, usually six months.”¹¹ No such privileges were extended to the labouring class of market gardeners, carters, packers, stall-holders and storemen associated with the markets. Chinese were prohibited from becoming naturalised between 1903 and 1957. They could not bring their wives or families to Australia, and could only apply for exemption from the dictation test to return to their villages, marry and to visit their families.

Towards the end of the 19th century, the Chinese population in the Australian colonies began to transition from a rural to an urban population. In 1880 there were 1014 Chinese people in Sydney as against 9000 others in the rest of the State, but in 1888, Sydney had 4,202 Chinese people.¹² The 1901 Census of NSW recorded 3276 males and only 56 females born in China.¹³ The gender imbalance, owing to migration preferences in the first place and then restrictive legislation, decreased with the birth of females born of Chinese or Chinese-European parents in Australia. However, NSW Census figures for women born in China remained low until naturalisation restrictions were relaxed in 1957.¹⁴

The Development of Chinatown in the Haymarket district

The Chinatown centred on Dixon Street came about as a result of the construction of the Municipal Markets, but the markets which preceded them are an important part of the history. Hay Street traces its origins to 1829, when a site was designated for cattle and corn markets. The Haymarket, as it became known, was a convenient stopping place for farmers' bullock carts before the long haul up the Brickfield Hill to the city's early market buildings, on the site of what is now the Queen Victoria Building.¹⁵

In 1869, the City Council established produce markets, known as the Belmore Markets on Campbell Street on a block to the east of the Capitol Theatre (see Figure 4).¹⁶ Chinese businesses, previously located in the Rocks area of Sydney near the overseas shipping wharves, re-located their businesses to Pitt, Campbell and Goulburn Streets and adjoining

⁹ ANG, I. & WONG, A. 2023, Zhongshan in Sydney's Chinatown, 221.

¹⁰ YONG, C. F. 1977, *The New Gold Mountain*, 45.

¹¹ CHOI, C. Y. 1975, *Chinese migration and settlement in Australia*, Sydney, Sydney University Press.

¹² YONG, C. F. 1977, *The New Gold Mountain : the Chinese in Australia, 1901-1921*, Richmond, Australia, Raphael Arts.

¹³ FITZGERALD, S. 1997, *Red tape gold scissors: The story of Sydney's Chinese*, Sydney, State Library of New South Wales Press, 93.

¹⁴ ANG, I. & WONG, A. 2023, Zhongshan in Sydney's Chinatown. In: BYRNE, D., ANG, I. & MAR, P. (eds.) *The China-Australia Migration Corridor: History and Heritage*. Hong Kong: HK University Press, 220

¹⁵ Fitzgerald, Shirley, Haymarket, Dictionary of Sydney, 2009, <https://dictionaryofsydney.org/entry/haymarket>, viewed 25 Jun 2024.

¹⁶ ELLMOOS, LAILA, Capitol Theatre building, Dictionary of Sydney, 2008, https://dictionaryofsydney.org/entry/capitol_theatre_building, viewed 05 Feb 2024.

laneways to be near to the Belmore Markets. The (old) Belmore Markets were replaced by the (new) Belmore Markets built on the present site of the Capitol Theatre between 1892 and 1893.¹⁷

Historian C.F. Yong writes, “In Sydney Belmore Market was the vegetable emporium. There Chinese and Australian growers sold their vegetables from the carts which were backed into stalls and the horses remained in the vehicles until the stock was sold out.” (see Figure 5).¹⁸



Figure 4. City of Sydney, Print - Old Belmore Markets Haymarket, circa 1909 (01/01/1909 - 31/12/1909), [A-00038649]. Source City of Sydney Archives, accessed 12 Jan 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/674048>

¹⁷ ELLMOOS, LAILA, Capitol Theatre building.

¹⁸ YONG, C. F. 1977, *The New Gold Mountain*, 37.



Figure 5 New Belmore Markets building, Hay Street Haymarket, 1901 (01/01/1901 - 31/12/1901), [A-00008397]. Source City of Sydney Archives, accessed 12 Jan 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/569042>

The City of Sydney Local Environment Plan 2012 has listed highly significant buildings which relate to the Chinese Australian history of the Belmore Markets era, in particular, the Wing Sang building at 20 Campbell Street - Terrace Group (Listing Number I827) and the Chinese Masonic Hall including interiors at 18 Mary Street (Sydney LEP 2012 Item No. I1571).¹⁹

By the turn of the century, the new Belmore Markets could no longer accommodate the 350 local vegetable growers and nearly 200 fruit-growers who brought their produce into the market to sell and so a special market committee was set up to examine new sites.²⁰ The committee came up with a plan, approved by the public and the press, whereby the Wexford Street area would be resumed, cleared of slum dwellings and re-developed as a market. As City historian Shirley Fitzgerald wrote, while Wexford Street, Exeter Place, Foster, Mary, Stephen and Elizabeth Streets in Surry Hills were home to Chinese Australian families, “to the wider community this area was a slum...”²¹ Historian of the Sydney markets, Michael Christie observed, “The advantage of the scheme from the Council point of view, was that local business would be placated and the ‘Chinese problem’ dealt with”.²² The City Council was granted authority to resume land under the *Sydney Corporation Amendment Act, 1905*.²³ In 1906, Council began a process of land resumption and demolition beginning with Wexford Street which was replaced by Wentworth Avenue. Two Chinese churches were destroyed in the resumption – the Chinese Presbyterian Church in Foster Street (1893-1910) and the Chinese

¹⁹ The China-Australia Heritage Corridor website, <https://www.heritagecorridor.org.au/places/the-wing-sang-co-buildings-sydney>, accessed 24 April 2024; NSW State Heritage Inventory, Terrace Group including interiors, 12-20 Campbell St, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2435698>; Chinese Masonic Hall including interior <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2420970>

²⁰ CHRISTIE, M. 1988, *The Sydney Markets*, Sydney, Sydney Marketing Authority, 87.

²¹ FITZGERALD, S. 1997, 90.

²² CHRISTIE, M. 1988, 87.

²³ ELLMOOS, LAILA, Capitol Theatre building, Dictionary of Sydney, 2008, https://dictionaryofsydney.org/entry/capitol_theatre_building, viewed 05 Feb 2024

Mission's St Luke's Church in Wexford Street, demolished only ten years after the foundation stone was laid. An estimated 724 people had their houses demolished.²⁴ This resumption and demolition was unnecessary as the chosen market site was located west of George Street near Darling Harbour and the Railway."²⁵

In 1908, Sydney Municipal Council resumed terrace houses, mills and workshops spread over four acres bounded by Ultimo, Thomas, Hay, Quay and Engine Streets to make way for two new market buildings, including the Municipal Stores at 90-100 Hay Street, designed by the City Architect. The first market building on Hay Street opened in 1909 and the second in 1910 (see Figure 6).²⁶ These developments were reported in the *Chinese Australian Herald* in March 1909, with the comment that numerous Chinese firms were expected to move in light of the market's relocation.²⁷ From 1910, Chinese firms which had previously been centred around Campbell Street, Haymarket in proximity to the Belmore Markets began to open stores in Hay, Dixon, Quay, Harbour Streets and Ultimo Road, close to the new Municipal Markets. First amongst these was Chungshan (Zhongshan) merchant Phillip Lee Chun, who in 1909 purchased land at 82-84 Dixon Street and had a building constructed on that land for his business, Kwong War Chong, which for sixty years afterwards provided a remittance service to NSW's Loong Tu community.²⁸



Figure 6. City of Sydney, Glass Negative - Fruit and vegetable markets, Haymarket, circa 1920 (01/01/1920 - 31/12/1920), [A-01001328]. Source City of Sydney Archives, accessed 11 Jan 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1726756>

²⁴ FITZGERALD, S. (1997) 123.

²⁵ CHRISTIE, M. 1988, 87.

²⁶ The City of Sydney Archives have a large number of photos of the demolitions and resumptions and the construction of the markets in the Demolition Series of photographs.

²⁷ 1909 '決議改建街市', *Guang yi hua bao* = *The Chinese Australian Herald* (Sydney, NSW: 1894 - 1923), 13 March, 2, viewed 21 Feb 2024, <http://nla.gov.au/nla.news-article168080171>

²⁸ HECTOR ABRAHAMS ARCHITECTS, 82-84 Dixon Street, Haymarket, Heritage Assessment Version 1.1 Final for City of Sydney Council, 4.

Occupants of prior buildings at 90-100 Hay Street

Dove's 1880 plan of Sydney (see Figure 7) shows four one to two storey masonry buildings between Harbour Street and Kimber Lane and a single two storey timber building between Kimber Lane and Dixon Street. Prior to the building of the Municipal Stores at 90-100 Hay Street, the buildings on Hay Street from Harbour Street to Kimber Lane were numbered 92-98 Hay Street and those from Kimber Lane to Dixon Street were 100-106 Hay Street.



Figure 7 Dove's 1880 survey showing four buildings on what is now 90-94 Hay Street and one building on what is now 100 Hay Street. Source: City of Sydney Archives with HAA overlay.

The owner of 92 Hay Street in 1907 (now 90 Hay Street) was Samuel Hordern, of the successful Anthony Hordern and Sons firm. No. 92 Hay Street was used as a Hordern and Sons store and stables before the land was purchased and cleared for the construction of the Municipal Stores.²⁹ A photograph of the corner of Harbour and Hay Streets taken in 1910 (see Figure 8) shows that 92 Hay Street had been demolished by then.

The City Assessment books and Sands Directory show that occupants of 94 Hay Street prior to its demolition were Mrs Mary Doherty, fruiterer and Mr George Doherty, pattern maker from 1900 to 1904; Peter Peterson in 1905 and George Hanna hairdresser from 1906 to 1910.³⁰ Lee & Co. occupied 94 Hay Street in 1911.³¹

Businesses which occupied 96 Hay Street (now 92/94 Hay Street) were Daniel S. Ford, printer, 1903-1905; Ross Frederick William 1909-10; and Mrs Elizabeth Shea, Refreshment Rooms in 1911.³² At 98 Hay Street was Yee Sang, pork butcher.³³

Figure 9 shows a photograph of 94-98 Hay Street to the corner of Kimber Lane. S. Lee, House and Land Agent and Estate and General Agent is on the left at 94 Hay Street, The Haymarket

²⁹ Assessment Books A-01136253- A-01136244.

³⁰ Assessment Books, City of Sydney Archives 1903- 1910, (A-01136249 - A-01136256)

³¹ Assessment Books, City of Sydney Archives, 1911, (A-01136248)

³² Assessment Books, 1903 – 1911, (A-01136256 - A-01136248)

³³ Assessment Books 1911 (A-01136248).

Refreshment Room sign can be seen at 96 Hay Street and displayed in the window of 98 Hay Street is a sign which reads Yee Sang pork butcher.

From 1900 to 1910, 100-106 Hay Street, the block from Kimber Lane to Dixon Street (now 96-100 Hay Street) was occupied by West's Patent Tyre Co Ltd and by J.E. Bishop, Secretary.³⁴



Figure 8 City of Sydney, Print - Vacant block and buildings corner of Hay and Harbour Streets Haymarket, 1910 (28/09/1910), [A-00038777]. Source: City of Sydney Archives, accessed 04 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/675332>



Figure 9 Photographer: Hall and Company, Print - Streetscape commercial businesses, Hay Street Haymarket, 1910 (28/09/1910), [A-00038778]. City of Sydney Archives, accessed 25 Jun 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/675347>

³⁴ City of Sydney Archives Assessment Books, 1910 (A-01136249); 1911 (A-01136248).

3.3.90-100 Hay Street: The Municipal Stores

In 1911, the Municipal Council put out a tender for the construction of Municipal Stores at 90-100 Hay Street, opposite the new Municipal Markets. The tender stipulated that the contractor was to complete the whole of the works in six months or in default, to pay £5 per day for every day until the work was completed.³⁵ The successful tenderer was Charles C. Coleman who signed a contract with the City on 21 July 1911. (See Figures 10 and 11)

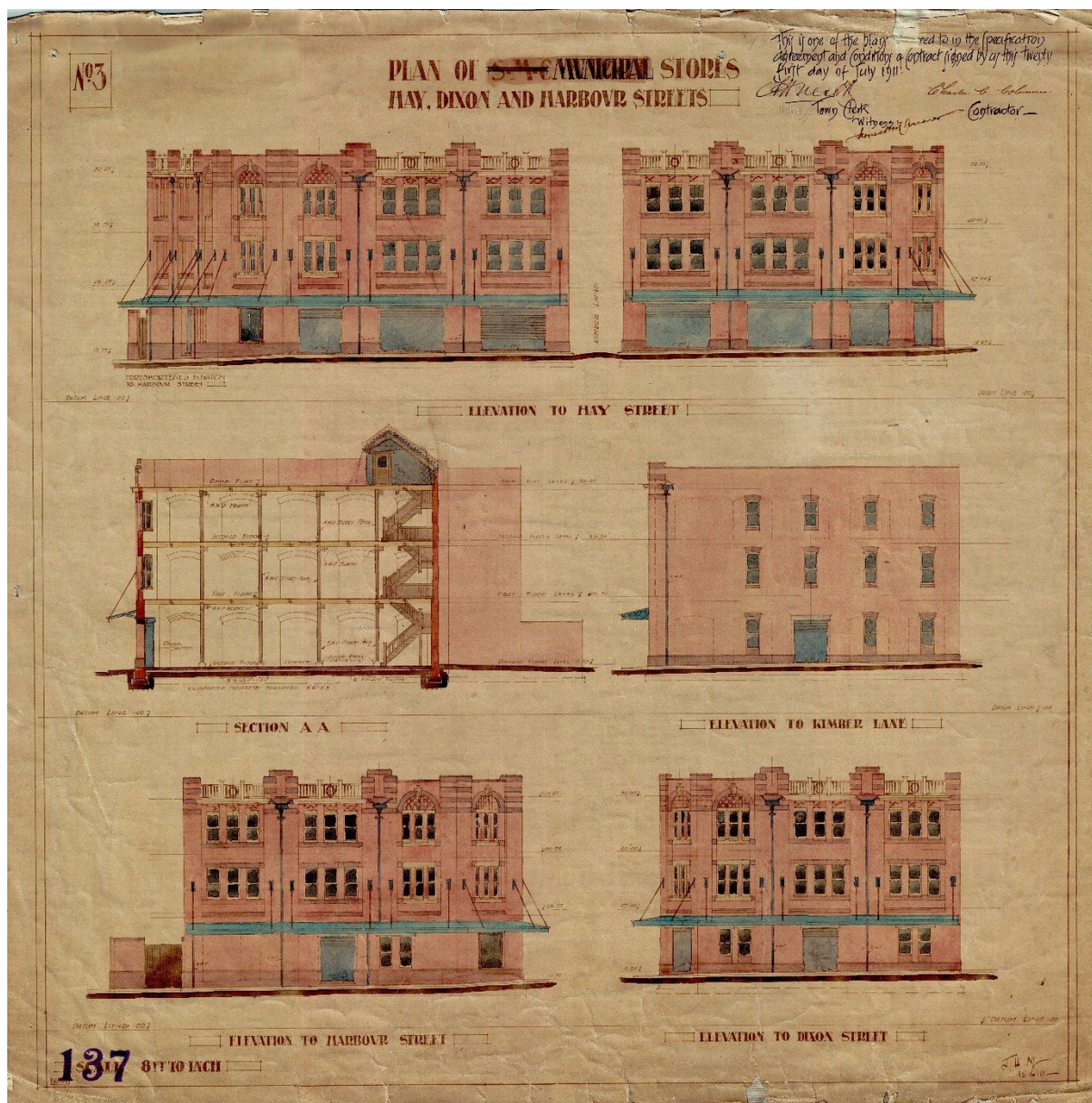


Figure 10 Plan – Elevations Municipal Stores, Hay, Dixon and Harbour Streets Haymarket, 1911 (15/06/1911 – 21/07/1911), [A-00543602]. Source City of Sydney Archives, accessed 04 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1714326>

³⁵ *Erection and completion of market stores in Hay, Dixon and Harbour Streets Haymarket, 1911 (21/07/1911)*, [A-00455910]. City of Sydney Archives, accessed 28 Feb 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/992532>

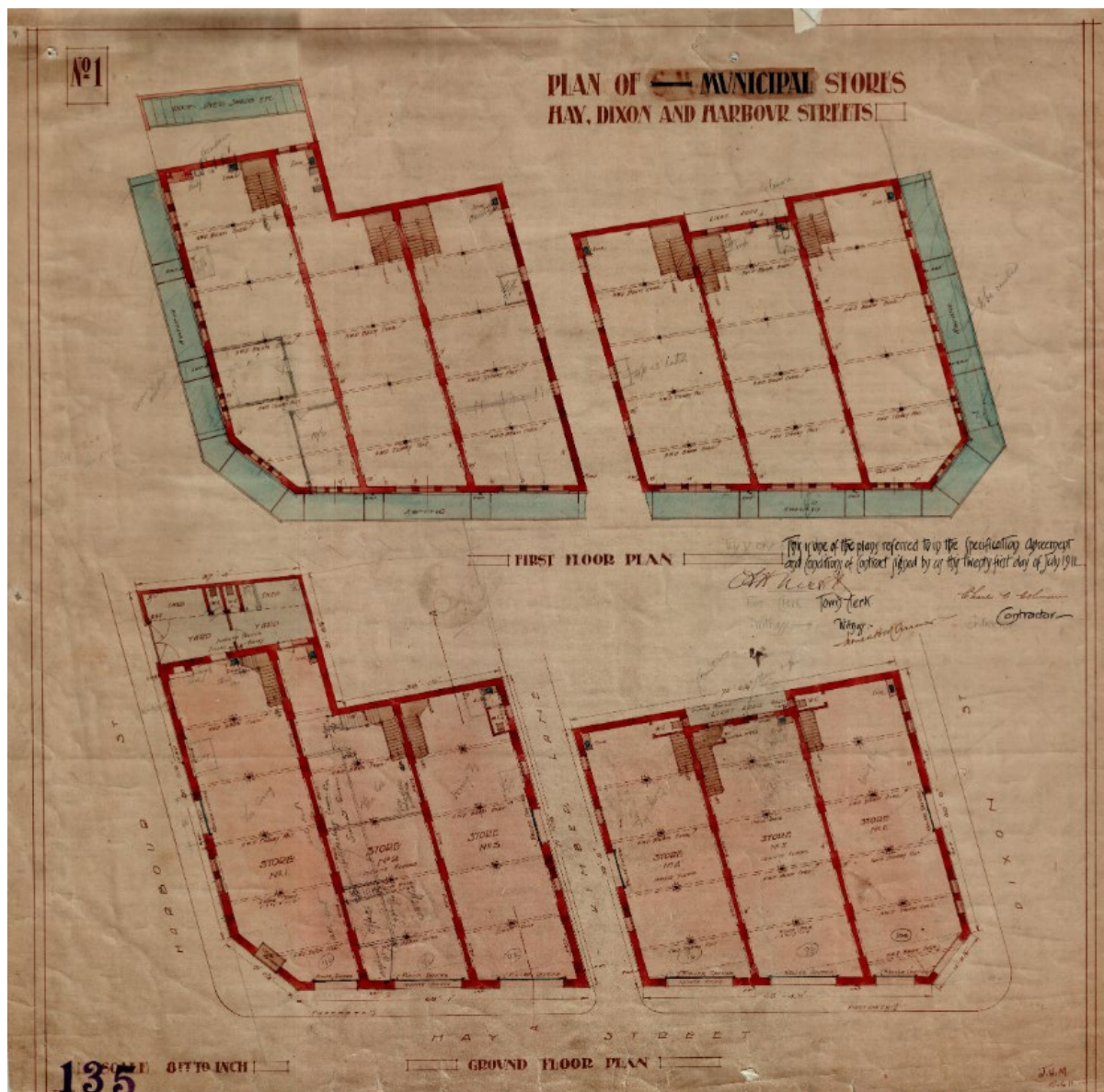


Figure 11 Plan - Municipal Stores, Hay, Dixon and Harbour Streets Haymarket, 1911 (15/06/1911 - 21/07/1911), [A-00543600]. Source City of Sydney Archives, accessed 04 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1714324>

The buildings which had previously existed at 92–106 Hay Street were demolished in 1911 and replaced by the current three storey buildings. Buildings at 92-98 Hay Street were re-numbered as 90-94 Hay Street and buildings from 100-106 Hay Street became 96-100 Hay Street. Figure 12 shows the new Municipal Stores looking from 100 Hay Street on the corner of Dixon Street.



Figure 12 City of Sydney, Glass Negative - Hay Street Haymarket, circa 1919 (01/01/1919 - 31/12/1919), [A-01001358]. Source City of Sydney Archives, accessed 09 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1726786>

The City Council owned, leased and managed the Municipal Stores until 1969, when the newly established Sydney Farm Produce Market Authority took over running of the stores on 1 January, 1969.³⁶ The new Sydney Markets at Flemington were opened in 1975 and trading ceased at the Municipal Markets in the Haymarket.

After the markets moved to Flemington, the Municipal Stores were vacant for some time before investors such as Alan Seeto, Bernard Chan and Stanley Wong and family bought up real estate in Chinatown. Alan Seeto, who came to Australia in 1973 from Papua New Guinea owned a building with three restaurants on the corner of Hay and Harbour Streets.³⁷ Nos. 90-100 Hay Street was the site of a number of restaurants, but the evolution of Chinatown's restaurant culture is better demonstrated by earlier restaurants such as the Eastern Restaurant and Lean Sun Low at 50-54 Dixon Street. An exception to this is the standout example of longevity of the restaurants owned and operated by the family of Stanley Yee at 96-100 Hay Street since 1979.

³⁶ 1968 'SYDNEY FARM PRODUCE MARKET AUTHORITY ACT, 1968.—PROCLAMATION', *Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001)*, 20 December, p. 5000. , viewed 09 Mar 2024, <http://nla.gov.au/nla.news-article220039190>

³⁷ 1986 'THE LORDS OF CHINATOWN', *The Canberra Times (ACT : 1926 - 1995)*, 2 February, p. 50. , viewed 30 Apr 2024, <http://nla.gov.au/nla.news-article118202202>

3.4.No. 90 Hay St



Figure 13 90 Hay Street, on the corner of Harbour Street Haymarket, Source: Juanita Kwok, January 2024.

Lee Sang & Co. and Gilbert Yet Ting Quoy

The first tenant in the newly constructed building at 90 Hay Street was Lee Sang & Co. Produce Merchants and Importers, who leased the building from 1919.³⁸ In June 1920 Lee Sang & Co. advertised a new shipment of fireworks to celebrate the visit of the Prince of Wales.³⁹ Lee Sang & Co. was a well-established produce business, registered in 1903 at 28A Campbell Street. The firm may have existed earlier, as the Registration of Firms Act, No. 100 only came into being in 1902. Lee Sang & Co. was registered by Won Chum, Gilbert Yet Ting Quoy and Ah Sing. Additional people in the business were listed as Cecil Gilbert Quoy [the son of Edith and Gilbert Yet Ting Quoy, born in 1900], Sydney Lee, See Wah and Hoon Wing.⁴⁰ Lee Sang & Co. replaced Hop War and Co. as representative of Tung Koon natives in the Lin Yik Tong (Chinese Commercial Association, 1892-1903).⁴¹ Hop War had previously replaced influential Tung Koon merchant Way Kee.

To ensure a steady supply of vegetables, Ting Quoy and other partners established stores and market gardens in the NSW country towns such as Bathurst in 1909 and Aberdeen in 1919, trading as Tong Sing & Co.⁴² Produce would be transported by rail to Sydney and delivered to the store where it was sorted before being sold by at the markets across the road. An advertisement from 1925 stated that the Lee Sang & Co. at 90 Hay Street sold potatoes, horse

³⁸ Assessment Books, A-01136240.

³⁹ 1920 'Advertising', *The Sun* (Sydney, NSW : 1910 - 1954), 5 June, 6, viewed 04 Mar 2024, <http://nla.gov.au/nla.news-article222409306>

⁴⁰ Register of Firms Index, State Archives New South Wales: NRS 12961, Index No.48, Item No. [2/8526] 497 <https://search.records.nsw.gov.au/permalink/f/1e5kcq1/INDEX1809797>

⁴¹ KUO, M. F. 2013, *Making Chinese Australia : Urban elites, newspapers and the formation of Chinese Australian Identity*, Melbourne, Monash University Publishing, 120.

⁴² Tong Sing & Co. Bathurst, NRS 12961, Index No. 48, Item No. [2/8541], File No. 18272; Tong Sing & Co. Aberdeen, Index No. 48, Item No. [2/8548], File No. 32521.

feed, Chinese groceries, fruit and vegetables, bone ash, tobacco, peanuts, cigarettes, matches, and Chinese and Western fireworks, forwarded remittances and acted as a selling agent for local produce. It also named two other Lee Sang & Co. stores in Hong Kong and Thursday Island.⁴³

Through the 1920s and 1930s, Gilbert Yet Ting Quoy's name was on the lease for 90 Hay Street. Born circa 1874 in Tung Koon, China, Gilbert Yet Ting Quoy arrived in Australia in 1885, and by 1903, when he obtained a Certificate of Domicile to travel to China, he was 29 years old.⁴⁴ He married Australian-born Edith Ginn and the couple had at least ten children.⁴⁵

By the time Gilbert Yet Ting Quoy and partners registered Lee Sang & Co. at 90 Hay Street, Ting Quoy was already a successful, well-established merchant. He had registered Ting Quoy & Co. Produce Merchants at 43 Lane Cove Road North Sydney in 1903.⁴⁶ Quoy was a conservative political leader in the Chinese community, an office bearer of the China Empire Reform Association (CERA) The CERA was a political organisation which advocated political reform in China through a system of modernisation while maintaining the Emperor system. They would later advocate for a constitutional monarchy. Other well-known merchants in the Sydney Chinese community who were members of the CERA included Thomas Yee Hing, Ping Nam, C. Leanfore, Henry Fine Cheong, Goon Ick, W.R.G. Lee and George Bew.⁴⁷

Quoy was also a member of the NSW Chinese Chamber of Commerce and its President in 1924.⁴⁸ Formed in 1913, the NSW Chinese Chamber of Commerce was an organisation which defended the trade and commercial interest of Chinese Australians from anti-Chinese movements and organisations and promoted the Sino-Australian import and export trade. Quoy was amongst Sydney Chinese merchants who launched a campaign through the *Tung Wah Times* newspaper in 1908 and 1909 advocating the need to establish Chinese schools. Along with Ping Nam, Leong Cheong, Lee Chun, John Hoe and Lean Fore, Quoy taught at the Sydney Chinese School at the Loong Yee Tong clubhouse at 50-54 Dixon Street.⁴⁹

Quoy was one of the founders of the first Chinese Australian owned shipping line, the China-Australia Steamship Line in 1917, and was on the Advisory Board of the Line.⁵⁰ C.F. Yong argues this shipping line, established to break up the Japanese shipping monopoly and extend the Sino-Australian import and export trade, "expressed the unity and co-operation achieved for the first time by Chinese in Australia over a single issue of common interest."⁵¹ When the shipping line collapsed in 1924, Quoy came under criticism by other factions for poor administration and undue influence, as William Liu, the appointed proprietor of the China-Australia Mail Steamship Line, was married to Quoy's daughter Mabel.⁵²

Family sponsored by Gilbert Yet Ting Quoy

Gilbert Yet Ting Quoy actively sponsored the entry of relatives and clan members to Australia. Amongst those he sponsored was his nephew, Henry Won Yeh Lum (later known as Henry Lum Yip), who arrived in 1922 as a student and lived with the Quoy family.⁵³ In 1924, the Chinese Consul applied on behalf of Henry Won Yeh Lum [sic] for an extension of stay and to be transferred to the firm of Lee Sang & Co. Permission was granted for transfer to Lee Sang on

⁴³ 1925 'Advertising', *Tung Wah Times* (Sydney, NSW : 1901 - 1936), 21 November, 4, viewed 09 Mar 2024, <http://nla.gov.au/nla.news-article227458718>

⁴⁴ NAA: ST 84/1, 1903/1-10, 26.

⁴⁵ FITZGERALD, S. 1997, *Red tape gold scissors*, 26.

⁴⁶ Ting Quoy & Co. NRS 12961 Index No. 48, Item No [2/8530], File No. 5857, 529.

⁴⁷ YONG, C. F. 1977, *The New Gold Mountain*, 120-121.

⁴⁸ YONG, C. F. 1977, *The New Gold Mountain*, 121; Henry Lum YIP, National Archives of Australia, NAA:SP1122/1, N1961/3364, 330.

⁴⁹ YONG, C. F. 1977, *The New Gold Mountain*, 214; KUO, *Making Chinese Australia*, 229.

⁵⁰ Yong, C.F., 264.

⁵¹ YONG, C.F., 97.

⁵² YONG, C. F. 1977, *The New Gold Mountain*, 101; NSW BDM Marriage Cert 41597/1907.

⁵³ Henry Lum YIP, National Archives of Australia, NAA:SP1122/1, N1961/3364, 345.

payment of a bond, and Henry was engaged in a clerical capacity in the firm of Lee Sang & Co. at 90 Hay Street.⁵⁴

As early as 1926, the 90 Hay Street building had a lift. City of Sydney historian Shirley Fitzgerald cites a letter Mabel Quoy wrote to Henry Lum Yip, who took a return visit to China in 1926. Mabel wrote:

*"Dear Lum ... I have been to Lee Sangs twice since you left. Bo and Winsom said hullo as we passed up the lift. Choong was in the peanut room..."*⁵⁵

Another relative sponsored by Gilbert Yet Ting Quoy was Harry Hornung Yip, who arrived in July 1926.⁵⁶ In 1930, the Chinese Consul General F.T. Sung applied successfully for extension for Henry Won Lep Yum and Harry Hornung Yip, both in the service of Lee Sang & Co., 90 Hay St. "Hornung Yeh is the export clerk and Won Yeh Lum is studying business there", he wrote.⁵⁷ Harry Yip went on to become a partner in Yip Lum & Co., was President of the NSW Chinese Chamber of Commerce for about six years from 1958, and had a family of whom there are many descendants still working in the produce industry.

Henry Lum Yip and family

In 1932, the Department of the Interior approved an application made by Gilbert Yet Ting Quoy for Henry Won Yip Lum's wife, Yee Yip Sue, to be admitted to Australia for a visit.⁵⁸ Throughout the 1930s, applications were made to extend her stay and by 1940, five children had been born to the couple.⁵⁹ According to the family of Henry Lum Yip, "six of his children were born above his Haymarket store".⁶⁰



Figure 14. Henry Lum Yip. Source courtesy of the Yip family

⁵⁴ NAA:SP1122/1, N1961/3364, 323-330.

⁵⁵ FITZGERALD, S. 1997, *Red tape gold scissors*, 170.

⁵⁶ NAA:SP11/2, Chinese/Yip Harry Hornung.

⁵⁷ NAA:SP1122/1, N1961/3364, 256.

⁵⁸ NAA:SP1122/1, N1961/3364, 235.

⁵⁹ NAA:SP1122/1, N1961/3364, 145.

⁶⁰ SBS News online, 30 August 2020.

Yip See Syndicate

In 1936, Lee Sang & Co. were unable to pay their creditors, but eventually an arrangement was made with creditors who accepted five shillings in the pound in full discharge of their debts. A new company, Sino Australian Pty Ltd was formed with Gilbert Quoy as General Manager, sons Cecil and Alwyn Quoy as Assistant Manager and Secretary and Henry Won Yep Lum as Director and Buyer.⁶¹ In 1940 a partnership comprised of Mr E. L. Quoy, Mrs E. B. Quoy, Henry Yep Lum, Walter Don Hoy, Harry Yip and W.H. Lo, all equal partners and all domiciled in Australia, bought the business of Chien Sang & Co and established Yep Lum & Co. (10 Hay Street).⁶²

In the 1940s, 90 Hay Street was alternately leased by the Sydney Banana Company, “Licensed Farm Produce Agents, Wholesale Fruit, Produce and Vegetable Merchants” and the Yip See syndicate.⁶³ The Sydney Banana Company may have been a part of the Yip See syndicate as the business was managed by Charles Liu, the brother-in-law of Mabel Liu, Gilbert Yet Ting Quoy’s daughter. In 1941, the Sydney Banana Company advertised for banana growers on the North Coast of NSW to consign their bananas to the firm, boasting a store “equipped with the most modern scientific banana ripening plant” (see Figure 15).⁶⁴ The Sydney Banana Company also leased 90 Hay Street in 1948.⁶⁵

The Yip See syndicate made application to the City Council erect an additional banana ripening room on the first floor of 90 Hay Street in 1943.⁶⁶ In 1948, the Yip See syndicate made an application to erect a banana elevator at 90 Hay Street.⁶⁷ A building survey of 90 Hay Street in 1949 recorded a shop and office on the ground floor, a banana storage room on the first floor, additional storage on the second and five rooms for residence on the third floor.⁶⁸

Such banana ripening rooms were not unique to Chinese Australian fruit merchants. Documents in the collection of the City of Sydney Archives show that in the late 1950s, many banana commission agents with stores in the markets and in Hay, Quay and Thomas Streets and Ultimo Road applied to install banana ripening rooms, however, the Chinese fruit merchants appear to have been the first to do so.

⁶¹ NAA: SP1122/1, N1961/3364, 182.

⁶² NAA: SP1122/1, N1961/3364, 182.

⁶³ Assessment Book -Phillip Ward, 1945 (01/01/1945 -31/12/1945), [A-01089048]

⁶⁴ 1941 'Advertising', *Tweed Daily (Murwillumbah, NSW : 1914 - 1949)*, 23 August, 6. , viewed 05 Mar 2024, <http://nla.gov.au/nla.news-article192794046>

⁶⁵ City of Sydney Assessment Book -Phillip Ward, 1948 (01/01/1948 -31/12/1948), [A-01089047]

⁶⁶ *Building Inspectors Card: 90 Hay Street. Application to erect additional banana ripening rooms 1st* (23/08/1943 - 05/10/1943), [A-00338781]. City of Sydney Archives, accessed 02 May 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1568535>

⁶⁷ 1948 'TENDERS ACCEPTED OR RECEIVED', *Construction (Sydney, NSW : 1938 - 1954)*, 22 September, 15, viewed 05 Mar 2024, <http://nla.gov.au/nla.news-article222880549>

⁶⁸ *Building Survey Card. 90-94 Hay St. Commercial and residence. Plan attached, Kimber lane on one* (01/10/1949), [A-00508810]. City of Sydney Archives, accessed 05 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/961319>



Figure 15. Advertisement in the Tweed Daily (Murwillumbah, NSW : 1914 - 1949), 23 August 1941, p. 6.
Source <https://trove.nla.gov.au/newspaper/article/192794046>

Like Gilbert Yet Ting Quoy, before him, Henry Won Yep Lum sponsored the entry of members of the Yip clan to Australia. According to his family, over the years, he continued to reunite families, sponsoring around 70 Chinese migrants. Many arrived as students from China and Hong Kong after World War II.⁶⁹ Henry's immigration file shows that in 1961, Yep Lum & Co. was owned by six equal partners – Harry H. Yip, Walter Donhoy Yip, Henry Lum Yip, Wellington Hong Lo, Mrs C. G. Quoy and Mrs G.Y. T. Quoy.⁷⁰

In 1948, Henry Lum Yip applied for permanent residence but his application was refused by Arthur Calwell, the then Minister for Immigration, though he was granted approval to remain in Australia without applying for extensions.⁷¹ It was not until 1957 that Chinese-born people were allowed to apply for naturalisation and citizenship could be granted to anyone who had been 15 years in the country.⁷² In 1961, Henry applied for naturalisation and on 7 December 1961, he was granted Australian citizenship.⁷³

90 Hay Street not only serves as a tangible reminder of the activities of the Yip clan produce merchants, but also of the labouring class of packers and carters who packed and transported the produce and to the market gardeners who grew the vegetables. In an interview with Mavis Gock Yen, Leung Pui (1914-1996) spoke about his father, who worked at the Haymarket produce markets. His family had remained in the village of Lung Hooey in Lungdu. On a return visit to see them Leung Pui recalled:

The first thing Dad took out was a leather apron. This leather apron had a hole in the chest. Dad said the money he earned came from packing tomatoes for the vegetable market in Sydney in Haymarket. He had to get up before dawn every morning and start carrying cases and cases of tomatoes, repack them and then carry them into the

⁶⁹ SBS News online, 30 August 2020.

⁷⁰ NAA:SP1122/1, N1961/3364, 46

⁷¹ NAA:SP1122/1, N1961/3364, 99.

⁷² ANG, I. & WONG, A. 2023, Zhongshan in Sydney's Chinatown, 220.

⁷³ NAA:SP1122/1, N1961/3364, 23, 13.

*storeroom. He was doing that every day. That's why he and the other partners wore leather aprons... He told us the market gardeners had to get up in the dark and carry hundreds of loads of water on their shoulder poles every day... 'There's no gold!' he said. 'It's all muscle power.'*⁷⁴

The post-market period

After the markets closed, this area of Hay Street was deserted. Douglas Lam, who migrated to Sydney from Hong Kong in the early 1960s and spent much of his spare time in Haymarket, recalls the stores were empty in 1975.⁷⁵ In the late 1970s, real estate was bought up by investors such as Alan Seeto who had come to Australia from Papua New Guinea. Seeto owned three restaurants on the corner of Hay and Harbour Streets.⁷⁶ Entrepreneur and investor Dominic Choy who emigrated to Australia in 1962 refitted the building and in 1981 opened a restaurant called Choy's AD 1000 at 90-92 Hay Street.(See Figure 16).



Figure 16 Commercial buildings, Hay Street Haymarket, 1979 (01/01/1979 - 31/12/1979), [A-00008121]. City of Sydney Archives, accessed 25 Jun 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/568766>

By the 1980s Dominic Choy had established the Howin Group of companies and a chain of six Choy's restaurants. In 1990 the Howin Group took a 49 percent interest in Rockvale Pty Ltd and partnered with Japan's Kajima Construction Group to develop Market City as a \$600 million major commercial and residential development on the old Paddy's Market Site adjacent to Sydney's Chinatown.⁷⁷

No. 90 Hay Street has been tenanted by a number of restaurants since then and as of January 2024, was occupied by a Japanese restaurant called Sushi Rio.

⁷⁴ Gock Yen, Mavis (author) Yen Siaoman, Horsburgh, Richard (eds), South Flows the Pearl: Chinese Australian Voices, Sydney University Press, 2022, 137

⁷⁵ Pers. comm. Douglas Lam, 24 April 2024.

⁷⁶ 1986 'THE LORDS OF CHINATOWN', *The Canberra Times* (ACT : 1926 - 1995), 2 February, p. 50. , viewed 01 May 2024, <http://nla.gov.au/nla.news-article118202202>

⁷⁷ Translation from *Guangdong-Hong Kong Information Daily*, 29 August 1993, on website Dominic Choy.com, <https://www.dominicchoy.com/forbes>, accessed 30 April 2024.

3.5. No. 92 Hay St



Figure 17 92 Hay Street, (centre building). Source Juanita Kwok, 2024.

Hie Lee & Co.

The first tenant in the new Municipal building at 92 Hay Street was the firm of Hie Lee & Co. which occupied the building from 1912. The Hie Lee & Co firm had previously registered as wholesale fruit merchants at 28 Campbell Street in 1903. In the *Tung Wah Times* of 14 December 1912, the firm advertised themselves as fruit and produce merchants, and the head office as 92 Hay Street.⁷⁸ More specifically, Hie Lee & Co. were banana commission agents, advertising “best prices for growers” in the *Tweed Daily* in May 1920.⁷⁹

When Hie Lee & Co. registered their business at the 92 Hay Street address on 2 January 1919, those carrying on business were Ah Loy, Ah Hue Loong, Hing Loong, Yick Man, Willie Hee, George Low, Tee Wing and Ah Sum.⁸⁰ In May 1919, a notice in the *Chinese Republic News* announced the withdrawal of four of the partners from the firm.⁸¹ In October 1921, the firm advertised in the *Tung Wah Times*, under the name of Tie Lee & Co.⁸² The “Hie Lee” romanisation reflects See Yip pronunciation whilst the romanisation “Tie Lee” reflects

⁷⁸ 1912 'Advertising', *Tung Wah Times* (Sydney, NSW : 1901 - 1936), 14 December, 4, viewed 05 Mar 2024, <http://nla.gov.au/nla.news-article227970741>

⁷⁹ 1920 'Advertising', *Tweed Daily* (Murwillumbah, NSW : 1914 - 1949), 15 May, 2, viewed 05 Mar 2024, <http://nla.gov.au/nla.news-article191373534>

⁸⁰ Register of Firms Index, State Archives New South Wales: NRS 12961: Index no. 48. File No 31883, Item No.[2/8548].

⁸¹ 1919 '生意聲明', *Chinese Republic News* (Sydney, NSW : 1914 - 1937), 31 May, 6. , viewed 06 Mar 2024, <http://nla.gov.au/nla.news-article226018680>

⁸² 1921 'Advertising', *Tung Wah Times* (Sydney, NSW : 1901 - 1936), 1 October, 4. , viewed 06 Mar 2024, <http://nla.gov.au/nla.news-article227658363>

Cantonese pronunciation. The Cantonese romanisation in this advertisement might reflect a change in joint ownership from See Yip speakers to Cantonese speakers, or merely the language of the person who was tasked with listing or designing the advertisement.⁸³

Quong Wing Chong

On 29 August 1922, Hie Lee & Co. was purchased by the firm of Quong Wing Chong.⁸⁴ In 1902, William Quing was listed as an owner of Quong Wing Chong. Quing was associated with the Tsang Shing district.⁸⁵ In 1923, the Tsang Shing firm of Quong Wing Chong & Co. (92 Hay Street), the Tung Koon firm of Lee Sang & Co. (90 Hay Street) and the Chungshan firm of Kwong War Chong (84 Dixon Street) were amongst the founders of a new organisation that represented Chinese Christians from three different Christian denominations. Called the "Neutral Alliance", the organisation aimed to quell tensions in the community following months of written warfare between Sydney's three Chinese newspapers.⁸⁶ This is but one initiative that sought to rise above district loyalties and political differences to seek cohesiveness in the community.

By 1932, Quong Wing Chong firm appears to have come under the ownership of people from the Sam Yap district, as a Sam Yap organisation called the "Sam Yap Hang Shin Tong" advertised that it would be holding a meeting upstairs at Quong Wing Chong, Hay Street.⁸⁷ In 1910 the same organisation conducted a Sam Yap bone repatriation drive in 1910 with addresses for correspondence given as Kwong Wing Chong and Y. C. Hong On Jang.⁸⁸

In 1924 Quong Wing Chong & Co. moved into the building at 92 Hay Street and shared the premises with Hie Lee & Co. with the former supplying fruit and vegetables while Quong Wing Chong sold Chinese goods and offered a remittance service.

Besides growing and selling bananas, Hie Lee & Co. were exporters of Australian produce. In February 1934, for example, Hie Lee & Co. exported 1021 bags of flour (22 tons) to Hong Kong.⁸⁹ This volume of exports is likely to have earned the management of Hie Lee & Co. (as merchants with a certain export turnover), privileges of allowing the entry of wives and employees for the company. In 1936, Hie Lee & Co. along with ten other Chinese banana agents including Sun Lee & Co. and Wing Sang & Co. (96 Hay Street), were amongst 27 agents appointed to join the Banana Marketing Board, a newly created Australian authority.⁹⁰ The lease alternated between Hie Lee & Co. and Quong Wing Chong between 1913 and 1948.⁹¹

A building survey of 92 Hay Street in 1949 recorded a shop and office on the ground floor, a banana storage room on the first floor and storage on the second. No use was recorded for the

⁸³ Ely Finch, pers. comm. 10 January 2024.

⁸⁴ 1922 '承買生意聲明', *Chinese Republic News* (Sydney, NSW : 1914 - 1937), 19 August, 6. , viewed 06 Mar 2024, <http://nla.gov.au/nla.news-article225212493>

⁸⁵ 1902 '判審華人案情', *Guang yi hua bao = The Chinese Australian Herald* (Sydney, NSW : 1894 -1923), 21 June, 5. , viewed 06 Mar 2024, <http://nla.gov.au/nla.news-article170084032>; 1907 '修橋捐款', *Tung Wah Times* (Sydney, NSW : 1901 - 1936), 2 March, 7. , viewed 06 Mar 2024, <http://nla.gov.au/nla.news-article246933577>

⁸⁶ 1923 '聯合會啟事', *Chinese Republic News* (Sydney, NSW : 1914 - 1937), 14 April, 8 , viewed 06 Mar 2024, <http://nla.gov.au/nla.news-article226001286>

⁸⁷ 1932 '三邑恒善堂啟事', *Tung Wah Times* (Sydney, NSW : 1901 - 1936), 27 February, 8 , viewed 06 Mar 2024, <http://nla.gov.au/nla.news-article227426967>

⁸⁸ 1910 'Advertising', *Guang yi hua bao = The Chinese Australian Herald* (Sydney, NSW : 1894 - 1923), 21 May, 6. , viewed 06 Mar 2024, <http://nla.gov.au/nla.news-article168079659>

⁸⁹ 1934 'NEW SOUTH WALES EXPORT MANIFESTS.', *Daily Commercial News and Shipping List* (Sydney, NSW : 1891 - 1954), 7 February, 6. , viewed 06 Mar 2024, <http://nla.gov.au/nla.news-article161062193>

⁹⁰ 1936 'PUBLIC WILL SLIP ON BANANA BOARD', *Truth* (Sydney, NSW : 1894 - 1954), 22 March, 12. , viewed 06 Mar 2024, <http://nla.gov.au/nla.news-article169580768>

⁹¹ *Sands Directory*, 1913-1933; *Assessment Book Phillip Ward*, 1934-1948.

third floor.⁹² In 1950, an application was made to the City Council for construction of a banana ripening room on the ground floor of 92 Hay Street.⁹³



Figure 18 Paddy's Fruit and Vegetable Markets, Quay Street Haymarket, circa 1930 (01/01/1930 - 31/12/1930), [A-00018781]. Source City of Sydney Archives, accessed 06 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/578000>

⁹² *Building Survey Card. 90-94 Hay St. Commercial and residence. Plan attached, Kimber lane on one* (01/10/1949), [A-00508810]. City of Sydney Archives, accessed 05 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/961319>

⁹³ 1950 'TENDERS CALLED', *Construction (Sydney, NSW : 1938 - 1954)*, 13 December, 15. , viewed 06 Mar 2024, <http://nla.gov.au/nla.news-article222891270>

3.6. No. 94 Hay Street



Figure 19 Nos. 90-94 Hay Street with Harbour Street on the left and Kimber Lane on the right. Source Juanita Kwok 2024.

Wing Tiy & Co.

From 1913 to at least 1948, Wing Tiy & Co. occupied 94 Hay Street.⁹⁴ Wing Tiy & Co. relocated from 34 Campbell Street where the firm registered as fruit merchants and commission agents in 1903. Persons carrying on the business were listed as Mark Kew, Char Rin, Lee Loy and Wing Sang.⁹⁵ Wing Tiy & Co. was one of the biggest and longest-lasting banana merchants in Australia. In 1902, Wing Tiy & Co. had amalgamated with Wing Sang and Wing On to form Sang On Tiy & Company to expand its operations into Fiji. This firm had 350 acres under cultivation in Fiji and in the first season, were bringing 10,000 bunches of bananas a fortnight into Sydney.⁹⁶

In 1913, when Wing Qui [sic] & Co. was registered at 94 Hay Street, the persons carrying on the business were Chan York, Loy Leong, Fay Chang, Wing Chan, Qui Chong, Chan Boo and Yin Leong.⁹⁷ Wing Chan, also known as Mark Joe, was one of the founders of the Wing Sang Co. In the photo of the Wing Sang founders at Figure 20, Mark Joe (Ma Wing Chan) is on the left, next to him are George Kwok Bew, Ma Ying Piu and Choy Hing. Wing Tiy & Co. was a Ma family subsidiary of Wing Sang & Co.

⁹⁴ *Sands Directory*, 1913-1933; *Assessment Book Phillip Ward*, 1934-1948.

⁹⁵ Register of Firms Index, State Archives New South Wales: NRS 12961, File 521, Item [2/8526].

⁹⁶ ALI, B. N. K. 2005. Quong Tart and early Chinese businesses in Fiji. *Journal of Pacific Studies*, 84, citing Eric Rolls, *Sojourners*, 438-9.

⁹⁷ NRS: 12961, Index No. 48, File No. 22803, Item No [2/8543].



Figure 20. Founders of Wing Sang & Co Ltd, 1890 (01/01/1890 - 31/12/1890), [A-00025392]. Source City of Sydney Archives, accessed 10 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/586037>

Around 1933, Charles and Thomas Ma came to Australia from Hong Kong to work in the Ma family firm of Wing Sang & Co. Charles was born in Sydney, but had been sent back to China for his education before returning to Australia. In 1938, Charles, then Manager of Wing Tiy & Co., gave evidence before the Fruit Industry Commission in Sydney about the working hours of the men handling the bananas at the City Markets. Ma said:

*the men handling bananas start at 6.30am. In winter they might finish at 5 o'clock, except on Mondays and Thursdays when they finish at 6 o'clock. In the summer there is no criterion as to when we finish. We start at 6.30am and go round the clock, probably finishing at 11 o'clock at night.*⁹⁸

A building survey of 94 Hay Street in 1949, recorded a shop and office on the ground floor, a banana storage room and office on the first floor, residence and storage on the second floor and a roof house residence on the third floor.⁹⁹ The families or employees that occupied these

⁹⁸ 1938 'FRUIT MARKETING', *The Albury Banner and Wodonga Express (NSW : 1860 - 1927; 1929 - 1931; 1933 - 1938)*, 10 June, p. 9. , viewed 10 Mar 2024, <http://nla.gov.au/nla.news-article102341405>

⁹⁹ *Building Survey Card. 90-94 Hay St. Commercial and residence. Plan attached, Kimber lane on one* (01/10/1949), [A-00508810]. City of Sydney Archives, accessed 05 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/961319>

rooms have not so far been identified. A building inspection carried out by the City Building Inspector in 1959, recorded two banana ripening rooms at 94 Hay Street.¹⁰⁰

Charles' brother Thomas, born in Hong Kong in 1916, also worked at Wing Tiy & Co.¹⁰¹ Thomas, his wife Lily and their children had a home in Strathfield, but Thomas spent much of his life working at 94 Hay Street.



Figure 21. Lily and Thomas Ma in the early 1940s. Source Denise Ma.

Thomas Ma bought Wing Tiy & Co. in 1963, and managed the firm until the mid-70s. After selling up at the time the markets re-located to Flemington, he went to help the ageing Mar Leong Wah at the Wing Sang headquarters at 58 Hay Street. Thomas Ma's daughter Denise Ma recalls of 94 Hay Street:

Each school holidays we would go for our trip to the city from Strathfield. We would go to pick up Dad and I remember going to the office on the mezzanine floor. I also remember visiting Uncle Charles and Aunt Edith at 96 Hay Street until they moved out in late 1956. It is a significant part of my life.

¹⁰⁰ *Building Inspectors Card: 94 Hay St, Sydney. Banana reopening rooms (2), development application (22/06/1959 - 30/10/1959), [A-00364720].* City of Sydney Archives, accessed 06 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1572834>

¹⁰¹ Author's telephone conversation with Denise Ma, daughter of Thomas Ma, 10 March 2024.



Figure 22. Denise Ma, daughter of Thomas Ma, owner of Wing Tiy & Co, from 1963. She is next to her Wing Tiy & Co. banana packing crate stencilled with the firm's number, 115. The bananas in the crate were consigned to Wing Tiy & Co. by Sikh grower, Booja Singh in Woolgoolga. Source Denise Ma, 2024.

3.7.No. 96 Hay St

From 1913 to 1919, Tiy Chung & Co. Produce Merchants occupied the new building at 96 Hay Street. Tiy Chung & Co. had registered the business, then located at 445 Pitt Street in 1903.¹⁰² In 1919, Hook Yick & Co., a company with its headquarters in Melbourne, took out an advertisement in the *Tweed Daily* to announce the opening of a branch at 96 Hay Street and to solicit growers to consign their bananas and “pines” [pineapples] to the Sydney branch.

A similar advertisement taken out in the *Tung Wah Times* indicated that the firm was dedicated to the sale of Fiji and Queensland fruit and bananas, and produce from Queensland and other states.¹⁰³



Figure 23. Nos 96-100 Hay Street, 96 Hay Street is to the right of Kimber Lane. Source Juanita Kwok, 2024.

¹⁰² Register of Firms Index, State Archives New South Wales: NRS 12961, File No. 4740, Item No [2/8529], 570.

¹⁰³ 1919 'Advertising', *Tung Wah Times* (Sydney, NSW : 1901 - 1936), 14 June, 7. , viewed 07 Mar 2024, <http://nla.gov.au/nla.news-article227012797>

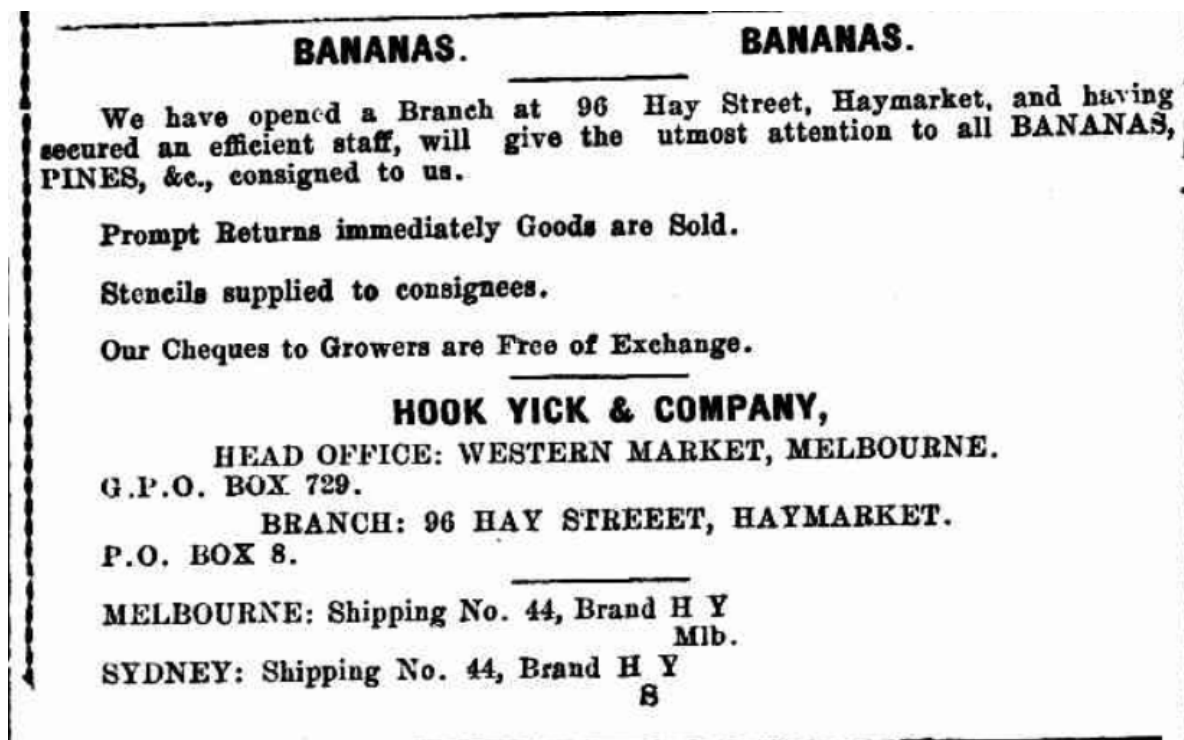


Figure 24. 1919 'Advertising', *Tweed Daily* (Murwillumbah, NSW : 1914 - 1949), 8 November, p. 2. , viewed 07 Mar 2024. Source . <http://nla.gov.au/nla.news-article191065900>

Wing Sang & Co.

In 1920, an advertisement gave notice that Wing Sang & Co. had purchased Hook Yick's 96 Hay Street shop on the 27th of March 1920, and had started trading there under the name Wing Sang & Co. from that date on.¹⁰⁴ Wing Sang & Co. was one of the largest and best-established firms in Australia, with banana wholesale as the cornerstone of its business, but also engaged in the remittance business. Though Wing Sang had established Hong Kong as its headquarters by 1921, Wing Sang & Co. and subsidiaries maintained its banana wholesale business and import-export trade in Australia into the latter decades of the 20th century.

Wing Sang & Co. had offices and warehouses at various addresses in the Haymarket area before establishing the store at 96 Hay Street in 1921. Whilst some of their buildings, such as the warehouse at 450 Sussex Street and the headquarters at 58 Hay Street have been demolished, others are still standing, for example the Wing Sang & Co. store at 20 Campbell Street.

A detailed history of Wing Sang & Co. buildings in Sydney, Hong Kong and China was undertaken by the China-Australia Heritage Corridor project.¹⁰⁵

¹⁰⁴ 1920 '承受生意聲明', *Chinese Republic News* (Sydney, NSW : 1914 - 1937), 24 April, p. 7. , viewed 10 Mar 2024, <http://nla.gov.au/nla.news-article225207694>

¹⁰⁵ The China-Australia Heritage Corridor Project, online, [The Wing Sang & Co buildings, Sydney | China-Australia Heritage Corridor](#), accessed 9 March 2024.



Figure 25. Three storey brick warehouse, head office for Wing Sang and Company, Produce Merchants at 450 Sussex Street was demolished circa 1919. City of Sydney, Print - Wing Sang and Company in Sussex Street Haymarket, circa 1909 (01/01/1909 - 31/12/1913), [A-00036648]. Source City of Sydney Archives, accessed 09 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/663015>

Mar See Poy

The Managing Director of Wing Sang & Co. at 96 Hay Street was Mar See Poy (called Mar Sha Poi in his immigration file). Mar See Poy was the grandfather of Glenn and Phillip Mar, who wrote about the sad end to his career at 96 Hay Street.¹⁰⁶ Mar See Poy came to Australia in 1914 at the age of twenty-two, as a substitute manager for Wing Sang & Co. At the time, the senior managers were heading back to China following Ma Ying Piu who had set up the Sincere store in Hong Kong.¹⁰⁷ The Police report on Mar's file states that "the firm of Wing Sang is held in the highest repute and is financially sound."¹⁰⁸

The application for Mar See Poy's was granted, renewable on application if the company met with certain conditions, including a high business turnover. For almost a decade Mar See Poy was able to extend his stay, during which time he married, fathered a daughter, lost his first wife, remarried and had two Sydney-born sons, Arthur and Raymond Mar.¹⁰⁹

On applying for an extension in 1924, he was observed by a Senior Boarding officer, who reported:

I have observed this man on at least ten occasions and R.W. Wilson on four occasions working at a branch store of the firm at 96 Hay Street, Sydney where the business is

¹⁰⁶ MAR, G. & MAR, P. 2023. Making Heritage: The Mar family and Sha Chong. In: BYRNE, D., ANG, I. & MAR, P. (eds.) *The China-Australia Migration Corridor: History and Heritage*. Hong Kong: Hong Kong University Press.

¹⁰⁷ MAR, G. & MAR, P. 2023. Making Heritage: The Mar family and Sha Chong.

¹⁰⁸ Mar Sha Poi (Lung Yan Soo) - Exemption certificate', NAA: A1, 1925/11716, 112.

¹⁰⁹ MAR, G. & MAR, P. 2023. Making Heritage: The Mar family and Sha Chong.

*mainly fruit dealing. On every visit we have seen Mar Sha Poi [sic] with his shirt sleeves rolled back, with a leather apron, without coat or vest, loading and unloading goods from carts, packing and stacking fruit and performing other ordinary store duties. The premises 96 Hay Street open right onto the roadway and this man can be observed at any time employed in the same manner as other Chinese and European fruit store assistants in the same street.*¹¹⁰

As a manager, Mar See Poy was not expected to partake in the manual work of fruit handling, and with this doubt cast on the nature of his employment, the extension was refused. Glenn Mar writes, “Mar See Poy left Australia in April 1926 with his family... and settled in his home village of Sha Chong ...he died in 1928.”¹¹¹



Figure 26. Employees of Wing Sang & Co Ltd, 1924 (01/01/1924 - 31/12/1924), [A-00025390]. Source City of Sydney Archives, accessed 10 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/586035>. Mar See Poy is seated, centre.

By 1930, bananas imported from Fiji were subject to crippling import duty and Chinese growers were excluded from the industry in Queensland and northern NSW. As the years wore on, immigration restrictions had the desired effect of draining Chinese enterprises of labour. Chinese firms adapted to the circumstances and like Wing Chong and Hie Lee, Wing Sang & Co., turned to advertising in the newspapers for white and Italian growers to consign their bananas to the firm. In 1930, the firm was promoted as “Licensed farm produce agents, Oldest established banana specialists, Head Office 58 Hay Street, branches Fruit Exchange, City Markets, 96 Hay Street.”¹¹²

¹¹⁰ NAA: A1, 1925/11716, 23.

¹¹¹ MAR, G. & MAR, P. 2023. Making Heritage: The Mar family and Sha Chong, 136-7.

¹¹² 1930 'Advertising', *Tweed Daily (Murwillumbah, NSW : 1914 - 1949)*, 12 July, p. 8. , viewed 10 Mar 2024, <http://nla.gov.au/nla.news-article192687398>

Sun Lee & Co.

In 1933, Sun Lee & Co. took over the lease at 96 Hay Street. Sun Lee & Co. advertised in the Italian newspaper, *Il Giornale Italiano*, that the firm had a local agent in Lismore.¹¹³ S. Watts at Stokers Siding in the Brunswick Valley of the North Coast of NSW acted as an agent for Wing Sang & Co.¹¹⁴ In 1934, an application made to alter the stairs and banana room was approved at 96 Hay Street.¹¹⁵ This would have been around the time that Charles Ma arrived in Sydney with his wife Edith nee Yee. Both Charles and Edith were born in Australia but raised in Hong Kong. Charles and Edith had twin daughters Audrey and June, born in Sydney in 1934 and a son Daniel, born in Sydney in 1944.



Figure 27. Edith and Charles Ma, Sydney, circa 1934. Source courtesy of the Ma family

Until about 1956, Charles, Edith and children lived on the top floor of 96 Hay Street. Their son Daniel Ma recalls:

96 Hay Street was called Sun Lee in my childhood. It was where my family lived from the mid-1930s to around 1956. We had the top floor. The building was one of a group of six connected buildings located on Hay Street... All six buildings were similar in their internal layout. Ours comprised of an open-plan shop with ripening rooms at street level, a half-floor mezzanine office space, two full floors of residential accommodation

¹¹³ 1933 'Advertising', *Il Giornale Italiano* (Sydney, NSW : 1932 - 1940), 3 June, p. 3. , viewed 10 Mar 2024, <http://nla.gov.au/nla.news-article83031411>

¹¹⁴ 1942 'Advertising', *Tweed Daily* (Murwillumbah, NSW : 1914 - 1949), 7 November, p. 4. , viewed 10 Mar 2024, <http://nla.gov.au/nla.news-article192947195>

¹¹⁵ 1934 'Buildings and Works Approved', *Construction and Real Estate Journal* (Sydney, NSW : 1930 - 1938), 19 September, p. 4. , viewed 10 Mar 2024, <http://nla.gov.au/nla.news-article222914536>

*and an open rooftop “terrace”... For the most part the building was fairly basic. The rooms were divided using thin masonite partitions that were only head height...*¹¹⁶

Every day, Charles Ma would go to work at Wing Tiy & Co. at 94 Hay Street, and in later years at the main Wing Sang building at 58 Hay Street.¹¹⁷

Daniel Ma describes the markets:

Bananas were delivered in wooden boxes which were all marked with their place of origin and destination stencilled on the box. They were offloaded off the flat-top trucks and wheel-barrowed to the ripening rooms almost every weekday morning. Most of the men handling the boxes wore thick brown aprons which were almost like a uniform at the markets.

A scene very much like the one described by Daniel Ma can be seen in the photograph at Figure 28.



Figure 28. Photographer, Leslie John Jenkins, Municipal Markets, Quay Street Haymarket, circa 1935 (01/01/1935 - 31/12/1935), [A-01182468]. Source City of Sydney Archives, accessed 10 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1947019>

Wing Sang & Co. appear to have ceased trading at 96 Hay Street sometime in the 1940s. From 1948 until at least 1952, Russell & Sons were advertising fruit and vegetables at wholesale prices at 96 Hay Street. By the time Daniel grew up at 96 Hay Street, European and Italian vegetable merchants were replacing the previously Chinese-dominated industry. According to Daniel:

¹¹⁶ Daniel Ma, “Chinatown Memories”, pers. comm. 6 May 2024.

¹¹⁷ Telephone conversation with Daniel Ma, 10 March 2024.

Every weekday there would be a siren at 7am to announce the opening of the markets and that would be the signal for the buildings to raise their street front roller shutters...The whole market area would turn into this hive of activity. Hustle and bustle, people jostling to park their trucks and often lots of swearing!! English profanities. Cantonese profanities. Italian profanities. Greek profanities. It was rough but very exciting!!¹¹⁸

Daniel Ma recalls in his childhood:

the ground floor of Sun Lee was sublet to some Italian fruit suppliers. The shop incorporated several banana ripening rooms. Bananas were delivered by rail from "faraway places" like Coffs Harbour and were ripened by gas before being sold to fruit shop owners from all over Sydney.¹¹⁹

The Ma family moved out around 1956 but 96 Hay Street remained in use as a banana ripening room until at least 1961.¹²⁰

Post-market period

From the late 1970s to the late 1980s, 96 Hay Street was owned by Tensons Pty Ltd.¹²¹ It was developed for use as a succession of restaurants including Lotus World Vegetarian Restaurant in 1977 and the Mandalay Nay Pe Daw restaurant in the early 1980s, before Stanley Yee bought the building and established a restaurant in 1979, which was the forerunner of the long-running Emperors Garden, which is still owned and operated by the Yee family to this day. See 100 Hay Street for further detail.

¹¹⁸ Daniel Ma, "Chinatown Memories", pers. comm. 6 May 2024.

¹¹⁹ 1948 'Advertising', *Northern Star (Lismore, NSW: 1876 - 1954)*, 6 October, p. 7. , viewed 10 Mar 2024, <http://nla.gov.au/nla.news-article99031397>

¹²⁰ *Building Inspectors Card: 96 Hay St Haymarket. Banana ripening room. 1 Card.* (15/09/1960 - 26/04/1961), [A-00368413]. City of Sydney Archives, accessed 02 May 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1576757>

¹²¹ *DEVELOPMENT & BUILDING - BUILDING APPLICATIONS (NEW) 96 HAY ST HAYMARKET DECORATIVE FACADE TENSONS PROPERTIES PTY LTD* (19/03/1979 - 31/12/1987), [A-00680286]. City of Sydney Archives, accessed 02 May 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1498093>

3.8. No. 98 Hay St



Figure 29. Nos 96-100 Hay Street. 98 Hay Street is the centre building. Source Juanita Kwok, 2024.

War Loong & Co.

Between 1913 and 1932, 98 Hay Street was tenanted by War Loong & Co.¹²² War Loong & Co. Produce Merchants registered a store at 449-451 Pitt Street in 1903.¹²³ In 1911, War Loong & Co. at 185 Hay Street, was listed as a contact by a Sydney Loong Tu (Longdu) district association with respect to a bone-repatriation drive, indicating that War Loong & Co. was a Loong Tu firm, i.e. a firm connected with this subdistrict of Heung Shan, and language community.¹²⁴

Amongst the names of those who had registered the firm of War Loong & Co. in 1903, was Dong Sing. In 1913, War Loong & Co. at 98 Hay Street, applied for a tobacco licence.¹²⁵ This might have been the Doon Sing who in 1913 raised a “fine crop” of tobacco on W.P. Brook’s nine acres of riverfront land in Bathurst.¹²⁶ From the late 19th century to the mid-1920s, Bathurst was a centre of Chinese market gardening and tobacco growing in NSW. The railway enabled produce from Bathurst to be transported to the Haymarket, and merchants, such as Gilbert Yet Ting Quoy of Lee Sang & Co. (90 Hay Street), established stores and market gardens in Bathurst early in the 20th century. Due to obstacles placed in the way of Chinese growers, incentives offered to white growers, and a series of unexplained fires, Chinese growers effectively gave up growing tobacco in Bathurst in the mid-1920s.¹²⁷

¹²² *Sands Directory*, 1913-1932.

¹²³ Register of Firms Index, State Archives New South Wales: NRS 12961, File No. 4743 [2/8529], 572.

¹²⁴ 1911 'Advertising', *Tung Wah Times* (Sydney, NSW : 1901 - 1936), 11 November, p. 7. , viewed 10 Mar 2024, <http://nla.gov.au/nla.news-article227976468>

¹²⁵ 1913 'TOBACCO, CIGAR, AND CIGARETTE LICENSES.', *Government Gazette of the State of New South Wales* (Sydney, NSW : 1901 - 2001), 11 June, p. 3574. , viewed 10 Mar 2024, <http://nla.gov.au/nla.news-article221595839>

¹²⁶ 1913 'Tobacco Growing in Bathurst. ', *The Bathurst Times* (NSW : 1909 - 1925), 18 March, p. 2. , viewed 10 Mar 2024, <http://nla.gov.au/nla.news-article11206367>

¹²⁷ KWOK, J. 2019. *The Chinese in Bathurst: Recovering Forgotten Histories*. Doctor of Philosophy PhD thesis, Charles Sturt University, 252.

In 1928, War Loong & Co. advertised an expansion of the business, stating that they dealt in potatoes, onions, horse feed, ox-bone ash, etc., as well as the procurement of fruit and vegetables from country towns.¹²⁸ However, in November 1932, the firm advised their shareholders that they had resolved to close the business down.¹²⁹

Wing Chong & Co.

The Sands Directory lists Wing Chong & Co. at 98 Hay Street in 1933. Wing Chong & Co. were banana agents. The importation of bananas from Fiji had limped on under the weight of heavy import tariffs until 1933, when an article in the *Tung Wah Times* complained that the tax on selling Fiji bananas in Australia was so heavy—1s. 3d. per crate—that the last two shipments resulted in over 50 percent losses.¹³⁰ By 1933, when Italian growers had moved into banana growing on the north coast, Chinese Australian banana commission agents including Wing Chong & Co. advertised for consignees in *Il Giornale Italiano*.¹³¹ In 1935, Wing Chong & Co. was appointed, along with ten other Chinese banana agents including Sun Lee & Co. and Wing Sang & Co. (96 and 98 Hay Street), to join the Banana Marketing Board, a newly created Australian authority.¹³² In the 1940s, Wing Chong & Co. at 98 Hay Street placed advertisements in the *Tweed Daily*, seeking growers to consign their bananas to the firm. Wing Chong & Co. banana agents continued advertising for consignees until at least 1951.¹³³



Figure 30. 1940 'Advertising', *Tweed Daily* (Murwillumbah, NSW : 1914 - 1949), 18 October, p. 7. , viewed 10 Mar 2024. Source <http://nla.gov.au/nla.news-article192934515>

¹²⁸ 1928, *Tung Wah Times* (Sydney, NSW : 1901 - 1936), 3 March, p. 3. , viewed 10 Mar 2024, <http://nla.gov.au/nla.news-page24098711>

¹²⁹ 1932 '雪梨', *Tung Wah Times* (Sydney, NSW : 1901 - 1936), 26 November, p. 5. , viewed 10 Mar 2024, <http://nla.gov.au/nla.news-article227434574>

¹³⁰ 1933 '飛枝蕉來路將絕', *Tung Wah Times* (Sydney, NSW : 1901 - 1936), 29 April, p. 8. , viewed 10 Mar 2024, <http://nla.gov.au/nla.news-article227427842>

¹³¹ 1933 'Advertising', *Il Giornale Italiano* (Sydney, NSW : 1932 - 1940), 6 May, p. 5. , viewed 10 Mar 2024, <http://nla.gov.au/nla.news-article83031183>

¹³² 1936 'PUBLIC WILL SLIP ON BANANA BOARD', *Truth* (Sydney, NSW : 1894 - 1954), 22 March, 12. , viewed 06 Mar 2024, <http://nla.gov.au/nla.news-article169580768>

¹³³ 1951 'Advertising', *Northern Star* (Lismore, NSW : 1876 - 1954), 25 June, p. 7. , viewed 10 Mar 2024, <http://nla.gov.au/nla.news-article96540062>

3.9. No. 100 Hay St

In 1912, the new building at 100 Hay Street was briefly tenanted by United Fruit Co. before Gee Ick & Co. General Merchants occupied 100 Hay Street in 1913, remaining there until 1920.¹³⁴



Figure 31. No. 100 Hay St. Source Juanita Kwok, 2024.

Gee Ick & Co.

George Goon Ick took out a tobacco licence for Gee Ick & Co. in 1913.¹³⁵ George Goon Ick was the son of the well-established and influential merchant, Den War, known by his trading name of Gee Ick. Gee Ick was exporting gold from 1865 and operating a gold remittance service for Heung Shan (Chungshan) natives on the Western Goldfields of NSW.¹³⁶ Gee Ick was a member of the NSW Chinese Empire Reform Association, the Lin Yik Tong (Chinese Commercial Association 1892-1903) and the NSW Chinese Merchants Society, the latter two being predecessor organisations to the NSW Chinese Chamber of Commerce.¹³⁷ Gee Ick & Co. had a store at 185 George Street in the Rocks, before establishing stores at 374 Pitt Street and 62-64 Wexford Street. The latter two stores were demolished in the City resumptions of 1906-1913.¹³⁸

¹³⁴ City of Sydney Archives Assessment Books 1912 (A-01136247); 1913 (A-01136246); 1915 (A-01136244); 1919 (A-01136240); 1920 (A-01136239).

¹³⁵ 1913 'TOBACCO, CIGAR, AND CIGARETTE LICENSES.', *Government Gazette of the State of New South Wales* (Sydney, NSW : 1901 - 2001), 19 November, p. 6953. , viewed 09 Mar 2024, <http://nla.gov.au/nla.news-article228060555>

¹³⁶ 1865 'Shipping Gazette', *Sydney Mail* (NSW : 1860 - 1871), 23 December, p. 7. , viewed 09 Mar 2024, <http://nla.gov.au/nla.news-article166662339>

¹³⁷ 1897 'THE SOUTH POLAR EXPEDITION.', *The Daily Telegraph* (Sydney, NSW : 1883 - 1930), 7 September, p. 4. , viewed 09 Mar 2024, <http://nla.gov.au/nla.news-article238430107>; 1900 'CHINESE EMPIRE ASSOCIATION.', *The Sydney Morning Herald* (NSW : 1842 - 1954), 11 August, p. 9. , viewed 09 Mar 2024, <http://nla.gov.au/nla.news-article14329715>

KUO, M. F. 2013, 85, 120.

¹³⁸ City of Sydney, *Print - Wexford Street Resumption Surry Hills, circa 1909* (01/01/1909 - 31/12/1909), [A-00038580]. City of Sydney Archives, accessed 09 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/673376>; City of Sydney, *Print - Commercial premises in Pitt Street Sydney, circa 1909* (01/01/1909 - 31/12/1913), [A-00036545]. City of Sydney Archives, accessed 09 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/662912>

When the Pitt Street store was registered in 1903, firstly as importers and merchants and then as general merchants, the registration record showed a number of partners in the business.¹³⁹

Advertisements in the Chinese newspapers show Gee Ick & Co. sold Chinese goods including tea, rice, cooking oil, dried seafood, fireworks, candied ginger, chinaware, Chinese proprietary medicines and Chinese and Western groceries at 100 Hay Street and also provided a remittance service.¹⁴⁰ This remittance service likely operated in a similar manner to the service provided by Chungshan firm, Kwong War Chong at 82-84 Dixon Street. Kwong War Chong sent individual remittances together with a letter to the family written by the company's clerk as a consolidated bank draft to a networked bank in Hong Kong. The draft was converted into Hong Kong dollars and the store's branch in Shekki (China) delivered the remittance to the family in the village.¹⁴¹ Families left behind in the villages were dependent on remittances, which played a crucial part in the local economy.

Hop Chong & Co.

In 1919, the firm of Hop Chong & Co. "Importers and Exporters and Fruit and Produce Merchants and General Commission Agents", was registered at 100 Hay Street by family relatives of Gee Ick and other partners.¹⁴²

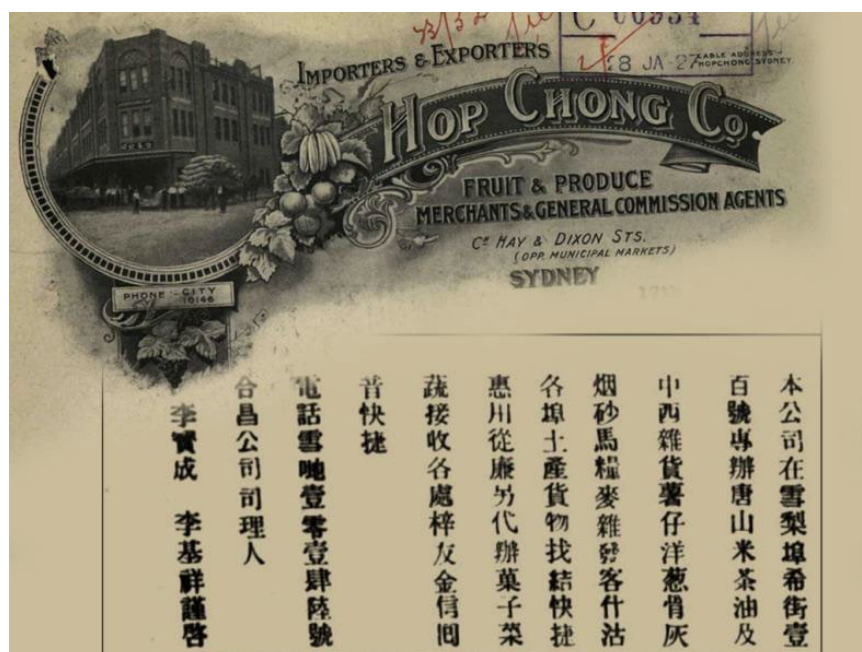


Figure 32. Hop Chong & Co. letterhead showing the building at 100 Hay St. Source Chen Quin Jack History website.

In 1920, the managing partner of Hop Chong & Co. was Lee Kee Chong, another of Gee Ick's sons. Kira Brown, the great-great granddaughter of Lee Kee Chong, has researched the lives of Lee Kee Chong and his family and shared her findings on her website, *Chen Quin Jack History*.¹⁴³

According to Brown's research, Lee Kee Chong, born 1864 in Hang Mei, Heung Shan (Chungshan) arrived in NSW in 1880, where he became known as Kee Chong. He worked in the Haymarket in Sydney for a few years before moving to the tin mining town of Tingha in 1885,

¹³⁹ SANSW:NRS 12961 File No. 12160, [2/8536], 80; 3179, [2/8528], 390.

¹⁴⁰ Pers. comm with Ely Finch, 9 March 2024.

¹⁴¹ Williams, Michael. *Chinese Settlement in NSW: A Thematic History*. (NSW Heritage Office of NSW: 1996), p. 22, <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/chinesehistory.pdf>.

¹⁴² SANSW:NRS 12961, File No 34665, [2/8549].

¹⁴³ BROWN, K. 2020. *Lee Kee Chong — 李基祥* [Online]. Orange: Brown, Kira. Available: <https://chenquinjackhistory.com/2020/01/26/lee-kee-chong-%E6%9D%8E-%E5%9F%BA-%E7%A5%A5/comment-page-1/> accessed 9 March 2024

where he married Agnes Yauphang in 1892. On marrying Kee Chong, Agnes was recorded as “Australian born, but lost nationality through marriage with Chinese”, and was declared an alien. Her Australian citizenship was not restored until 1940 when she made an application after the death of her husband.¹⁴⁴



Figure 33. Lee Kee Chong and Agnes Yauphang at the time of their wedding in Tingha, 1892. Source Chen Quin Jack History website.

The Kee Chong family moved to Moree, where Kee Chong began a business called Sam Lee & Co. in partnership with Gee Ick and Den War. In 1903, the family went to China, where Kee Chong took a Chinese wife, to the chagrin of his Australian wife and family. Kee Chong returned to Moree in 1905, followed by Agnes and children. In 1911, Kee Chong applied for a certificate of naturalisation. Though he had been living and working in Australia for more than 30 years and was married with seven children, his application was rejected.¹⁴⁵

In 1920, Kee Chong advertised in the *Chinese Republic News*, calling on fellow Lee clan members in NSW to raise funds towards the cost of furniture and couplet inscriptions for a Lee family ancestral hall in Hang Mei in Chungshan.¹⁴⁶ Hop Chong & Co. also made a £2 donation towards an appeal in support of China and its resistance against Japan, after the latter's annexation of Manchuria.¹⁴⁷ Though Lee Kee Chong died in 1939, the Hop Chong & Co. business continued at 100 Hay Street until at least 1948.¹⁴⁸ In 1959, H. Ming Lai applied to install two banana ripening rooms on the ground floor of 100 Hay Street.¹⁴⁹

¹⁴⁴ BROWN, K. 2020. *Lee Kee Chong — 李基祥* [Online].

¹⁴⁵ ‘Lee Kee Chong’.

¹⁴⁶ ‘Lee Kee Chong’, 1920 ‘Chinese Republic News (Sydney, NSW : 1914 - 1937), 3 July, p. 6. , viewed 09 Mar 2024, <http://nla.gov.au/nla.news-article225205690>

¹⁴⁷ 1932 *Chinese Republic News (Sydney, NSW : 1914 - 1937)*, 21 May, p. 8. , viewed 09 Mar 2024, <http://nla.gov.au/nla.news-article226546460>

¹⁴⁸ ‘Lee Kee Chong’, *Assessment Book Phillip Ward, 1939-1948*.

¹⁴⁹ *Building Inspectors Card: 100 Hay St, Sydney. Banana ripening rooms (2) grd floor, development (12/06/1959 - 04/02/1960)*, [A-00364659]. City of Sydney Archives, accessed 09 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1572457>

Stanley Yee and Emperor's Garden Restaurant

At the Chinatown Heritage Study Stakeholder Workshop, the change in use of 100 Hay Street from its early industrial use and connection with Hong Kong and Shanghai, to its later use primarily for restaurants was noted. This shift in economic purpose is reflective of Chinatown's changing economy and role.

Though other restaurants have occupied premises at 90-100 Hay Street, none have lasted as long as Emperor's Garden opened by Stanley Yee in 1979.¹⁵⁰ Born in Chuen Luk Village in Chungshan, Yee came to Sydney as a high school student in the early 1960s. While studying he worked at one of the banana wholesale companies in the Haymarket and at Lean Sun Low café. Over the years Yee expanded Emperor's Garden, and established a number of other businesses in the Chinatown areas including a Chinese bakery, a butchery and a tofu factory.¹⁵¹



Figure 34. Corner of Dixon Street and Hay Street, Haymarket (01/05/1991), [A-00011724]. City of Sydney Archives, accessed 09 Mar 2024. Source <https://archives.cityofsydney.nsw.gov.au/nodes/views/572369>

Stanley Yee was a member of the Dixon Street Beautification Committee, which in the early 1970s pushed for the regeneration of Dixon Street as a centrepiece to the broader Chinatown area.¹⁵²

Like Kee Chong from Hop Chong & Co. before him, Stanley Yee has continued the tradition of philanthropic contributions, donating generously for a school, a community centre and a kindergarten in his ancestral village in Chungshan. His contributions to his hometown and county of Chungshan have been recognised both in China and Australia. His son Jonathan Yee, who took over the business on Stanley's retirement is also active in the Chungshan Society of Australia, having served as its president for several years.¹⁵³

¹⁵⁰ The China-Australia Heritage Corridor Project, online, [China-Australia Heritage Corridor](#) accessed 9 March 2024.

¹⁵¹ ANG, I. & WONG, A. 2023, *Zhongshan in Sydney's Chinatown*.

¹⁵² GML Heritage, *Chinatown Gates, Haymarket Heritage Assessment Report*, Prepared by GML for City of Sydney, June 2023.

¹⁵³ ANG & WONG, 234-6.

4. Physical Analysis

External

The buildings at 90-100 Hay Street are of a late Federation architectural style. The place is two buildings located at the end of a block and has always operated as six premises. Today the eastern premises are owned under a single title while the western premises are held under three separate titles. Although detached, the two buildings are symmetrical and therefore read as one building through consistency in scale and form (figure 35). The buildings are three to four storey masonry constructions with a mostly internal timber post and beam structure. Though originally face brick they have since been painted cream (nos. 90, 96, 98 and 100), blue (no. 92) and grey-green (no. 94). There is also some graffiti on the upper levels of nos. 98-100. Awnings are suspended above the ground floor with a single awning spanning nos. 96-100 and three individual awnings to nos. 90-94. Air-conditioning units are located above the awnings and downpipes of various colours run down the facades between the buildings but are symmetrically positioned. Windows openings on the first floors have segmented arches with the upper floors being rectangular openings but the window frames and glazing are a mix double hung, single pane and multi-paned sashes.



Figure 35 Nos. 90-100 Hay Street with Kimber Lane traversing between nos. 94 and 96.

Nos. 90 and 100

The two end premises (nos. 90 and 100) address Harbour Street to the west and Dixon Street to the east. They are defined by their chamfered corners and masonry piers, some with recessed detailing which divide the premises into five bays (figures 36 and 37). The three bays which address the street corner have six vertical window openings under a key stone arch and basket weave bond inset panel of brick.

The northern and middle bay to the Harbour Street elevations are four storied and have gabled parapets and nine vertical windows. The nine windows in the central bay are comprised of glass bricks (figure 36).

The central and middle bay on the Dixon Street elevation is three stories and there is no parapet, instead there are pipe and wire mesh balustrades (figure 37). There are also six windows in each bay.



Figure 36 No. 90 Hay Street with its chamfered corner, arches and pointed parapet.



Figure 37 No. 100 Hay Street with its chamfered corner and arches and balustrades to the central and north bay to Dixon Street.

Nos. 92-98

Premises 92-98 are delineated by masonry piers, some of which are stepped and have recessed detailing. These premises each have six vertical windows to the first and second floors. Balustrades on the roof are of various materials, they are pipe and wire mesh to 96-98 Hay Street, glass to no. 94 and timber to no. 92. There is also an illuminated art installation, titled *In Between Two Worlds* by Jason Wing, between nos. 94 and 96 in Kimber Lane.



Figure 38 No. 92 is to the left of the image, no. 94 is centre left, no 96 centre right and no. 98 is to the right of the image. Kimber Lane is between nos. 94 and 96.

Interiors

No. 94

No. 94 is used as a karaoke bar and its interiors have been significantly altered with a modern fit-out to accommodate a life, fire stairs, bar, industrial kitchen and karaoke rooms with mirrored partitions (figures 39-41). There is some original detailing, namely recessed brick arches, evident in the stairwell (figure 42).



Figure 39 Ground floor of 94 Hay Street.



Figure 40 Industrial kitchen at 94 Hay Street.

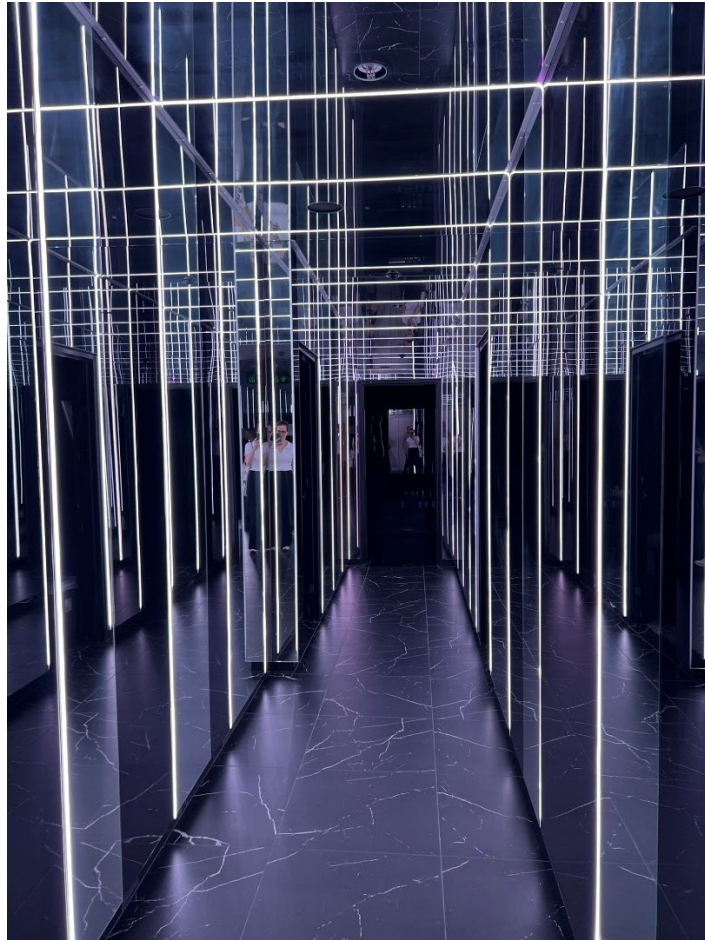


Figure 41 Mirrored partitions for karaoke rooms at 94 Hay Street.

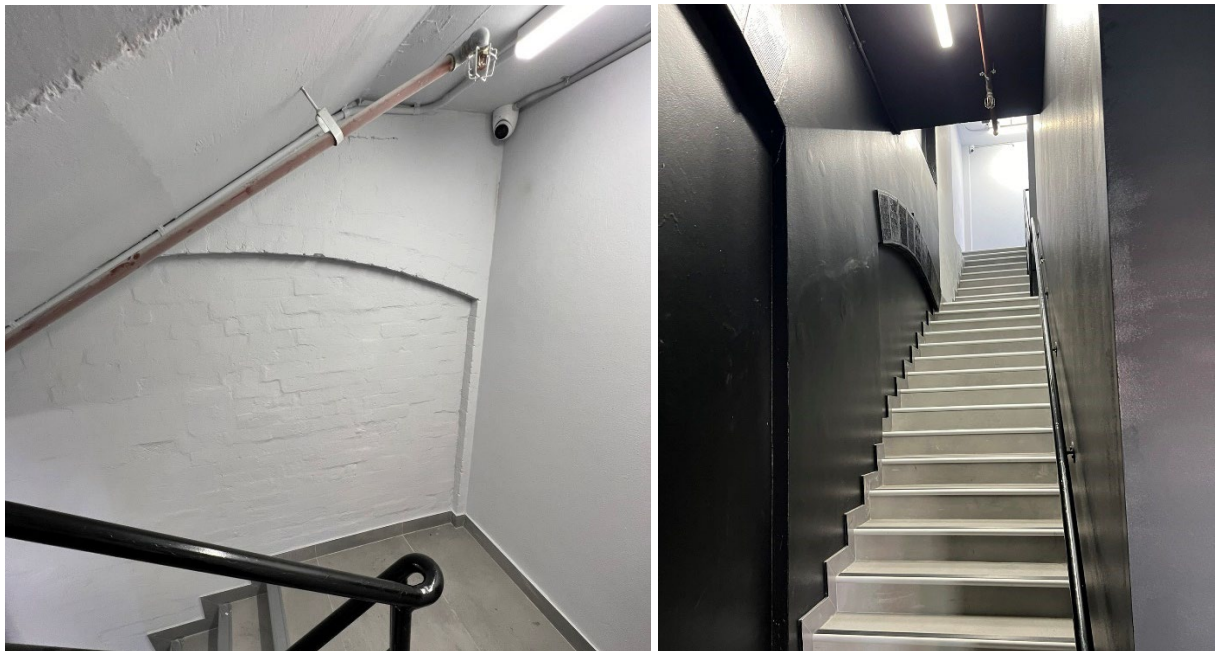


Figure 42 Recessed brick arch in modern stairwell.

Nos. 96-100

Although historically divided the ground floors of 96-98 Hay Street are now a single restaurant space with an industrial kitchen for the Emperors Garden. The first floor of no. 100 is also used as a dining space (figure 43). The dining spaces are carpeted and the walls are either painted or wall papered, some walls also have tiles.

There are original and modified stairs and the first floor of 98-100 are connected internally through an opening in the wall and contain an industrial kitchen (figure 44). The brick work and recessed arches remain exposed. The second floor of no. 100 contains rooms with original joinery including columns, doors leaves, architraves and transom windows. There are also false ceilings and modern timber floors (figure 46).

Nos. 90, 92 and 96

The interiors of nos. 90 and 92 and the upper floors of 96 have not been assessed. The ground floors of nos. 90 and 92 have been altered and fitted out with modern food retail outlets.



Figure 43 First floor restaurant fit out at 100 Hay Street.



Figure 44 Industrial kitchen fit out on first floors of 98 and 100 Hay Street with its exposed beams and supporting post. The original timber staircase is in the background.

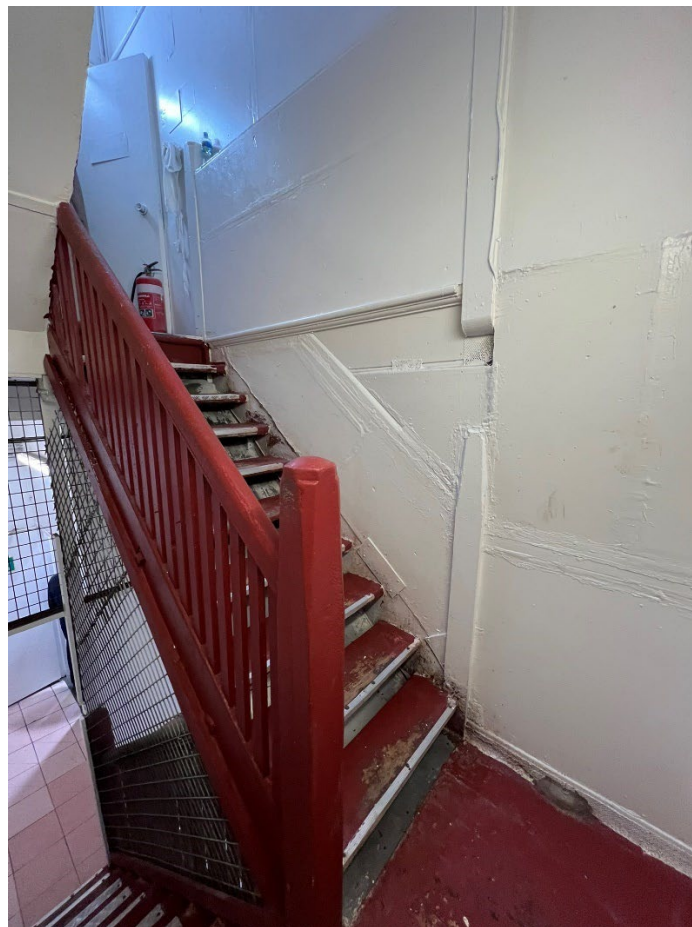


Figure 45 Original timber staircase at 100 Hay Street.



Figure 46 Second floor with 100 Hay Street with original joinery and recessed brick arches, false ceiling and modern floor boards.

5. Comparative analysis

The following table presents other stores occupied by the same business as at 90-100 Hay Street as well as other Chinese Australian stores across Sydney and NSW.

Image	Address	Discussion
Demolished markets and Chinese Australian stores		
 Figure 47 Wing Sang & Co. at 58 Hay Street in 1937. Source CoS Archives A-01001513	58 Campbell Street, Sydney	Established in 1890, 58 Hay Street was the headquarters of banana merchants Wing Sang & Co. It was demolished in circa 1980s to make way for the Entertainment Centre.
 Figure 48 Wing Sang & Co. stores on Sussex Street, Sydney in c.1909. Source CoS Archives A-00036648	450 Sussex Street, Sydney	The banana merchants Wing Sang & Co. had stores in the early 20 th century at 450 Sussex Street. The building was demolished between 1911-1912.
 Figure 49 Wing Sang & Co. at 435 Sussex Street in 1910. Source CoS Archives A-00038782	435 Sussex Street, Sydney	The banana merchants Wing Sang & Co had another store on Sussex Street at no. 435. The building has since been demolished

Image	Address	Discussion
 Figure 50 Gee Ick & Co. on Wexford Street c. 1909. Source: City of Sydney Archives A-00038580	Corner of Campbell and Wexford Street, Sydney	Gee Ick and Co. had premises on Wexford Street until the street was resumed in 1906-1908. The current day Wentworth Avenue is on a similar alignment.
 Figure 51 Old Belmore Markets in 1909.	Campbell Street	The old Belmore Markets opened in 1969 and named after the then Governor. They were replaced by the New Belmore Markets in 1893a and demolished in 1910.¹⁵⁴
Extant former markets and Chinese Australian stores in Sydney		
 Figure 52 Former premises of Wing Sang and Co. at current day 20-22 Campbell Street. Source State Heritage Inventory.	20-22 Campbell Street, Haymarket	Wing Sang & Co. occupied this building between 1890 and 1909 when it moved to larger premises on the corner of Sussex and Hay Street. A number of other Chinese Australian fruit and produce businesses including Hie Lee & Co., Lee Sang & Co., and Wing Tiy & Co. occupied this building or neighbouring buildings. The place is currently listed on the Sydney LEP 2012 as part of a group listing of terraces (item no. 1827).

¹⁵⁴ "Print – Old Belmore Product Markers, corner of Campbell and Pitt Street Haymarket, 1909," City of Sydney Archives and History Resources, <https://archives.cityofsydney.nsw.gov.au/nodes/view/674048>

Image	Address	Discussion
 Figure 53 Former Kwong War Chong building. Source State Heritage Inventory.	82-84 Dixon Street, Haymarket	Kwong War Chong building at 82-84 Dixon Street is a highly significant building that “formed part of an extensive network of business, industrial and social relations among Chinese Australians” during the 20th century. The buildings functions included but were not limited to accommodation for market gardeners, remittance agency, and a retail site with a Chinese Australian owned business operating here between 1909 and 2017.¹⁵⁵ It is listed on the Sydney LEP 2012 (item no. I2293) and the State Heritage Register No. 02089.
 Figure 54 Former market stores which were occupied by a number of Chinese Australian businesses. Source: Google Street View.	35-39 Ultimo Road, Haymarket	Chinese Australian firms such as Wing On & Co. and fruit and vegetable firm formerly occupied these market stores buildings which were constructed in 1911-1913 adjacent the Municipal markets. The market stores were predominantly occupied by fruit and produce merchants and butcheries. Wing On & Co. was the longest occupant, leasing the premises from 1914-1974.¹⁵⁶ It is listed on the Sydney LEP 2012 (item no. I867).

¹⁵⁵ “Former Kwong War Chong & Co building, including interiors and contents of 84 Dixon Street,” State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5067050>

¹⁵⁶ “Former Markets Stores Including Part Interior,” State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2424281>

Image	Address	Discussion
 Figure 55 Former Municipal Markets are now the Paddy's market. Source Wikipedia	Hay Street, Haymarket	The former Municipal Markets are adjacent and contemporary to 90-100 Hay Street. Both designed by the City Architect, they had an operational relationship with produce delivered and repacked at 90-100 Hay Street and then sold at the markets. The former Municipal Markets have been developed and are now known as Market City, which contain a shopping centre and Paddy's Markets.
 Figure 56 The former 'New Belmore Markets' now houses the Capitol Theatre.	13 Campbell Street, Haymarket	Constructed to replace the old Belmore Markets, the New Belmore Markets opened in 1893. They were later replaced by the Municipal Markets in 1909. It has been used for entertainment purposes since 1916 when it reopened as the Hippodrome and then later as a 'atmospheric theatre' (designed to give the illusion of a courtyard under a night sky). Today it houses the Capitol Theatre.¹⁵⁷
Extant/former Chinese Australian stores in NSW		
 Figure 57 Kwong Sing & Co. Emporium on Grey St. Glen Innes. Source: Google Street View.	196-204 Grey Street, Glen Innes	The former Kwong Sing & Co. Emporium is representative of once common country town Department Stores and is evidence of the contribution of Chinese Australia's to the development of regional NSW. The business was run by the Young family since its establishment in 1886 with the current building being constructed in 1915.¹⁵⁸

¹⁵⁷ "Capitol Theatre including interior," *State Heritage Inventory*, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2424088>

¹⁵⁸ "Shop - "Kwong Sing & Co Emporium," *State Heritage Inventory*, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=1600071>

Image	Address	Discussion
		It is listed on the Glen Innes Severn LEP 2012 (item no. 5924).
 Figure 58 Wing Hing Long Store in Tingha. Source: State Heritage Inventory.	10 Ruby Street, Tingha	The former Wing Hing Long store, built in the 1880s, is one of the oldest retail buildings in Tingha and now operates as a museum. It has a long history with Chinese Australians who built the store and operated business out of the premises from 1881 until 1998.¹⁵⁹ The place is evidence of the contributions of Chinese Australians to the development of regional NSW. Much moveable heritage has survived including signage, fittings, furnishing and the cashier's box and pulley.¹⁶⁰ It listed on the State Heritage Register (no. 01307).
 Figure 59 Former Yee Lee General Store in Stuart Town. Source: Google Street view.	38 Alexander Street, Stuart Town	It is unclear when this modest general store was constructed but a store has existed on the site since 1878. Yee Lee bought the site in 1901, opening a general store and following his death in the mid-1930s his sons continued to run the store. The date that the business stopped operating is unclear though the family played an important role in the development of the area.¹⁶¹ It is locally listed on the Dubbo Regional LEP 2022 (item no. I312).

Conclusion from the Comparative Analysis

Many of the buildings associated with Chinese Australian business enterprises in Sydney have been lost by neglect or demolished. In Sydney, stores and warehouses and neighbourhoods, such as the area around Wexford Street, where Chinese Australians worked and lived were demolished in the resumptions in the late nineteenth and early twentieth century. Other buildings associated with Chinese Australians have been demolished in more recent redevelopments. For example, the Wing Sang headquarters at 58 Hay Street was demolished in around 1980 for the construction of the Sydney Entertainment Centre.¹⁶²

¹⁵⁹ Kira Brown, "Chen Quin Jack," <https://chenquinjackhistory.com/>

¹⁶⁰ "Store - Wing Hing Long & Co. Store," State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=1710061>

¹⁶¹ "Yee Lee's Store (former)," State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2640233>

¹⁶² *The China-Australia Heritage Corridor Project*, online, [The Wing Sang & Co buildings, Sydney | China-Australia Heritage Corridor](#), accessed 24 April 2024.

The few surviving buildings scattered across NSW are a mix of modest timber weatherboard stores and more substantial two to three storey buildings. The intactness of these places varies with some retaining historical signage and ephemera demonstrating their historical connections to Chinese Australian firms. The buildings at 35-39 Ultimo Road are near contemporary to and most similar to 90-100 Hay Street. These market stores were also built opposite the municipal markets and were occupied by major Chinese Australian businesses such as Wing On & Co.

The Municipal Stores at 90-100 Hay Street are amongst the largest of the surviving buildings occupied by Chinese Australian stores and are one of few surviving places in Sydney associated with multiple major Chinese Australian firms.

6. Assessment of Significance

6.1. Ability to demonstrate

Guidelines from the NSW Heritage Office emphasise the role of history in the heritage assessment process. A list of state historical themes has been developed by the NSW Heritage Council, in *New South Wales Historical Themes Table showing correlation of national, state and local themes, with annotations Dated 4 October 2001*.

The table below identifies fabric, spaces and visual relationships that demonstrate the relevant historic themes in evidence at 90-100 Hay Street.

Australian Theme	NSW Theme	Notes	Discussion
2 Peopling Australia	Migration	Activities and processes associated with the resettling of people from one place to another (international, interstate, intrastate) and the impacts of such movements	The occupation of Chinese run businesses at 90-100 Hay Street is evidence of the important transition in NSW of the Chinese Australian population from a primarily rural to an urban population. It is also a prime marker of the development of Sydney's Chinatown. The histories of families who lived and worked at 90-100 Hay Street bear witness to the effects that racially discriminatory legislation had on Chinese Australian businesses and families by restricting immigration to, and the mobility of people in Australia during the White Australia years. Merchants such as Gilbert Yet Ting Quoy and the extended Ma clan, who leased stores at 90-100 Hay Street were able to sponsor some family and clan members to enter Australia. Nos. 90-100 Hay Street are directly associated with the migration of Chinese Australians within Australia and the impact of legislation on their entrance to Australia.

Australian Theme	NSW Theme	Notes	Discussion
3 Developing local, regional and national economies	Agriculture	Activities relating to the cultivation and rearing of plant and animal species, usually for commercial purposes, can include aquaculture	In Australia both the banana and commercial vegetable industries were pioneered by Chinese Australians. The bananas and vegetables grown by Chinese Australians across NSW, Queensland and in Fiji were sold by Chinese Australian wholesale and commission agents based in the Haymarket area, including those firms which leased buildings at 90-100 Hay Street. This is a key site in the trade routes of these agricultural industries.
3 Developing local, regional and national economies	Commerce	Activities relating to buying, selling and exchanging goods and services	The firms which leased the stores at 90-100 Hay Street were closely associated with the produce markets. Produce grown on banana plantations and market gardens run by the firms was sold at the markets. As legislation restricted Chinese Australians from growing bananas and selling them wholesale, and as the number of Chinese market gardeners dwindled, merchants adapted and became commission agents selling bananas from the north coast of NSW and vegetable produce grown in Sydney and in regional NSW. The place was a central element in the operation of the Sydney fruit and vegetable municipal markets.

Australian Theme	NSW Theme	Notes	Discussion
3 Developing local, regional and national economies	Transport	Activities associated with the moving of people and goods from one place to another, and systems for the provision of such movements	Bananas and vegetables grown across NSW, Queensland and Fiji were transported by rail and ship to Sydney for sale at the markets. This movement and sale of fruit and vegetable produce was co-ordinated by the firms which leased premises in the Municipal Stores at 90-100 Hay Street, opposite the markets.
4 Building settlements, towns and cities	Accommodation	Activities associated with the provision of accommodation, and particular types of accommodation – does not include architectural styles – use the theme of Creative Endeavour for such activities.	The upper floors of the 90-100 Hay Street provided accommodation for the merchants and their families and employees of the firms.
8 Developing Australia's cultural life	Domestic life	Activities associated with creating, maintaining, living in and working around houses and institutions	Families who managed the firms or employees of the firms which leased premises at 90-100 Hay Street lived on the floors above the businesses. Some evidence of this remains on the upper floor of 100 Hay Street. Oral testimonies of former residents support an understanding of domestic life in Chinatown.
9 Marking the phases of life	Birth and Death	Activities associated with the initial stages of human life and the bearing of children, and with the final stages of human life and disposal of the dead.	As the residences of merchant's and employees families, a number of children including those of Mar See Poy were born and raised in the upper floors of the buildings at 90-100 Hay Street.

6.2. Assessment against NSW heritage assessment criteria

Criterion A Historic Significance

An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

The banana industry was a major industry developed by Chinese Australian entrepreneurs in Australia and Fiji in the 1880s and 1890s, and firms such as Wing Sang based their headquarters in Sydney's Haymarket area. When the new Municipal markets opened at Haymarket in 1912, firms such as Wing Sang and its subsidiaries, leased stores at 90-100 Hay Street. Their businesses and premises are distinct places in NSW for understanding the banana industry and key destinations on this trade route. They provide a cultural history of the role of Chinese Australians in the fruit and vegetable industries, and their adaptation over time, particularly in the face of challenges posed under White Australia legislation.

Profits from this industry were invested in commercial enterprises in China. Before Wing Sang and its subsidiaries leased 90-100 Hay Street, they established the first department stores in Shanghai, Canton and Hong Kong. These investments demonstrated the success of the Chinese diaspora in Australia and their continued connections to their native places. Although these department stores were established prior to the leasing of 90-100 Hay Street by Chinese Australian businesses, the stores serve as a marker of the achievements of Chinese Australian businesses recognised abroad by the Chinese diaspora.

The Municipal Stores at 90-100 Hay Street are also a location marker of the role of Chinese market gardeners in the vegetable industry in New South Wales. In particular, Lee Sang & Co. were agents for produce grown not only in Sydney but in the market gardens of regional New South Wales, brought to Sydney by rail and delivered to the stores where they were repacked and then sold at the Municipal Markets across the road. The importance of the Markets to the commercial interests of Chinese Australians is evident in the relocation of their businesses to be close to the new market buildings, which then facilitated the evolution of the Haymarket Chinatown. Family histories connected to the stores at 90-100 Hay Street demonstrate how the White Australia legislation restricted entry to Australia and impacted Chinese Australian commercial interests, affecting the lives of those employed by firms leasing premises at 90-100 Hay Street. Merchants with status and business turnover, such as Gilbert Yet Ting Quoy and Henry Won Yep Lum, were able to sponsor family and clan members to enter Australia, but they were the exception during the White Australia years. The histories associated with the stores demonstrate some of the difficulties faced by Chinese Australians in the early to mid 20th century.

The buildings at 90-100 Hay Street are part of the historical market landscape of the last operational fruit and vegetable markets in the city. The markets were relocated to Flemington in 1975. Markets were an important aspect of city life and 90-100 Hay Street together with the market buildings are demonstrative of this period when produce markets were prominent in Sydney.

Significance indicator	Assessment
Association with an event, or series of events, of historical, cultural or natural significance	The leasing of the Municipal stores at 90-100 Hay Street by Chinese Australian produce merchants facilitated the development of Sydney's Chinatown.
Demonstration of important periods or phases in history	Vegetables grown in market gardens run by Lee Sang & Co. in Bathurst, Wellington and Scone were sent by rail to be sold by the firms at the markets. The firms also sold fruit and vegetable produce on a commission basis. The occupation of the stores by successful Chinese Australian firms such as Wing Sang & Co. and their subsidiaries coincided with the peak period of activity of the Municipal Markets. When the markets relocated to Flemington, Wing Sang ceased trading in bananas and the use of the buildings changed from produce merchants to restaurants.
Association with important cultural phases or movements	The occupation of 90-100 Hay Street by Chinese Australian firms is demonstrative of the Chinese population changing from a rural to an urban population. As the years of White Australia wore on, the Chinese born population declined, except for a small number who were able to enter Australia under the sponsorship of merchants. When immigration restrictions were lifted the numbers of people migrating from China increased. The late twentieth century saw an increase in migration from South East Asia and mainland China.
Demonstration of important historical, natural or cultural processes or activities	The municipal stores at 90-100 Hay Street are key parts of trade routes, stretching from NSW, Queensland and Fiji, for the cultivation and sale of bananas and vegetables. These industries were pioneered by Chinese Australians.

	Chinese Australian firms established banana ripening rooms in the buildings at 90-100 Hay Street to ensure their produce was ready for market. Other non-Chinese banana dealers later set up ripening rooms, but it appears this was a Chinese Australian innovation.
Symbolism and influence of place for its association with an important historical, natural or cultural event, period, phase or movement	The stores at 90-100 Hay Street stand as historic evidence of the fruit and vegetable industries pioneered by Chinese Australians and the wealth these generated which enabled the firms to expand into establishing department stores and banking and insurance businesses in China and Hong Kong, where the successes of these firms are recognised and their material heritage is preserved and celebrated. The relocation of Chinese Australian business to stores, such as 90-100 Hay Street, with its proximity to the municipal markets, influenced the development of Chinatown in Haymarket. The firms at 90-100 Hay Street were involved in all aspects of the fruit and vegetable industries from cultivation, packing, transportation and sales. In the early years bananas came from company plantations in Queensland and Fiji. In later years the bananas were bought on commission from growers on the north coast of NSW while vegetables were bought from growers in Sydney and regional NSW.

Criterion B Historical Association

An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

Nos. 90-100 Hay Street are associated with the Chinese merchant community who leased the buildings and operated out of them successful businesses such as Wing Sang & Co., Lee Sang & Co., Wing Tiy & Co., and Gee Ick & Co. These businesses were significant in development of the banana and vegetable produce industries of NSW and Australia.

Nos. 90-100 Hay Street are associated with a number of notable individuals including Gilbert Yet Ting Quoy, the Lee family and Stanley Yee who were influential figures amongst the Chinese Australian community and fruit and produce industries.

- Ting Quoy was a prominent and influential member of the Chinese Australian community. A successful merchant, his business Lee Sang & Co., occupied 90 Hay Street for up to 20 years with his family continuing to have businesses there until after the war. He was a leader of the China Emperor Reform Association (CERA), President of the Chinese Chamber of Commerce and founding member of China-Australia Mail Steamship Line. He also campaigned to establish a Chinese school at which he taught, and he sponsored the entry of family and clan members to Australia.
- The Lee family - Lee Gee Ick was a successful merchant whose business Gee Ick & Co., occupied 100 Hay Street from 1913-1919. His son, Lee Kee Chong, continued to occupy the address with his business, Hop Chong Co., until 1948. Gee Ick was a member of CERA, the NSW Chinese Chamber of Commerce and the Lin Yik Tong (the Chinese Commercial Association).
- Stanley Yee, born in Chuen Luk Village in Chungshan, came to Sydney as a high school student in the early 1960s and worked at one of the banana wholesale companies in the Haymarket and at Lean Sun Low café. In the late 1970s Yee bought property at 96-100 Hay Street where he established the now landmark Emperor's Garden Restaurant. Yee also established a number of other businesses in the Chinatown areas including a Chinese bakery, a butchery and a tofu factory. Yee was a member of the Dixon Street Beautification Committee, which in the early 1970s pushed for the regeneration of Dixon Street as a centrepiece to the broader Chinatown area. His philanthropic contributions are recognised in both his hometown in China and in Australia.

Significance indicator	Assessment
A key phase(s) in the establishment or subsequent development at the place or object was undertaken by, or directly influenced by, the important person(s) or organisation	Successful Chinese Australian firms, such as Wing Sang & Co., Lee Sang & Co., Wing Tiy & Co., and Gee Ick & Co. operated stores out of 90-100 Hay Street influencing the development of the Haymarket Chinatown. The businesses and merchants, such as Gilbert Yet Ting Quoy and Gee Ick, made considerable contributions to the development of the banana and produce industries of NSW and beyond. The Emperors Garden restaurant which has been located at 96-100 Hay Street since

	1979 is a landmark restaurant in Chinatown and the Yee family's contributions to Chinatown are recognised.
An event or series of events of historical importance occurring at the place or object were undertaken by, or directly influenced by, the important person(s) or organisation	Not applicable
One or more achievements for which the person(s) or organisation are considered important are directly linked to the place or object	Not applicable

Criterion C Aesthetic /Creative/technical achievement

An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

The municipal stores at 90-100 Hay Street contribute to the townscape of Haymarket, particularly along Hay Street and the southern entrance to Dixon Street which is marked by its chamfered corner. Its unified design defines the end of the city block on which it is located.

The former Municipal Markets are located opposite and were once both part of the market's daily operation. Now the buildings, both of which are contemporaries of each other and designed by the City Architect, form a contextual relationship that defines the areas market character.

Significance indicator	Assessment
Recognition as a landmark or distinctive aesthetic natural environment	Nos. 90-100 Hay Street makes a key contribution to the market townscape on Haymarket particularly along Hay Street where it addresses the adjacent former Municipal Market building. Its unified design creates a distinctive termination to the city block and its chamfered corner is a distinctive marker for the southern entrance to Dixon Street.
Recognition of artistic or design excellence	Not applicable
Represents a breakthrough or innovation in design, fabrication or construction technique, including design/technological responses to changing social conditions	Not applicable
Distinctiveness as a design solution, treatment or use of technology	Not applicable
Adapts technology in a creative manner or extends the limits of available technology	Not applicable

Criterion D Social, cultural and spiritual

An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons.

Members of the Chinese Australian community who were born and grew up in 90-100 Hay Street, whose parents, grandparents or great-grandparents worked in the stores hold deep connections to the buildings. For this community, the buildings are well remembered as stores which are symbolic of the hard work of the producers and the adaptability, resilience and achievements of the Chinese Australian firms.

The Emperors Garden Restaurant is also a place with a strong and special association to the Chinese Australian community as it is celebrated as one of the oldest, family-run Chinese restaurants in Chinatown and continues to operate.

Significance indicator	Assessment
Highly regarded by a community as a key landmark (built feature, landscape or streetscape) within the physical environment	Not applicable
Important to the community as a landmark within social and political history	Not applicable
Important as a place of symbolic meaning and community identity	The municipal stores at 90-100 Hay Street are symbolic of the banana and produce industries that were a catalyst for the development of the Haymarket Chinatown. They also represent the hard work, adaptability and achievements of Chinese Australians.
Important as a place of public socialisation	Not applicable
Important as a place of community service (including health, education, worship, pastoral care, communications, emergency services, museums)	Not applicable
Important in linking the past affectionately to the present	Emperors Garden is celebrated as one of the oldest, family-run Chinese restaurants in Chinatown, which has been serving continuously since 1979.

Criterion E Research potential

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

There is some potential for evidence of the processes and operations of the banana and produce stores. Nos. 90 and 92 have not been inspected and therefore it is unknown if there is any evidence of these operations. There is some potential for evidence of the operations of these stores under false ceilings and floors in nos. 94-100 but these were not inspected and cannot be confirmed.

Significance indicator	Assessment
Comparative analysis	Not applicable
Potential to improve knowledge of a little-recorded aspect of an area's past or to fill gaps in our existing knowledge of the past	Not applicable.
Potential to inform/confirm unproven historical concepts or research questions relevant to our past	Not applicable
Potential to provide information about single or multiple periods of occupation or use	There is some potential for evidence of the operations of the banana and produce stores, such as fixings, in nos. 90 and 92 and under false ceilings and floors in nos. 94-100. but these cannot be confirmed due to limitations in inspections.
Potential to yield site-specific information that would contribute to an understanding of significance against other criteria	There is some archaeological potential in relation to the former buildings on the site.

Criterion F Rare

An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

The place is a rare surviving example of stores occupied by multiple major Chinese Australian firms including Wing Sang & Co., Lee Sang & Co., Wing Tiy & Co., and Gee Ick & Co. Though some stores formerly occupied Chinese Australian firms survive, such as 20-22 Campbell Street and 35-39 Ultimo Road, many of the earlier stores occupied by firms such as Gee Ick & Co. and Wing Sang & Co. were demolished in resumptions that destroyed earlier Chinatown areas in the Rocks, around Belmore Markets in the Haymarket and in land resumed for the building of Darling Harbour. Within this context rarity is a valuable criterion

Significance indicator	Assessment
Rare surviving evidence of an event, phase, period, process, function, movement, custom or way of life in an area's history that continues to be practised or is no longer practised	Few buildings have survived in Sydney or NSW that were occupied by multiple major Chinese Australian businesses. The banana and produce stores which operated out 90-100 Hay Street are of a particular interest to the Chinese Australian community and more broadly the people of NSW for demonstrating the contributions of Chinese Australians to these industries and their resilience throughout the early 20th century as White Australia legislation was implemented in NSW and Australia.
Evidence of a rare historical activity that was considered distinctive, uncommon or unusual at the time it occurred	Not applicable
Distinctiveness in demonstrating an unusual historical, natural, architectural, archaeological, scientific, social or technical attribute(s) that is of special interest.	Not applicable
Demonstrates an unusual composition of historical, natural, architectural, archaeological, scientific, social or technical attributes that are of greater importance or interest as a composition/collection	Not applicable

S

Criterion G Representative

An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).

The place does not meet the threshold for criterion G.

Significance indicator	Assessment
A class of places or objects that demonstrate an aesthetic composition, design, architectural style, applied finish or decoration of historical importance	Not applicable
Representative of a class of places that demonstrate a construction method, engineering design, technology, or use of materials, of historical importance	Not applicable
Representative of a class of places that demonstrate an historical land use, environment, function, or process, of historical importance	Not applicable
Representative of a class of places that demonstrates an ideology, custom or way of life of historical importance	Not applicable

6.3. Statement of Significance

The group of buildings at 90-100 Hay Street are important in the history of the Chinese in NSW. Located opposite the Municipal Markets and built in direct association with the markets, the stores at 90-100 Hay Street were occupied by Chinese Australian fruit and vegetable produce firms between the 1910s and the 1970s. It is also important in the history of the city as the relocation of the City markets from the Belmore Markets in Haymarket to the Municipal Markets was a catalyst for the development of a new Chinatown in Haymarket, as firms opened stores to be near the markets.

These stores are location markers in Sydney of the processes of the banana and commercial vegetable growing industries which were pioneered by Chinese Australians. The place is a key destination on a trade route with a supply network of vegetables and bananas coming from Chinese Australian communities across New South Wales, Queensland and Fiji. Lee Sang & Co. at 90 Hay Street dealt primarily in vegetable produce supplied by a network of stores and market gardens in regional NSW and firms at 92-100 Hay Street dealing primarily in bananas were supplied by plantations in northern NSW, Queensland and Fiji.

The buildings at 90-100 Hay Street are associated with major Chinese Australian businesses such as Wing Sang & Co., Wing Tiy & Co., Gee Ick & Co., and Lee Sang & Co. and is a rare example of stores occupied by multiple major Chinese Australian businesses. Histories of the firms which occupied the stores evidence the achievements of Chinese Australians in the fruit and vegetable industries despite the impacts of immigration restrictions on Chinese Australian businesses and families.

Nos. 96-100 are also associated with the significant and popular restaurant, Emperor Gardens which has occupied the place since 1979.

There are many family and community stories and memories attached to 90-100 Hay Street, particularly for those whose families lived or worked in the buildings, or grew the produce sold through the stores, and for those in China who were reliant on remittances sent through these stores. These stories testify to the resilience of the Chinese Australians in the face of social and economic discrimination imposed by White Australia legislation.

The authors and editors of the book, *The China-Australia Migration Corridor: History and Heritage*, use the metaphor of a “transnational heritage corridor” to describe the circulation of people, money, goods and ideas between Zhongshan and Australia.¹⁶³ Alexandra Wong and Ien Ang argue that the businesses which merchants operated at the Sydney end of the corridor, have significance not only at a local, but at a transnational level.¹⁶⁴ The same can be said of the Chinese businesses which rented the Municipal stores at 90-100 Hay Street. .

¹⁶³ BYRNE, D., ANG, I. & MAR, P. (eds.), *The China-Australia Migration Corridor: History and Heritage*. Hong Kong: HK University Press, 2023.

¹⁶⁴ ANG, I. & WONG, A. 2023, Zhongshan in Sydney's Chinatown. In: BYRNE, D., ANG, I. & MAR, P. (eds.) *The China-Australia Migration Corridor: History and Heritage*, 222.

7. Listing Recommendations

Under its Local Environmental Plan (2012), the City of Sydney is required under 5.10(a) to “conserve the environmental heritage of the City of Sydney”. For a place to be heritage listed, it needs to substantially meet at least one of NSW Heritage’s criteria (2023) for assessing significance. The significance assessment of 90-100 Hay Street, Haymarket has found that the place meets five criteria at least at a local level, and therefore warrants protection under the Local Environmental Plan. The significance assessment has demonstrated that the place has importance to Sydney with its distinct history in the Haymarket precinct, its representing of the significant role of Chinese in Australia, and the current regard held for the buildings by the community. Therefore, the place should be listed under Schedule 5, Part 1 of the City of Sydney LEP 2012.

8. Management Recommendations

The following recommendations are drawn solely from a consideration of the significance of the place and good heritage practice.

Since the historical and social significance of the place is especially important, these recommendations are framed with an understanding that heritage conservation is a social contract, requiring responsibility to be shared by the owners and consent authorities for the mutual benefit of all stakeholders, including the Chinese community.

As such, these recommendations are written with consideration of possible future ambitions of the owners, while striving to achieve the best heritage outcome for the place, and with an expectation that the consent authority, in representing the community's interest, will assist/support the owners in managing and conserving the significance of the place, where possible.

8.1. Obligations arising from significance

The high cultural significance of the place identified in the statement of significance obliges its conservation and good management (Burra Charter Article 2).

In the Burra Charter, significance is embodied in the place, where place means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views. Place also includes fabric, setting, use, associations, meanings, records, related places, and related objects. (Burra Charter Article 1).

The place as an important reference site for major Chinese Australian businesses which pioneered the banana and commercial vegetable growing industries in Australia should be recognised and interpreted at the place.

Its uniform design makes a significant contribution to the streetscape and it is contemporary with the adjacent former municipal market building (now Market City). Together these form part of a significant market townscape which must be conserved.

8.2. Tolerance for change to fabric, form and layout

Forming part of a market townscape and as a reference point for the businesses which occupied these historical stores, there is a low tolerance for change to the external form and detailing of 90-100 Hay Street. The façade form and detailing should remain symmetrical so that the place continues to read as one building with a shared history.

Historically the stores were primarily open plan and would have had limited internal architectural elements or detailing. Little evidence of the historical banana and produce stores survive and therefore there is a greater tolerance for change internally. Note it is unknown if evidence of the functions and operations of these stores exists in nos. 90 and 92 as they were not assessed internally.

8.3. Future development

Additions and alterations to 90-100 Hay Street are appropriate but must ensure retention of the whole form and original detailing of the exterior of the principal building.

Any future development is to be of a sympathetic design. The setback and scale of any vertical additions to the place must be sufficient to maintain the readability of the existing form and scale of the principal building as a building and not just a façade.

All proposed future development is subject to the City of Sydney's processes such as a Heritage Impact Statement and Conservation Management Plan.

8.4. Interpretation

To aid interpretation of the place as having a shared history the building should read as one. Therefore, consider repainting the exterior of the place in a single colour or restoring the face brick. Similarly, consider balustrades and awnings of a common design.

The significance of the place is best understood as part of the history and development of Chinatown in the Haymarket area, and as such, interpretive strategies for 90-100 Hay Street should be considered within an overall interpretation strategy for Chinatown.

We recommend that the City of Sydney and the owners work together in considering additional interpretive strategies for the place such as:

- Setting up a plaque(s) identifying the history and significance of the place.
- Creation of digital archives/ websites showcasing the history and significance of Chinatown, identifying 90-100 Hay Street as a place of significance in the area.

A heritage interpretation plan must be provided in the event of major alterations to the building and should be developed in consultation Chinese Australian community, particularly descendants of the families who lived and worked in these buildings.

Further research into the places is also encouraged. There is also high potential for further research into the businesses which operated out 90-100 Hay Street. This research would likely yield a greater understanding of the processes and activities of these businesses and thereby their contributions to the development of the fruit and vegetable industry in Australia. For example, further research could be undertaken into the export of New South Wales produce by Chinese Australian firms such as Wing Sang & Co., of which 90-100 Hay Street is a location marker of this activity. Similarly, research could be undertaken into moveable heritage items that exist off site and contribute to the understanding of the operations and activities of the place.

8.5. Future use

The existing uses of the place are of value because they are business run by Chinese Australians and therefore encouraged. If change of use occurs, appropriate uses include but may not necessarily be limited to: food retail stores, restaurants, offices and accommodation. In the event of a change of use, there is a need to maintain or give opportunity for ongoing connections to the Chinese Australian community.

Because of the heritage significance of this place, prior to any proposed major development including change of use, respectful and purposeful engagement with Chinese Australian community, particularly descendants of the families who lived and worked in these buildings, is recommended.

Attachment D

**Hector Abrahams Architects - Heritage
Assessment Report - 75-77 Ultimo Road**

75-77 Ultimo Road, Haymarket

Heritage Assessment

FINAL Version V1.3

19 July 2024



For City of Sydney
by Hector Abrahams Architects and Dr Juanita Kwok

Acknowledgment of Country

We acknowledge the Gadigal and Wiradjuri, the original inhabitants of the land on which we work. Nos 75-77 Ultimo Road is also located on the land of the Gadigal.

Aboriginal and Torres Strait Islander peoples have a connection to place, land, water and community, established over many thousands of years. We recognise the cultural significance inherent in these connections, that sovereignty over this land was never ceded and that it continues to be sacred to its rightful owners.

We pay respect to Elders past and present, and stand with all First Peoples in their quest for justice, truth telling, and reconciliation.

CONTENTS

1. Introduction4

2. Site Description..... 5

3. History (written by Juanita Kwok) 6

4. Physical Description22

5. Comparative analysis.....26

6. Assessment of Significance35

 6.1. Ability to demonstrate.....35

 6.2. Assessment against NSW heritage assessment criteria.....38

 6.3. Statement of Significance.....50

7. Listing Recommendations51

8. Management Recommendations52

 8.1. Obligations arising from significance.....52

 8.2. Tolerance for change52

 8.3. Conservation of fabric.....52

 8.4. Interpretation.....52

 8.5. Future use.....53

Appendices54

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Version 1.3	Hector Abrahams Architects and Dr Juanita Kwok	FINAL for City of Sydney with minor amendments	19 July 2024

1. Introduction

This report has been prepared responding to the Haymarket and Chinatown Revitalisation Strategy. The past few years have been challenging for Haymarket and the City heard from the community that the area needs revitalisation. The City adopted the Haymarket and Chinatown Revitalisation Strategy in December 2023 to outline actions in five priority areas to deliver on the community's vision for the area. The Strategy includes an action to strengthen recognition of cultural heritage, identifying three sites as potentially having cultural significance, linked to the Chinese Australian community. To provide a foundational understanding of the key themes from Chinatown's history the City commissioned GML Heritage in 2022 to provide a Thematic History of Chinatown.

Hector Abrahams Architects (HAA) have been asked by the City of Sydney to investigate the significance of the three places identified in the strategy as 90-100 Hay Street, 75-77 Ultimo Road and 50-54 Dixon Street, Haymarket. Our first stage was to examine the history and potential significance of these places. The findings were compiled in standalone historical research reports and drawn upon in the second stage. Following the development of the Historical Research reports, HAA was then asked to undertake a heritage assessment of 75-77 Ultimo Road, Haymarket. Our approach to all of these reports is to work in co-authorship with the Chinese Australian Historian, Dr Juanita Kwok. Dr Kwok was asked to conduct research and provide a contextual written history for the place and to advise on the place's significance and management.

This report assesses the heritage significance of 75-77 Ultimo Road. Its purpose is to advise the City of any significance, to make a recommendation on heritage listing and provide management recommendations to conserve significance. This assessment will only make a recommendation on heritage listing within the Sydney LEP 2012.

The report begins with a history of the place which outlines the background to the establishment of the Chinese Nationalist Party of Australasia (the Kuomintang or KMT for short). The history then addresses the establishment of the Headquarters of the Party at 75-77 Ultimo Road, Haymarket, its political and community roles and identifies people and uses associated with the building.

A detailed description of the place in its current condition follows, along with a detailed comparative analysis then investigates other KMT buildings in Australasia, buildings by the architect and buildings by the construction company. Our history and comparative analysis inform the assessment of significance which is based on Heritage NSW's *Assessing Heritage Significance Guidelines* (2023) and from which a recommendation on whether or not the place should be listed. The report concludes with management recommendations.

This report was prepared by Hector Abrahams and Sioned Lavery of Hector Abrahams Architects, and Dr Juanita Kwok, historian. Research using Chinese language sources and Chinese-to-English translations and research were done by historical translator and consultant linguist, Ely Finch.

The authors acknowledge and sincerely thank descendants and those who lived or worked in Chinatown for sharing their family stories and memories.

2. Site Description

The place is located at 75-77 Ultimo Road in the centre of Haymarket between Thomas and George Streets. Hay Street and Dixon Street are located to the north.

Its land title reference is Lot 1 DP79765. It is a four-storey masonry building with distinctive fenestration under a single arch. Constructed in 1921 for the Chinese Nationalist Party, the party continues to occupy the 1st, 2nd and 3rd floors while leasing the ground floor for retail use.



Figure 1 Aerial photograph showing 75-77 Ultimo Road in red. Source: Sixmaps with HAA overlay.

3. History (written by Juanita Kwok)

Contextual Background

Chinese migrants who came to Australia for the gold rushes, came largely from counties in the Pearl River Delta region of Canton, and they maintained strong ties to their villages.¹ People tied by native place, languages and kinship established associations to support and sponsor others from the same place or of the same surname. Most groups had their own district associations and also formed associations not based on native place or lineage, but on mutual co-operation and in many cases with the aim of political reform in China. The Yee Hing mutual aid brotherhood societies, which were active on gold fields from the earliest days, espoused the political aim of overthrowing the Ching dynasty in China. The China Empire Reform Association (CERA), on the other hand, advocated modernising China but maintaining the Emperor system, and in later years advocated constitutional monarchy. Their competing ideas were circulated through newspapers, such as the *Chinese Australian Herald*, *The Tung Wah Times* and the *Chinese Times*.

Chinese migrants to Australia were actively engaged in fomenting and funding political change in China. Funds remitted and the ideas transmitted to China by overseas Chinese, including Chinese Australians, were crucial both to the success of the 1911 revolution which overthrew the Manchu Ching Dynasty and established a Chinese republic, and to the success of the Nationalist Party in gaining power in China. The Chinese Nationalist Party of Australasia headquarters at 75-77 Ultimo Road is a part of this history.

A forerunner to the Chinese Nationalist Party in Australia was the Yee Hing which had branches across rural NSW and Australia. When the Yee Hing changed its name to the Chinese Masonic Society and opened the Chinese Masonic Hall at 18 Mary Street, Surry Hills in 1912, a newspaper report named delegates who attended from Braidwood, Condobolin, Wagga Wagga, Wyalong, Temora, Nyngan, Newcastle, Wellington, Walgett, Hay, Parkes, Albury, Tumut, Tingha, Narrabri, Goulburn, Gunnedah, Wollongong, Lismore in NSW and from Tasmania, Bendigo, Rockhampton, Thursday Island, Brisbane, Melbourne, Wangaratta and Auckland.² The Chinese Masonic Hall, which is listed on the City of Sydney Local Environment Plan, is highly significant for its role in the revolutionary movement which preceded the establishment of the Chinese Nationalist Party of Australasia.³

¹ See WILLIAMS, M. 2018. *Returning Home With Glory: Chinese Villagers around the Pacific, 1849 to 1949*, Hong Kong University Press.

² 1912 "TSUN FORE.", *The Sun (Sydney, NSW : 1910 - 1954)*, 30 January, p. 1. , viewed 03 May 2024, <http://nla.gov.au/nla.news-article222004834>

³ NSW State Heritage Inventory, Chinese Masonic Hall including interior, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2420970>, accessed 3 May 2024.



Figure 2 Chinese Nationalist Party of Australasia building at 75-77 Ultimo Road, Photo by Juanita Kwok 2024.

The Chinese Nationalist Party of Australasia Building at 75-77 Ultimo Road

Until it was resumed for the Municipal Markets in 1908, 75-77 Ultimo Road was Engine Street, named after the 'engine' of the Victoria Steam Mills. After the resumption, the section from Thomas Street to George Street was incorporated into Ultimo Road (figure 3). In 1908, Sydney Municipal Council resumed terrace houses, mills and workshops spread over four acres bounded by Ultimo Road and Thomas, Hay, Quay and Engine Streets to make way for Municipal Markets. These developments were reported in the *Chinese Australian Herald* in March 1909, with the comment that numerous Chinese firms were expected to move in light of the market's relocation.⁴ From 1910, Chinese firms which had previously been centred around Campbell and Pitt Streets, Haymarket in proximity to the Belmore Markets, began to open stores in Hay, Dixon, Quay, Harbour Streets and Ultimo Road close to the new Municipal Markets.



Figure 3 Dove's 1880 survey showing Engine Street. The section of Engine Street which would become Ultimo Road is indicated in blue and what is now 75-77 Ultimo Road in red. Source: City of Sydney Archives with HAA overlay.

⁴ 1909 '決議改建街市', *Guang yi hua bao = The Chinese Australian Herald* (Sydney, NSW: 1894 - 1923), 13 March, 2, viewed 21 Feb 2024, <http://nla.gov.au/nla.news-article168080171>

The Chinese Nationalist Party of Australasia and the establishment of the headquarters at 75-77 Ultimo Road

The Chinese Nationalist Party of Australasia or the Australian Kuo Min Tang (KMT) was established when the Young China League was founded in Melbourne in 1910 to support the revolutionary aims of Sun Yat-sen, the leader of the Chinese Nationalist Party.⁵ After the 1911 Revolution in China overthrew the Ching dynasty, a branch of the Young China League was established in Sydney, with the Presidency occupied by head of the Chinese Masonic Society, James Chuey.⁶ In April 1916, the Chinese Nationalist League was founded and George Kwok Bew of Wing Sang & Co. Fruit Merchants elected as the first President.⁷ A temporary office was established at 211 Thomas Street, next to the store of Tiy Sang & Co., whose proprietors were Nationalist League treasurer, Peter Yee Wing and Vice-President, Samuel Wong.⁸ Over the next few years, representatives from the Nationalist League travelled across Australian and the Pacific to raise funds for a permanent building, establishing branches in Brisbane, Bowen, Cairns, Mackay, Townsville, Burdekin and Atherton in Queensland; in Newcastle, Darwin, Adelaide and Perth and in Auckland, Fiji, Rabaul, Kokapo, Kavieng, Madang and the Solomon Islands.⁹ In 1917, George Bew went to Shanghai in 1917 as manager of the new Wing On Department store, where he developed a close relationship with Sun Yat-sen and other Nationalist leaders.¹⁰

In August 1921, the Chinese Nationalist League established its legal identity by registering as an association under the Companies Act in NSW. Its registered title was Chinese Nationalist Party of Australasia.¹¹ Its Chinese name was the Kuo Min Tang.

£10,997 was raised by donations from Nationalist Party members in Australasia to purchase land and build a headquarters for the Chinese Nationalist Party of Australasia at 75-77 Ultimo Road, Haymarket.¹² Plans for a five-storey building were drawn up by architect Francis Ernest Stowe of 20 Loftus Street Sydney on 23 August 1921.

Stowe, born in Ireland in 1867, emigrated as a child to Australia with his family. He trained and worked as both an architect and civil engineer, being appointed the Grand Architect of the Grand Lodge in 1922.¹³ Stowe designed a counterweight tramway system for Darling Street Wharf, Ball's Head Coal Loading Depot and a number of Masonic buildings including the Temple in North Sydney, Baulkham Hills Masonic School and a Masonic Hospital in Ashfield. The latter four are extant but it is unclear what remains of the Darling Street Wharf tram system. One of his more interesting designs was a contender for the Sydney Harbour Bridge which had three crossings that intersected at an Anzac memorial on Me-Mel - Goat Island. In addition to his architectural and engineering work, Stowe also established the Sydney Marine Engineer College in 1902, founded the Stowe Electrical Company and published a number of booklets and pamphlets on scientific topics. He was also an early mentor to Florence Taylor (née Parsons).¹⁴ He died in 1936.¹⁵

⁵ KUO, MEI-FEN & BRETT, JUDITH 2013. *Unlocking the history of the Australasian Kuo Min Tang, 1911-2013* Kew, Victoria, Australian Scholarly Publishing, ix.

⁶ YONG, C. F. 1977, *The New Gold Mountain : the Chinese in Australia, 1901-1921*, Richmond, Australia, Raphael Arts, 141.

⁷ YONG, 150.

⁸ KUO, M.-F. & BRETT, J. 2013, 11.

⁹ YONG, C. F. *The New Gold Mountain : The Chinese in Australia, 1901-1921*. Richmond, Australia: Raphael Arts, 1977, 150-153.

¹⁰ KUO, M.-F. & BRETT, J. 2013, 16.

¹¹ KUO, M.-F. & BRETT, J. 2013, 11, 30.

¹² KUO, M.-F. & BRETT, J. 2013, 22.

¹³ Australian Institute of Architects, "NSW Bibliographical information: Lt Col Francis Ernest Stowe," 2015.

¹⁴ Australian Institute of Architects, "NSW Bibliographical information: Lt Col Francis Ernest Stowe."

¹⁵ "Obituary Mr F. E. Stowe," *The Sydney Morning Herald*, 21 July 1936, <https://trove.nla.gov.au/newspaper/article/17253756>; Margaret Dobson, "John Lamb Lyon and Francis Ernest Stowe," *Leichhardt Historical Journal* 4 (1992) 6.

Stowes original 1921 plans for 75-77 Ultimo Road (Figure 4) indicates that the building was intended to be used as a series of spaces across the four floors of the building, that could be used separately or together. The retail premises at 77 Ultimo Road (identified as Shop No. One located on the eastern side of the building) was designed to be used over two levels (ground and first floor) with a timber stair in the south-eastern corner. The shop at 75 Ultimo Road (identified as Shop No. Two on the western side of the building) was on the ground floor only. The level above Shop No. Two was designed as a separate tenancy, separated from the upper level of Shop No. One by a timber partition. The drawings indicate that the stairs to the upper levels were intended to have adjacent flights on the western side of the building; these were not constructed as planned, as the stairs to the upper levels are in a series of flights lining the western boundary. The original drawings also indicate that all internal floors are timber framed, supported by steel beams but it is unclear if this is the case (see section 4. Physical Description for a description of the places current condition).

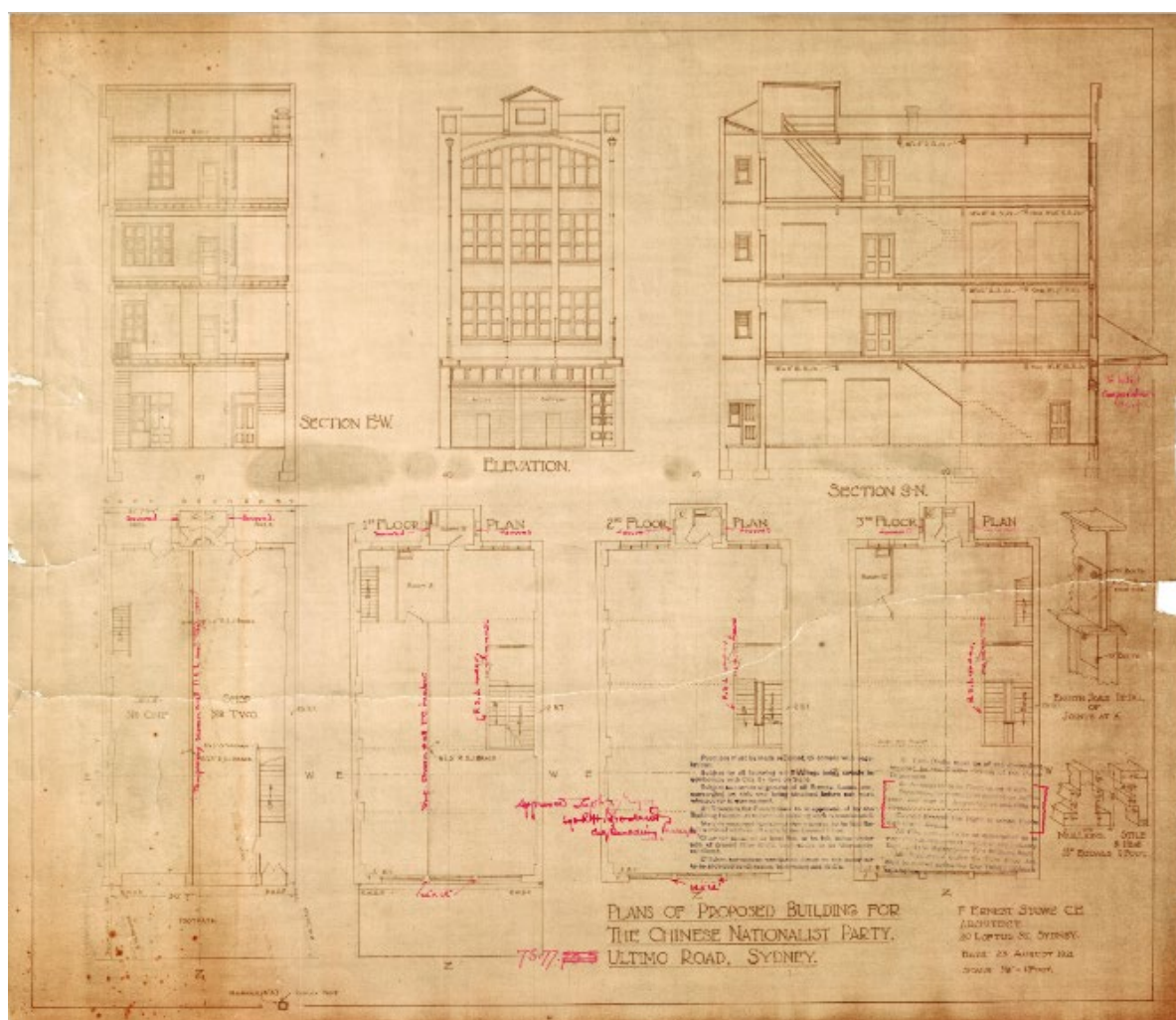


Figure 4 Plan - Chinese Nationalist Party, 75-55 Ultimo Road, 1921 (01/01/1921 - 31/12/1921), [A-00566860]. City of Sydney Archives, accessed 29 Feb 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/1431062>

In September 1921, a City building application was made by contractors Robert Wall & Sons, for the erection of a building for the Chinese Nationalist Party at 75-77 Ultimo Road.¹⁶ Robert Wall, according to his obituary in *The Daily Telegraph*, was at 87 the “World’s Oldest Builder” and one of the best known in the state of NSW. Robert Wall & Sons had previously constructed a

¹⁶ 'CITY BUILDING APPLICATIONS', *The Daily Telegraph* (Sydney, NSW : 1883 - 1930), 27 September, 7, viewed 21 Feb 2024, <http://nla.gov.au/nla.news-article239701774>.
With thanks to Antonia Finnane for supplying this reference.

number of important Sydney buildings including: Culwulla Chambers (67 Castlereagh Street), Usher's Hotel (64-68 Castlereagh Streets) and Beanbah Chambers (235 Macquarie Street). Other buildings which are no longer extant include: South British Insurance Co. (corner of O'Connell and Hunter Streets), and the Government Savings Bank on Moore Street (now Martin Place).¹⁷

The choice of Robert Wall & Sons as builders of the Australasian KMT Headquarters may have been owing to the firm's reputation as master builders, or have related to the fact that Robert Wall Senior was the father-in-law of William Henry Donald, adviser to Nationalist party leader Sun Yat-sen, and later to Chang Hsueh-liang and Chiang Kai-shek. Born in Lithgow, NSW in 1875, Donald began his career as a journalist in Australia before moving to Hong Kong where he became Managing Director of the *China Mail*. He married Robert Wall's daughter Mary Wall, in Hong Kong in 1904, though the couple separated sometime around 1920.¹⁸

The foundation stone of the building, was laid on the 12th November 1921, by Chan On Yan, sent from China as a personal representative of Sun Yat-sen.¹⁹ It can still be seen at the entrance of the building (see figure 5). After travelling around Australia and the Pacific, Chan On Yan returned to Sydney to launch the building in April 1922.²⁰



Figure 5 Foundation stone outside the building at 75-77 Ultimo Road Photo by Juanita Kwok 2024.

¹⁷ 1925 'MR. ROBERT WALL', *The Daily Telegraph* (Sydney, NSW: 1883 - 1930), 2 December, 5, viewed 11 Mar 2024, <http://nla.gov.au/nla.news-article245061670>

¹⁸ Winston G. Lewis, 'Donald, William Henry (1875–1946)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <https://adb.anu.edu.au/biography/donald-william-henry-5992/text10229>, published first in hardcopy 1981, accessed online 2 May 2024.

¹⁹ Chan on Yan visited Australia and the Pacific Islands between 1921 and 1923, promoting Sun Yat-sen's ideology and raising funds for Sun's causes in China, including establishing an air-force to defeat Chen Jiong-Ming's army in China. See Kuo and Brett, 25-9.

²⁰ KUO, M.-F. & BRETT, J. 2013, 25.

Membership of the Party was open to women and female members were exempted from the membership fee. Women were particularly prominent in the Darwin branch of the KMT, though less so in the Sydney branch.²¹ By 1922 it was reported that there were 23 branches and 5289 members of the Chinese Nationalist Party in Australasia and the South Pacific.²² As Sun Yat-sen's native district was in Heung Shan, members from Heung Shan dominated the Sydney branch of the KMT.²³

President of the Australasian KMT from 1919-1930 was Charles (Peter) Yee Wing. According to a biography by his grandson, Tony Wing, Charles Yee Wing, born 1862 or 1866, became involved in Tiy Sang & Co. which traded in bananas and by 1893, he was Managing Director of the firm. He married Susan Kezia Beck in 1906 and they had at least 12 children. He established the Australasian KMT's Canton Liaison Office and was one of the founders of the China-Australia Mail Steamship Line.²⁴ C.F. Yong argues this shipping line, established to break up the Japanese shipping monopoly and extend the Sino-Australian import and export trade, "expressed the unity and co-operation achieved for the first time by Chinese in Australia over a single issue of common interest."²⁵ Like many of the leaders of the KMT in Australia, Yee Wing was a Christian. As Yong remarks, "It is striking that nearly all the top leaders of the Chinese Nationalist Party in Victoria and New South Wales in the years 1910-1930 were associated with churches."²⁶ This might be attributed as much to the influence of the Christian wives of the leaders as to the work of Chinese missionaries in particular, the Church of England minister Soo Hoo Ten and the Presbyterian Minister John Young Wai and his wife, who were actively proselytising and performing charitable work amongst the Chinese population in the Haymarket.²⁷ Yee Wing returned to China after the death of his wife Susan in 1938, and died there sometime in 1942.²⁸

Tenants of the building

After the new building opened, various rabbit merchants and grill rooms tenanted the ground floor of 77 Ultimo Road until 1923, when L.A. Pogonowski, who had occupied the site in 1913 prior to the KMT Building's construction, returned to occupy the ground floor of the new building. Pogonowski evidently had a good long-standing relationship with Samuel Wong and Peter Yee Wing, the proprietors of Tiy Sang & Co. on Thomas Street. Sometime in January or February 1911, Tiy Sang & Co. complained to the Town Clerk about damage to their premises caused by flooding.²⁹ When nothing was done, L.A. Pogonowski then took up the case, seeking action on stormwater damage to his store, the neighbouring store of Tiy Sang & Co. and two other businesses. The Town Clerk replied that the Council would not accept liability.³⁰ From 1925 until 1927, L.A. Pogonowski Talk Machines occupied the ground floors of both 75 and 77 Ultimo Road. Presumably after the death or retirement of Mr Pogonowski, Mrs C.

²¹ KUO, M.-F. & BRETT, J. 2013, 23-24; MARTINEZ, J. 2015, Chinese politics in Darwin: interconnections between the Wah on society and the Kuo Min Tang and the Kuo Min Tang. In: BAGNALL, K. & COUCHMAN, S. (eds.) *Chinese Australians, Politics, Engagement and Resistance*. Netherlands: Brill, 2015.

²² YONG, 153.

²³ Up until the early 1920s, the Chungshan district was known as Heung Shan or Heungyap. Sun Yat-sen changed its name to Chungshan to reflect his Japanese name, Nakayama, which means "middle mountain".

²⁴ KUO, M.-F. & BRETT, J. 2013, 9-10.

²⁵ YONG, 97.

²⁶ YONG, 206.

²⁷ Ruth Teale, 'Ten, George Soo Hoo (1848–1934)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <https://adb.anu.edu.au/biography/ten-george-soo-hoo-4699/text7785>, published first in hardcopy 1976, accessed online 7 May 2024.; Adrian Chan, 'Young Wai, John (1847–1930)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <https://adb.anu.edu.au/biography/young-wai-john-9222/text16295>, published first in hardcopy 1990, accessed online 7 May 2024.

²⁸ KUO, M.-F. & BRETT, J. 2013, 9-10.

²⁹ *Tiy Sang & Co complained to the TC about damage to their premises caused by flooding. The Water & (29/01/1912 - 27/02/1912)*, [A-00247772]. City of Sydney Archives, accessed 01 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/866237>

³⁰ *L A Pogonowski, 77 Engine St re stormwater damage, including to Tiy Sang & Co; Pennell & Co; Morton (29/02/1912 - 15/05/1912)*, [A-00246270]. City of Sydney Archives, accessed 01 Mar 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/879399>

Pogonowski continued the business at 75-77 Ultimo Road until 1929.³¹ The Pogonowski store can be seen in an early photograph of the Australasian KMT Building (see figure. 6).

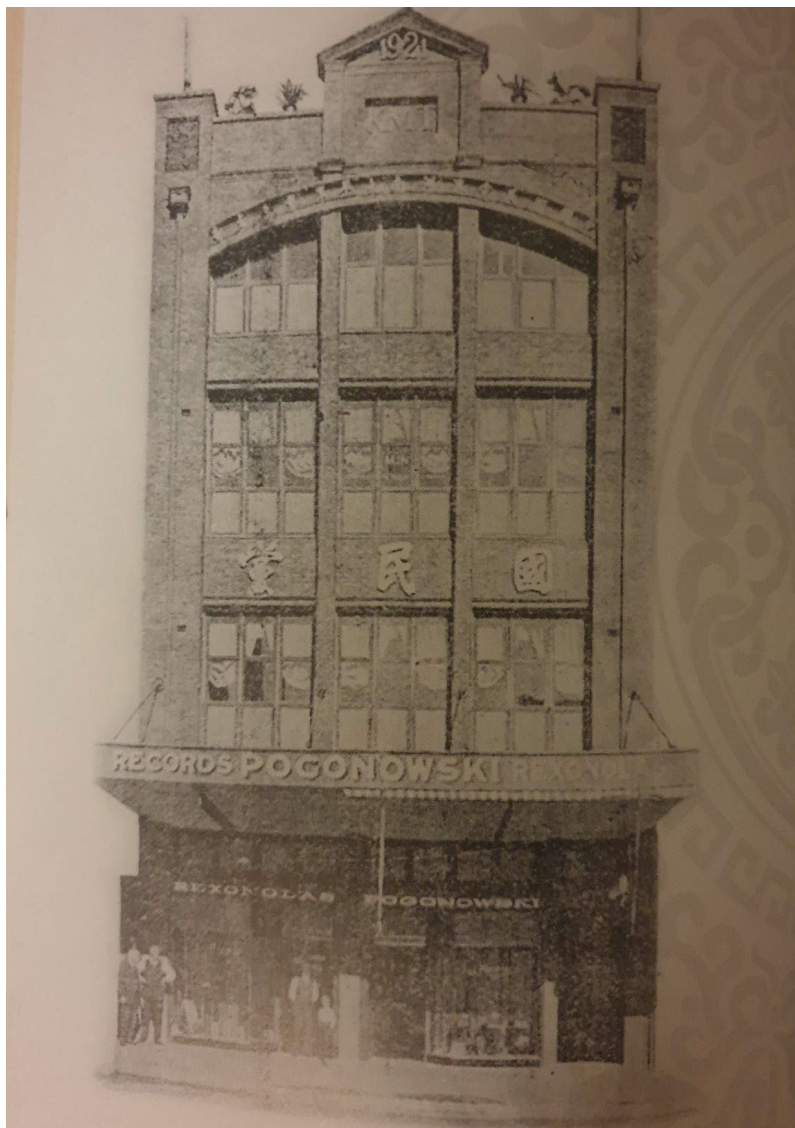


Figure 6. 75-77 Ultimo Road Source: *Big White Lie*, John Fitzgerald

From 1922, 75-77 Ultimo Road was the registered office for the *Chinese Times* newspaper. The *Chinese Times* was a revolutionary newspaper first published in Melbourne, (1902-1915), where it played an important role in shaping and mobilising support for the revolution in China and later opposing the increasingly despotic government of Yuan Shikai, the Provisional President of the Republic of China.³² In 1922, the *Chinese Times* began publishing in Sydney and continued publication until 1949 with financial support from the Chinese KMT.³³

Between 1932 and 1977, the ground floor of 75 Ultimo Road was leased to Arthur Lowe who ran a tobacconist shop there for 45 years. In an interview with Rosetta Sung in 1984, Arthur Lowe said he was born in Enfield in 1903 to Willie Bow Suew and Rosetta Helen McDonald, of Scottish descent.³⁴ When his mother died, when Arthur was only eight months old, his father

³¹ *Sands Directory* 1913-1929.

³² KUO, M. F. 2013, *Making Chinese Australia : Urban elites, newspapers and the formation of Chinese Australian Identity*, Melbourne, Monash University Publishing, 184-9, 222-5; YONG, 145-148.

³³ KUO, M.-F. & BRETT, J. 2013, 78-9.

³⁴ SUNG, ROSETTA, Interview 18, 1984, Arthur, b. 1903, Rosetta Sung transcripts, State Library of NSW, MLMSS 5619, 1984-1989.

took him back to his village in Chungshan to be cared for by his first wife. Arthur returned to Australia with his father when he was thirteen, returning once more to China with his father around 1920 at his father's insistence that he find a Chinese wife. Arthur married his Chinese wife, Liu Cheng Su Tseng in a Christian ceremony, but returned to Australia leaving his wife and children behind, as immigration restrictions prohibited Chinese women from entering Australia. Arthur bought a greengrocer business in Neutral Bay, before opening his tobacconist business on the ground floor of 75 Ultimo Road. With the help of the Chinese Consul, Arthur managed to bring his wife and three children to Australia in 1934.³⁵ The couple subsequently had another five children. Arthur said of the KMT:

Father was a member, all members. I not one of the original members but early one. Tongmenhui, meaning gathering together society, a club.³⁶ Always involved in fundraising for Kuo Min Tang. Collect lot of money and send to China, now Formosa (Taiwan) and before send to Canton or Nanking.³⁷

The operation of the Australasian KMT at 75-77 Ultimo Road

The operation of the Australasian KMT at 75-77 Ultimo Road over the years has been researched and written about by Judith Brett and Mei-Fen Kuo, and by John Fitzgerald, utilising the Australasian KMT archives housed at 75-77 Ultimo Road. In 1924, representatives from the Sydney branch attended the first National Assembly in Canton and in the following year, the Australasian KMT held its first Australasian Convention. A memorial ceremony was held for Sun Yat-sen who had died in March 1925, which recognised him as the father of the modern Chinese nation and the symbolic head of the KMT. The Convention strengthened connections between branches in Australia, New Zealand and the Pacific, sending money to enable representatives from branches in the Pacific to attend.³⁸ The Convention established a Canton Liaison Office, which helped returning Chinese Australians to settle back in China. It also established branches for seamen working in the South Pacific, boosting membership and providing a conduit for connecting branches in the region.³⁹ By 1927, "around one in six registered Australasian party members were able seamen and ship's engineers."⁴⁰

After Sun Yat-sen's death, Chiang Kai-shek succeeded Sun Yat-Sen as leader of the KMT. The Australian government, which had hitherto been suspicious of the KMT's communist sympathies, recognised the Chinese National Government in Nanking after Chiang Kai-Shek became leader.

Chiang launched an international Party Purification Movement in 1926 to purge Communists and their sympathisers from the Party. At the second Australasian Convention in Sydney in 1927, held to endorse Chiang Kai-Shek's command, Samuel Wong, Vice-President of the Australasian KMT, objected to the Party Purification Movement and Chiang's leadership. Wong was expelled along with five other members.⁴¹

In 1929, Australian KMT delegates went to Nanjing to attend a national congress where they appealed to the Chinese government to seek the removal of discrimination against Chinese in Australia. They received little support in China, and Kuo and Brett assess that the main goals given to the Australasian KMT were the strengthening of its loyalty to the Chinese KMT and the winning of sympathy for the new government amongst the Australian public.⁴²

³⁵ NAA: SP42/1 C1938/8992.

³⁶ The Tongmenhui which Sun Yat-sen organised in Japan which became the Nationalist Party of China.

³⁷ SUNG, ROSETTA, Interview 18, 1984, Arthur.

³⁸ Meeting with members of the Standing Committee of the KMT, 26 February 2024.

³⁹ KUO, M.-F. & BRETT, J. 2013, 46.

⁴⁰ FITZGERALD, J. 2007. *Big white lie: Chinese Australians in white Australia*, Sydney, NSW, University of New South Wales Press.

⁴¹ FITZGERALD, J. 2007, 138-9.

⁴² KUO, M.-F. & BRETT, J. 2013, 61-62.

The War years

In 1931, the Australasian KMT comprised of the headquarters at 75-77 Ultimo Road, seven branches and thirty five sub-branches, each with an Executive Committee, an Advisory Committee and a Standing Committee.⁴³

When the Japanese army invaded Manchuria in 1931, Chinese Australian community leaders in Sydney from across the political spectrum, including William Gock Young, William Liu and Mar Leong Wah, combined to establish the *Society of Chinese Residents in Australia* to coordinate support for China. They met regularly at 75-77 Ultimo Road, collected funds, organised events and remitted funds to China for the war effort.

The Chinese Australian community was divided over the visit of General Tsai Ting-Kai to Australia in 1934. Tsai had earned hero status after the 19th Route Army he commanded fought against the Japanese invasion of Shanghai in 1931, but he was subsequently exiled after the failure of the rebellion he led against Chiang Kai-Shek's government. The Australasian KMT failed to prevent Tsai Ting Kai's visit to Australia, and Tsai was given a hero's welcome when he arrived. The Australasian KMT expelled members who attended the welcome ceremony or met with him.⁴⁴

According to Kuo and Brett's examination of management records, in the 1930s, the Sydney KMT and the *Society of Chinese Residents in Australia* "sought connections with Australian journalists, writers and scholars to promote the recognition of the Chinese Australians claim to citizenship and to enhance their status accordingly."⁴⁵ However, the efforts of the Australasian KMT to lobby the Australian government to rethink the prejudicial treatment of Chinese Australians were met with little consideration.

At the Fifth Convention of the Australasian KMT, Mar Leong Wah was elected as one of the three members of the Standing Committee.⁴⁶ Mar Leong Wah (Harry Mar) had arrived in Sydney in 1921 to work in the Wing Sang & Co. business founded by his Ma/Mar clansmen from Sha Chung, and became manager of Wing Sang & Co. at 58 Hay Street.⁴⁷ In the photo of Wing Sang & Co. employees, Mar Leong Wah is standing on the far right (figure. 7).

⁴³ KUO, M.-F. & BRETT, J. 2013, 66-69.

⁴⁴ KUO, M.-F. & BRETT, J. 2013, 96.

⁴⁵ KUO, M.-F. & BRETT, J. 2013, 69-73.

⁴⁶ KUO, M.-F. & BRETT, J. 2013, 73.

⁴⁷ KUO, M.-F. & BRETT, J. 2013, 77-78.



Figure 7 Employees of Wing Sang & Co Ltd, 1924 (01/01/1924 - 31/12/1924), [A-00025390]. City of Sydney Archives, accessed 29 Feb 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/586035>

In the 1930s, under Mar and David Young Narme's leadership, the Australasian KMT established music, social and sporting groups to raise funds for the war effort in China. As Kuo and Brett write, "the KMT Hall was no longer just a place for solemn political ceremonies, but had become a community gathering place."⁴⁸

The KMT Hall was the venue for a Chinese language school established in the mid-1920s.⁴⁹ A newsreel shot in 1934 shows Mar Leong Wah teaching a class of boys and girls to read and write Chinese characters. The class then stands up and sings the national anthem of the Republic of China, *San Min Chui Yi*, the Three Principles of the People. The newsreel shows how the Hall was furnished in the 1930s. Carved wood panelling can be seen at the back of the stage. There is a clear view of the elaborately carved wooden chairs used by the children and their wooden desks. Behind the children there is a Chinese ceramic on a wooden stand. There are Chinese calligraphy hangings and framed pictures on the wall.⁵⁰

In July 1938, David Young Narme and his New Zealand-born wife organised the first Dragon Ball, held at the Trocadero. In 1941, a debutante ritual was introduced to the Ball. Debutantes and their male partners were expected to attend several weeks of rehearsals, usually held at the KMT Hall at 75-77 Ultimo Road.⁵¹ The Dragon Ball became the big annual event of the Sydney Chinese social calendar.

⁴⁸ KUO, M.-F. & BRETT, J. 2013, 105.

⁴⁹ Pers. comm. Mei-Fen Kuo, 1 May 2024.

⁵⁰ "Chinese Kiddies Get International Spirit: Scholars Learn Language of Fathers in Sydney School ". Newsreel series, produced by Cinesound Movietone Productions, National Film and Sound Archive of Australia 1934. No.201409. I thank Peter Hack for bringing the newsreel to my attention.

⁵¹ GASSIN, GRACE, 2021, All Eyes on You: Debutantes' Explorations of Chinese Australian Womanhood at the Dragon Festival Ball, *Australian Historical Studies*, 543.



Figure 8 Chinese Dragon Ball at Trocadero, 3 July 1940, ON 388/Box 030/Item 192, Mitchell Library, State Library of New South Wales and Courtesy ACP Magazines Ltd. Accessed online, 29 February 2024, <https://collection.sl.nsw.gov.au/record/9O4zwP2n/Ry5Aeq4OyM>

As Grace Gassin, who researched the Dragon Ball for her PhD has written, the Dragon Ball not only gave debutantes their moment to shine, but it highlighted the contribution of Chinese Australian women as organisers, fund-raisers and dressmakers. Gassin spoke to women involved with the Dragon Ball from the 1940's-70s, including Cheryl Cumines, from one of the oldest Chinese Australian families. Cumines, who is currently President of the Chinese Heritage Association of Australia, told Gassin, "There were all of these Australian-born Chinese women

who were from these really old families... there was that sense of community that went back a long, long way”.⁵²

After the defeat of the Nationalist Government by the Chinese Communist Party in 1949, the Nationalists retreated to Taiwan, from where they ruled as the Republic of China. During the time that the Australian government recognised the KMT Government in Taiwan as the legitimate government of China, Dragon Balls were an annual event. On 21 December 1972, the Whitlam government established diplomatic relations with the Peoples Republic of China. According to Gassin, recognition of the PRC government “made it difficult for organisers to sustain the high-level diplomatic and political affiliations so vital to the success of earlier balls”.⁵³ Gassin’s interviewees also pointed to changing norms around gender relations as another factor in the demise of the Dragon Ball in the early 1970s. The Dragon Ball remains one of the best-remembered historical events associated with Sydney’s Chinese community.⁵⁴

The post-war years

When WWII ended in 1945, the Australasian KMT raised funds to aid in China’s reconstruction, but there were also local problems to assist with. By 1945 there were about 1,300 Chinese seamen and evacuees from the Pacific Islands stranded in Australia. Samuel Wong, who had rejoined the Australasian KMT and been appointed to its committee, proposed a plan for the relief of the refugees which resulted in the establishment of the Chinese Youth League. As Kuo and Brett write, “At this time, the Sydney KMT was fulfilling two distinct functions. At the Australasian Headquarters branch it worked closely with Chinese government officials; and as the local branch it was active in helping Chinese seamen and Chinese refugees from the Pacific Islands.”⁵⁵

Amongst the Chinese seamen and refugees who came to Australia during the war years was Eugene Seeto, who was evacuated to Sydney from Papua New Guinea with his family in 1934. In 1945, Seeto joined the Australasian KMT.⁵⁶ The family of Chinese community leader King Fong also arrived from Fiji during the war years, establishing the Say Tin Fong grocery store and boarding house in Dixon Street.

Kuo and Brett write that by 1947, when the Australasian KMT held the Sixth Convention, declining membership and loss of properties during the war had left the Sydney branch alone with a debt of £4475. In spite of the debt, those attending the convention balked at selling 75-77 Ultimo Road and confirmed the decision of the Fifth Convention that no one had the right to do so. Instead, two properties owned by the Australasian KMT in Canton were sold.⁵⁷ Records show that the defeat of the KMT government by the Chinese Communist Party and their withdrawal to Taiwan was accompanied by “an avalanche of membership loss” in the Australasian KMT. “Many Chinese Australians were anxious about their families in the now communist controlled China, and did not want to be known for an association with the KMT.”⁵⁸

Deeply in debt, the Australasian KMT decided to rent out not only the ground floor of 75-77 Ultimo Road but also the second and third floor of the building leaving only the fourth floor with the *Australia-China Times* newspaper that had been started up in 1955.⁵⁹

⁵² GASSIN, 539, citing her interview with Cheryl Cumines for ABC Radio National, 2013.

⁵³ GASSIN, 547-8, citing interviews with Doreen Cheong and King Fong in 2012.

⁵⁴ GASSIN, 533.

⁵⁵ KUO, M.-F. & BRETT, J. 2013, 116-118.

⁵⁶ KUO, M.-F. & BRETT, J. 2013, 118.

⁵⁷ KUO, M.-F. & BRETT, J. 2013, 130.

⁵⁸ KUO, M.-F. & BRETT, J. 2013, 132.

⁵⁹ KUO, M.-F. & BRETT, J. 2013, 133.



Figure 9 An edition of the China-Australia Times on display at The Chinese Australasian Nationalist Party building at 75-77 Ultimo Road. Photo by Juanita Kwok, 2024.

At the Eighth Regional Convention held in Sydney in 1958, Eugene Seeto, David Sang and Charles Chan were elected to the Executive, replacing David Young Narme and Mar Leong Wah who had been in charge of the headquarters branch for more than 20 years.⁶⁰ The new executive brought structural and financial reforms as well as renovation of the building. A Double Tenth celebration (commemorating the success of the uprising on October 10, which led to the downfall of the Ching dynasty) was held in the newly renovated hall at 75-77 Ultimo Road. The hall became the venue for popular film nights.⁶¹ The NSW Chinese Sport Association had free use of the third floor of 75-77 Ultimo Road to provide room for reading, table tennis, social dancing and movie showing. Douglas Lam, who arrived in Sydney from his village in Loong Tu, via Hong Kong, used to go to the reading room upstairs at the 75-77 Ultimo Road Building in the early to mid-1960s to browse Cantonese newspapers. Lam recalls, “There was an auditorium with a mobile projector showing Cantonese movies on Sunday nights to homesick people like myself.”⁶²

In December 1961, an application was made to the City to carry out alterations and use the second and third floors for the purpose of a commercial photographic and art studio.⁶³ In 1964, a restructure by the KMT’s Central Committee reduced the Australasian KMT to the Australian KMT, though it retained its regional organisational name and a role in co-ordinating regional conventions.⁶⁴ Throughout the years, the Australasian KMT has played an important role in

⁶⁰ KUO, M.-F. & BRETT, J. 2013, 149.

⁶¹ KUO, M.-F. & BRETT, J. 2013, 150.

⁶² Pers. comm. Douglas Lam, 24 April 2024.

⁶³ 75/77 Ultimo Road A. Holland & Associates. To use 2nd & 3rd floors for purpose of a commercial (18/12/1961 - 22/01/1962), [A-00123670]. City of Sydney Archives, accessed 29 Feb 2024, <https://archives.cityofsydney.nsw.gov.au/nodes/view/748633>

⁶⁴ KUO, M.-F. & BRETT, J. 2013, 158-159.

maintaining and fostering connections between Australia, Hong Kong and Taiwan. To encourage young Chinese Australians and Chinese New Zealanders to maintain their Chinese cultural heritage, the Australasian KMT helped facilitate trips to Taiwan. The first of these “Taiwan tours” was led by Tung Koon community leader Lai Kum Hung and by Maud Chin in 1979.⁶⁵ The Australasian KMT also established the Chinese Cultural Centre in 1979, to offer public services to the older Chinese communities and to the newly arriving Indo-Chinese refugee communities.⁶⁶ In the 1990s, a Chinese school was opened at 75-77 Ultimo Road for new migrants from Hong Kong and Taiwan.⁶⁷

In 1972, Eugene Seeto started to preserve the Australasian KMT’s archives and historical objects, making the building at 75-77 Ultimo Road the home of the archives of the Australasian KMT.⁶⁸ In 2006, an invitation extended to Henry Chan of the Chinese Australian Historical Society to examine the Archives, led to a project to identify, catalogue and preserve the historical archives of the Australasian KMT. A three year grant from the Australia Research Council allowed a research team from La Trobe University to analyse and open up the Archives to academic and community researchers. One of the outcomes of this project was the book, *Unlocking the History of the Australasian Kuomintang*, which is the source for much of the content of this report. Another outcome was an exhibition of historical images of KMT and Australasian Chinese, held at 75-77 Ultimo Road from 10-16 December 2011. In 2013 another exhibition supported by the History Council of NSW was held on site.

Currently, members of Sydney meet regularly to discuss management and plan activities which the KMT facilitates for members and the Chinese Australian community. The KMT also tries to channel Australian government policies and to communicate policies to members and the broader Chinese-speaking community. Non-members can apply to visit the building but staff numbers are stretched by requests. The building belongs to KMT members. The Chinese Ginsengs & Herbs Co. which has occupied the ground floor of 75 Ultimo Road for decades is a legacy business in the area.

The museum on the third floor of the KMT Building has a historically significant collection of documents and artefacts relating to its history, including typeset blocks for printing newspapers published by the Australasian KMT, original copies of the *Chinese Times/The Australia-China Times*, calligraphic dedications, records of meetings and membership, a range of film projectors and radios and a unique hand-painted scroll depicting Sun Yat-Sen’s funeral procession. (see the appendix for a fuller account of the documents and artefacts in the collection.)

A significant item in the collection is a donations book which lists donations made by members of the Australasian KMT to raise funds for the building at KMT 75-77 Ultimo Road. (see figure. 11). The book is open at a page listing donations from members in Rabaul, New Guinea and provides demographic information about the donors, such as age and district of origin. This information would be invaluable if it were rendered accessible for family history and other research.⁶⁹

Historians of the Kuomintang, Mei-Fen Kuo and Judith Brett regard the collection as having “major historic significance for the Chinese Australian community and for the broader Australian community as a whole.”⁷⁰

⁶⁵ Lance Lai interviewed by Christopher Cheng for the Australians with Chinese heritage oral history project, [//nla.gov.au/nla.obj-3183559394/listen/1-2933~1-2947](https://nla.gov.au/nla.obj-3183559394/listen/1-2933~1-2947)

⁶⁶ KUO, M.-F. & BRETT, J. 2013, 171.

⁶⁷ Pers. comm. With Mei-Fen Kuo, 1 May 2024.

⁶⁸ KUO, M.-F. & BRETT, J. 2013, 169.

⁶⁹ Translation and comment on the Donations Book provided by translator, Ely Finch.

⁷⁰ KUO, M.-F. & BRETT, J. 2013. *Unlocking the history of the Australasian Kuo Min Tang, 1911-2013* Kew, Victoria, Australian Scholarly Publishing, 45.



Figure 10 Some of the artefacts on display at the Chinese Nationalist Party of Australasia, 75-77 Ultimo Road. Photo by Juanita Kwok, 2024.

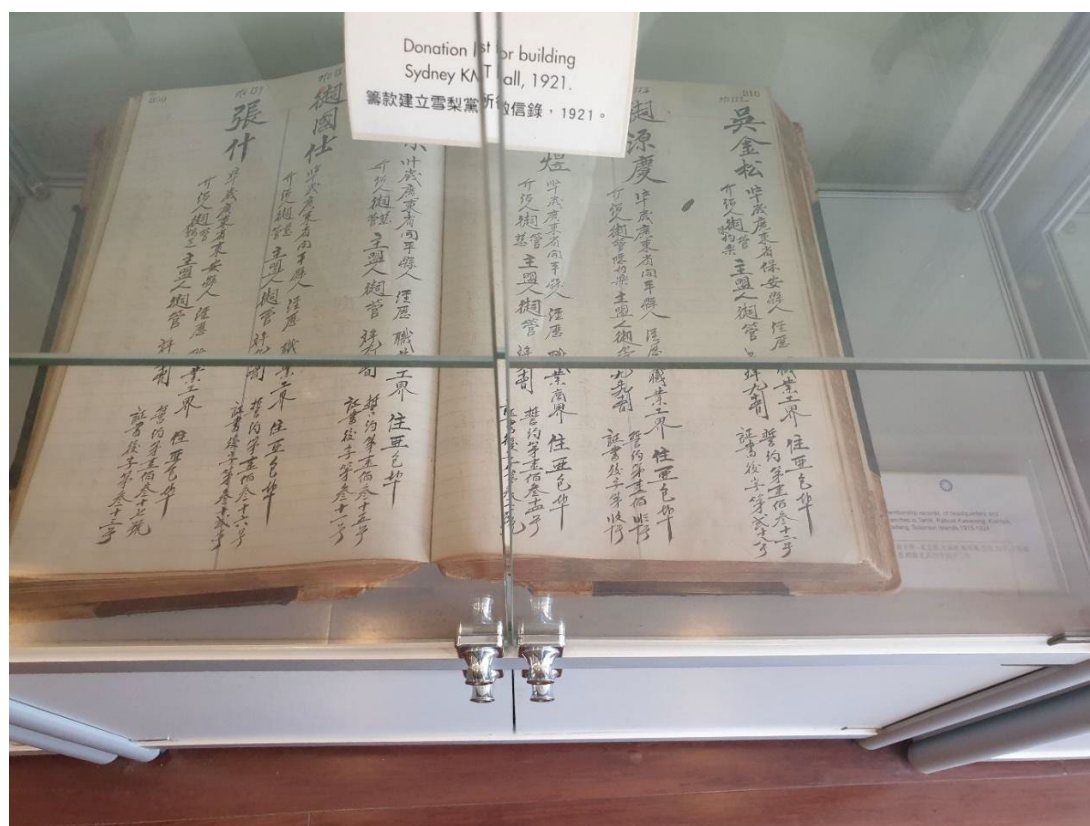


Figure 11 Donations list for building Sydney KMT Hall, 1921. On display at the Chinese Australasian Nationalist Party Building at 75-77 Ultimo Road Photo by Juanita Kwok, 2024.

4. Physical Description

The Sydney branch of the KMT is a five-storey masonry office building at 75-77 Ultimo Road. The front façade is painted brick, though likely to have been originally face brick. The building is painted white, with individual elements painted blue and red. Compositionally the façade is distinctive. The multi-paned glazing reads as a single window united under a single arch spanning the width of the building and divided into bays by brick mullions. The windows are aluminium framed, that replaced the original timber framed windows in the same configuration in the early 1990s. The façade is quite striking with its contrasting painted elements, including white Chinese characters which are fixed against a blue background on the arch and brick panels between the first and second floors, and the building date (1921) and initials K.M.T are also emphasised on the parapet and classical pediment. Two pilasters on either end of the building extend from the awning to the parapet. White down pipes run down their length and they are topped with two red decorative tree motifs and flag poles flying the Australian and Taiwanese flags. A third flag pole above the pediment is flying the KMT's flag. Together the elements of the façade come together to create a distinctive presentation to Ultimo Road.

An awning with pressed metal underside sits above the ground floor shop (featuring a modern shop aluminium and glass façade). To the west of the shop is a doorway and stairwell, lined with timber panelling and a pipe handrail, leading to the first and second floors. The upper floors of the building are all open plan; however, the ground floor and likely the first floor was originally divided by a wall running the length of the building.

The first floor is used as offices and there is no evidence of a dividing central wall as indicated on the original drawing (see figure 4). The elaborate plaster ceiling with a circular design indicates that this may not have been constructed as intended. Offices have been created with modern glazed and timber partitions, the floor is tiled and there is a glass partition separating this space from the stairwell.

The second floor contains a stage, false ceilings and modern timber flooring. The room is decorated in the colours (red, white and blue) and lined with ephemera of the KMT. A staircase located in the south west corner leads to the third floor. It is unclear if the staircase is original.

The third floor similarly has a false ceiling and modern timber floor. This level contains a large archival collection displayed in a series of glazed cabinets and open shelves with photographs lining the walls. The artefacts held in this vast collection includes records of KMT activities including donations, historical newspapers, photographs, artwork, telephones and typewriters (see Appendix for details on the collection). A defining feature of this room is the curved windows which sit under the arch of the façade.

Both the second and third levels may have original or early ceilings obscured by the modern suspended ceilings, but was not inspected so cannot be confirmed. The original drawings indicate that all internal floors are timber framed, supported by steel beams, though a detailed inspection was not carried out to confirm this configuration.

Similarly, the roof appears to be constructed in this manner, with a slight slope towards the front façade. Though not inspected, another room is located towards the rear. This room was not inspected but appears to have a skillion roof. The rear elevation was unable to be inspected.



Figure 12 Nos. 75-77 Ultimo Road with its noticeable white, blue and red façade and curtain glazing.



Figure 13 Shop at ground floor of 75-77 Ultimo Road and pressed metal awning.

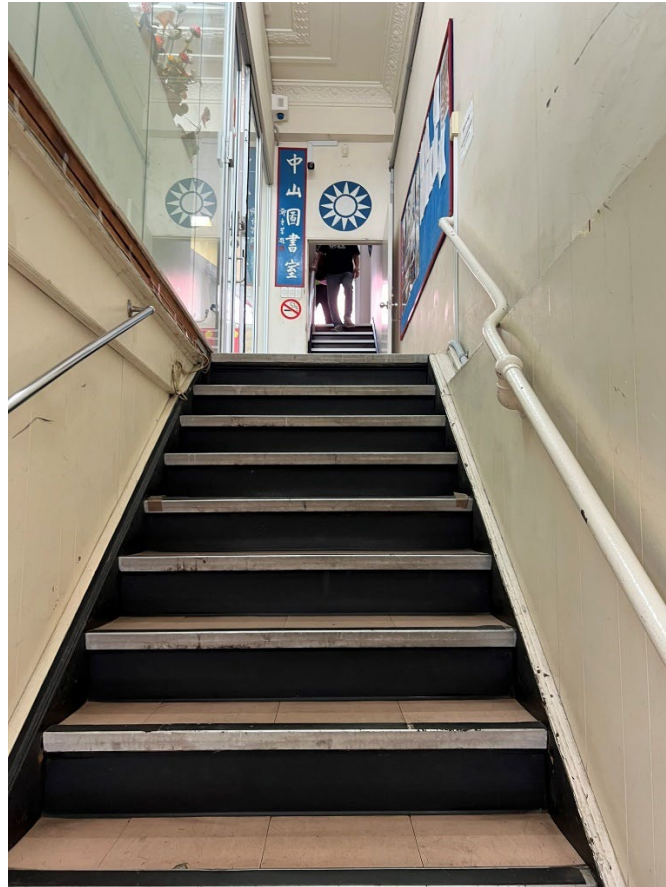


Figure 14 Stairwell to upper floors.



Figure 15 First floor office with plaster ceiling.



Figure 16 Second floor with stage.



Figure 17 Third floor containing archival collection and arched windows.

5. Comparative analysis

As the Australasian headquarters, the Sydney branch, at 75-77 Ultimo Road, oversaw branches across Australia, New Zealand and the Pacific and therefore this comparative analysis considers the place in this context. This comparative analysis aims to further understand the places historical significance and the integrity of the historic network of KMT's Australasian branches. In addition to other KMT headquarters the comparative analysis also considers places constructed by the builder Robert Wall & Sons and the architect Francis Ernest Stowe.

Image	Address	Description
New South Wales		
	Newcastle	By 1927 there was a sub-branch in Newcastle. ⁷¹ It is unclear where the Newcastle headquarters were located and if it is extant.
	Tamworth	By 1927 there was a sub-branch in Tamworth. ⁷² It is unclear where the Tamworth headquarters were located and if it is extant.
	Wollongong	By 1927 there was a sub-branch in Wollongong. ⁷³ It is unclear where the Wollongong headquarters were located and if it is extant.
	Inverell	By 1927 there was a sub-branch in Inverell. ⁷⁴ It is unclear where the Inverell headquarters were located and if it is extant.

⁷¹ "Their dreams are coming true, Sydney's Kuo Min Tang, Striking Growth and Activity," *The Labour Daily*, April 19, 1927, <https://trove.nla.gov.au/newspaper/article/236620216?searchTerm=Kuo%20min%20tang%20Newcastle>

⁷² "Their dreams are coming true."

⁷³ "Their dreams are coming true."

⁷⁴ "Their dreams are coming true."

Image	Address	Description
Australia		
 Figure 18 KMT Building in Melbourne at 109 Little Bourke Street. Source Walter Burley Griffin Society.	109 Little Bourke Street, Melbourne	Originally constructed as a warehouse in 1903 it was altered by Walter Burley Griffin for the KMT in 1921.⁷⁵ Like the Sydney headquarters it was opened by Chan On-Yan, a representative of Dr Sun Yat-Sen who was visiting Australia from China.⁷⁶ The building is extant but it has been altered. Though the Melbourne branch of the KMT is still active it is unclear if they still own/use the Bourke Street address. The place is heritage listed.
	Corner of Lake and James Street, Perth	The KMTs Perth branch occupied their “new hall at the corner of James and Lake Streets” in 1921.⁷⁷ Currently there are three historical buildings (the fourth corner being a park) on this intersection but it is unclear which one the KMT occupied.
	Hindley Street, Adelaide (most likely 171 Hindley Street) ⁷⁸	The KMT Adelaide branch occupied this building in 1921 and there was a sign above the awning indicating their occupation of the premises.⁷⁹ It is unclear when they left this address. It is now used as a restaurant. The place is not heritage listed.

⁷⁵ Victorian Heritage database report, ‘Chinese Nationalist Club (Kuomintang)’ <https://vhd.heritagecouncil.vic.gov.au/places/65205/download-report>; Walter Burley Griffin Society, ‘Kuomintang Club Building, 109 Little Bourke Street, Melbourne,’ https://www.griffinsociety.org/griffin_gallery/kuomintang-club-building-109-little-bourke-street-melbourne/

⁷⁶ Mei-Fen Kuo and Judith Brett, ‘Unlocking the History of the Australasian Kuo Min Tang 1911-2013’ (Australian Scholarly Publishing: Melbourne, 2013), p.25

⁷⁷ “Kuo Min Tang: Chinese Nationalist Party, A Perth Dinner and Meeting,” *The West Australian*, June 30, 1921, <https://trove.nla.gov.au/newspaper/article/27967814?searchTerm=Chinese%20Nationalist%20Party%20Perth>

⁷⁸ “Little-Known Adelaide: Chinese Headquarters,” *The Advertiser*, June 29, 1935, <https://trove.nla.gov.au/newspaper/article/40055712?searchTerm=Chinese%20Nationalist%20Party%20Adelaide>

⁷⁹ ‘Hindley Street Adelaide [B 3726] Photograph,’ State Library South Australia, <https://collections.slsa.sa.gov.au/resource/B+3726>

Image	Address	Description
Figure 19 Former headquarters of the Adelaide KMT branch. Source Google Street view.		
	Cavenagh Street, Darwin	The KMT's Darwin headquarters were likely located on Cavenagh Street Darwin. ⁸⁰ This Street is highly developed and it is likely the place is no longer extant.
 Figure 20 Edwards Chambers and former headquarters for the Brisbane branch of the of the KMT. Source: Local Heritage Places	155 Wickham Street, Fortitude Valley, Queensland 4006	King Edward's chambers were constructed in 1905 for Peter Murphy by architects Hall and Dods. It was leased to a series of business until in 1922 the Brisbane branch of the KMT leased the building. It is unclear when the KMT moved out of the building. The place is heritage listed for its association with its owner Peter Murphy, the eminent architectural firm Hall and Dods and for demonstrating the commercial development of the area.⁸¹
International		
 Figure 21 KMT headquarters in San Fransico. Source: Google images.	838 Stockton St, San Francisco, CA 94108, United States	Built in 1915, the headquarters of the San Fransico branch of the KMT is extant although it is no longer used by the KMT. The building retains evidence of its former use including the white sun on a blue background and in English written above the shop fronts is "Dr Sun Yat-Sen memorial hall of San Fransico." It is understood the San Fransico branch also has a large archival collection though no further details have been found.⁸² It is unknown if the place is heritage listed.

⁸⁰ "20th Anniversary of Chinese Republic: Celebration in Darwin," *Northern Standard*, October 13, 1931, <https://trove.nla.gov.au/newspaper/article/48051059?searchTerm=Chinese%20Nationalist%20Party%20Darwin>

⁸¹ 'King Edward Chambers,' *Local Heritage Places*, <https://heritage.brisbane.qld.gov.au/heritage-places/721>

⁸² In conversation with stakeholders at workshop 5th April 2024.

Image	Address	Description
 Figure 22 Kuo Min Tang headquarters possibly in Rabaul PNG, 1933 prior to WWII. Source National Library of Australia  Figure 23 Kuo Min Tang Hall in Rabaul Papua New Guinea, 1947. Source Australian War Memorial.	Rabaul, Papua New Guinea	Figure 11 depicts a building constructed in c.1929, it is from a series of photographs labelled Rabaul, New Britain. ⁸³ It was likely destroyed during WWII. Figure 5 shows the KMT hall in the new Rabaul Chinatown which was rebuilt following destruction of the town during WWII. ⁸⁴ It is unclear if the building remains extant.
 Figure 24 Solomon KMT headquarters. Source State Library of Victoria, H99.218/24		The Solomon Islands branch of the KMT was founded in 1923 under the Rabaul branch. They became an independent branch in 1931. It is unclear if the headquarters were purpose built and if the building is extant. The Chinese characters on the front of the building translates to “Solomons Branch of the Kuomintang [KMT].”⁸⁵
	Tory Street, Wellington New Zealand.	The KMT’s Wellington branch opened their new headquarters on

⁸³ “Kuo Min Tang, Chinese Nationalist Party 1929 [Picture],” National Library of Australia 2279601

<https://catalogue.nla.gov.au/catalog/2279601>

⁸⁴ “The Kuo-Min-Tang hall where assemblies are held and administrative problems are solved by town...” Australian War Memorial, <https://www.awm.gov.au/collection/C206665>

⁸⁵ “Wooden building with verandah and sign above reading-Kuo Min Tang/Chinese Nationalist Party” SLVIC, https://find.slv.vic.gov.au/discovery/fulldisplay?docid=alma9917856023607636&context=L&vid=61SLV_INST:SLV&lang=en&search_scope=slv_local&adaptor=Local%20Search%20Engine&tab=searchProfile&query=any,contains,H99.218%2F24&offset=0

Image	Address	Description
		Tory Street in 1928. ⁸⁶ It is unknown if it was purpose built. The exact location on Tory Street is unknown and it is unclear if it is extant.
	217 Hobson Street, Auckland New Zealand	The KMT Auckland branch was located on Hobson Street. The building was demolished in the late 1970s. ⁸⁷
 Figure 25 KMT Suva branch headquarters c.1945. Source: <i>Unlocking the p. 129</i>	Thomson Street, Suva Fiji	Although there was a Fiji KMT branch by 1916 it is unclear between what dates they occupied this building. The Fiji KMT headquarters in Suva was located on Thomson Street near Nabukalou Creek bridge. ⁸⁸ The area is highly developed and it is most likely that the building has been demolished.
 Figure 26 KMT Tahiti branch headquarters. Source google street view	59 Av. du Maréchal Foch, Papeete 98714, French Polynesia	The Tahiti branch of the KMT have occupied 59 Av. Du Maréchal Foch from 1924. The building was also used for Chinese and French language lessons. The building was destroyed by a cyclone in the 1980s and rebuilt with a hall. Much of its detailing was not reconstructed. Now known as the Association of the 'Koo Men Tong' it no longer has political affiliations but hosts social and cultural activities.⁸⁹ It is unknown if the place is heritage listed.

⁸⁶ "The Garden of Eden: Situated in Central Asia," *Waipukurau Press*, April 13, 1928,

https://paperspast.natlib.govt.nz/newspapers/WPRESS19280413.2.62?end_date=31-12-1928&items_per_page=10&query=kuo-min-tang+Wellington&snippet=true&start_date=01-01-1928

⁸⁷ 'Kuomintang (Chinese Nationalist Party). Auckland Branch – Memorabilia, 1917-1952,' Auckland Museum, https://www.aucklandmuseum.com/collections-research/collections/record/am_library-manuscriptsandarchives-576?p=10&c=ecrm%3AE84_Information_Carrier&prdt=%5B1917%5D&dept=manuscripts%20and%20archives&ordinal=0

⁸⁸ 'Man Standing in Thomson St, Suva, Fiji,' Museum of New Zealand Te Papa Tongarewa A.019754

<https://collections.tepapa.govt.nz/object/1062618#open-iiifViewer>

⁸⁹ 'Koo Men Tong 1 Chinese School, Papeete,' *Tahiti Heritage*, <https://www.tahitiheritage.pf/ecole-chinoise-koo-men-tong/>

Image	Address	Description
Other politically affiliated buildings in Chinatown, Sydney		
 Figure 27 Chinese Masonic Hall at 18 Mary Street, Surry Hills. Source Google Street view.	18 Mary Street Surry Hills	The Chinese Masonic Hall was purpose built in 1911 for the Yee Hing Company. The Yee Hing Company translated its name in 1912 to the Chinese Masonic Society. The Yee Hing Company were an anti-Manchu underground network that strongly supported the republican movement in China and was a predecessor of the KMT. A masonry building with classical elements, the top corners of the façade are also decorated with miniature pagodas. The Chinese Masonic Society continues to occupy the building.⁹⁰ Locally listed on the Sydney LEP 2012 (I1571).
Office buildings constructed by Robert Wall/Robert Wall & Sons		
 Figure 28 Culwulla Chambers with Dior store in the middle. Source Consuelo de Bobo Google images.	Culwulla Chambers (67 Castlereagh Street)	At the time of its construction in 1912 this office block was the tallest building in Australia. Its construction led to the Heights of Building Legislation (1912) which restricted the height of buildings to 150 feet until 1956. Culwulla chambers is 170 feet. It has technical and aesthetic significance for its reinforced concrete construction and Federation free classical style.⁹¹ Locally listed on the Sydney LEP (I1694).

⁹⁰ 'Chinese Masonic Hall, Sydney' *The China-Australia Heritage Corridor*
<https://www.heritagecorridor.org.au/places/chinese-masonic-hall-sydney>

⁹¹ 'Former 'Culwulla Chambers' including interiors,' State Heritage Inventory,
<https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2423739>

Image	Address	Description
 Figure 29 Former Ushers Hotel on Castlereagh Street. Source Google Street view.	Usher's Hotel (64-68 Castlereagh Street)	Constructed in 1914 it is representative of a key construction period (1900-1920) and the importance of the hospitality industry in Sydney. It is also associated with the prominent architectural firm Ross & Rowe.⁹² Locally listed on the Sydney LEP (I1693)
 Figure 30 Beanbah Chambers on Macquarie Street.	Beanbah Chambers (235 Macquarie Street)	Constructed between 1912-1913, Beanbah Chambers is a rare example of early twentieth century high-rise professional chambers. Highly intact, it also has aesthetic significance for its well resolved interior and exterior detailing including its use of art nouveau detailing. Locally listed on the Sydney LEP (I1881).

⁹² 'Former Metropolitan "Usher's" Hotel Including Interiors,' State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2423738>

Image	Address	Description
Works designed by Francis Ernest Stowe		
 Figure 31 Balls Head Coal Loading platform in 2017. Source State Heritage Inventory.		Ball's Head Coal Loading Depot was constructed in 1917. It was the "first and longest operating shore-based coal loading facility in Sydney Harbour" and the largest in the southern hemisphere in 1927.⁹³ It is listed on the State Heritage Register (SHR #02051)
 Figure 32 Masonic hospital in Ashfield. Source Lorelei Bookluck Google Images.	63 Victoria St, Ashfield NSW 2131	Opened in 1931 the former Masonic Hospital in Ashfield has classical elements. It was to serve masons and their families and dependents and was apparently the first of its kind in Australia at the time of its opening.⁹⁴
 Figure 33 Masonic School in Baulkham Hills. Source Hao Huynh Google images.		Originally the <i>Masonic Orphan School</i>, Baulkham Hills Masonic School opened in 1922 and closed in 1970s. Today the place is owned by the Hills Shire Council and houses the Hills District Historical Society Museum.⁹⁵

⁹³ 'Balls Head Coal Loader Complex (including Platform Pier and Administrative and Workshop Buildings),' State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5056208>

⁹⁴ 'New Masonic Hospital at Ashfield, Sydney,' *Northern Star* 1931, <https://trove.nla.gov.au/newspaper/article/94246966?searchTerm=Masonic%20Hospital%20Ashfield>

⁹⁵ 'William Thompson Masonic School (1924-1974),' Find & Connect, <https://www.findandconnect.gov.au/guide/nsw/NE00394>

Image	Address	Description
 Figure 34 Former Masonic Temple, North Sydney. Source Google Street view.	317 Pacific Highway, North Sydney.	The North Sydney Masonic Temple was constructed in 1922 in the Free Classical Style. It demonstrates the prominence of the Free Masons at the time and has aesthetic significant.⁹⁶ It is locally listed on the North Sydney LEP 2013 (I0961)

Comparative analysis conclusion

Nos. 75-77 Ultimo Road as the KMT's Australasian branch was part of a regional, national and transnational network of KMT branches. The 1920s was a prolific period that saw the opening of many new KMT headquarters of which 75-77 Ultimo Road is an early example. It is a rare example of a purpose built KMT headquarters with many, particularly in other Australian cities, being rented. Although many KMT sites have been lost some have survived. Of those that have survived, most are no longer used by the KMT, unlike 75-77 Ultimo Road which continues to be owned and occupied by the Sydney branch.

Robert Wall & Sons constructed a number of significant office buildings of which Ultimo Road is somewhat unusual for the composition of its façade under a single arch.

The buildings which Ernest Stowe designed suggest he had a strong association with the Freemasons. Research suggests there was a relationship between the European Freemasons in Australia and the Chinese Masonic Society, however, as both were secret societies, the extent and nature of the relationship is not yet fully known.⁹⁷

⁹⁶ 'Former Masonic Temple,' State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2180897>

⁹⁷ Fitzgerald, John. Big White Lie: Chinese Australians in White Australia. Sydney, NSW: University of New South Wales Press, 2007, 80-99.

6. Assessment of Significance

6.1. Ability to demonstrate

Guidelines from the NSW Heritage Office emphasise the role of history in the heritage assessment process. A list of state historical themes has been developed by the NSW Heritage Council, in *New South Wales Historical Themes Table showing correlation of national, state and local themes, with annotations Dated 4 October 2001*.

The table below identifies fabric, spaces and visual relationships that demonstrate the relevant historic themes in evidence at [address].

Australian Theme	NSW Theme	Notes	Discussion
2 Peopling Australia	Migration	Activities and processes associated with the resettling of people from one place to another (international, interstate, intrastate) and the impacts of such movements	The KMT building on Ultimo Road is evidence of the early Chinese migration to Australia and the political activities of Chinese migrants.
3 Developing local, regional and national economies	Communication	Activities relating to the creation and conveyance of information	75-77 Ultimo Road was the registered office of the Chinese Times newspaper, an important organ of the KMT.
3 Developing local, regional and national economies	Events	Activities and processes that mark the consequences of natural and cultural occurrences	As the Australasian headquarters of the KMT, Ultimo Road was the site of a number of party conventions. It was also the location important social events such as the Dragon Ball.
6 Educating	Education	Activities associated with teaching and learning by children and adults, formally and informally.	The KMT Hall was the venue for a Chinese language school established in the mid-1920s. In the 1990s, a Chinese school was opened at 75-77 Ultimo Road for new migrants from Hong Kong and Taiwan.

Australian Theme	NSW Theme	Notes	Discussion
7 Governing	Defence	Activities associated with defending places from hostile takeover and occupation	The Australasian KMT was active in raising funds for China's war effort during the Sino-Japanese War and for China's post war reconstruction. 75-77 Ultimo Road was also the meeting place of the <i>Society of Chinese Residents in Australia</i> which was established to coordinate support for China's war effort.
7 Governing	Government and administration	Activities associated with the governance of local areas, regions, the State and the nation, and the administration of public programs – includes both principled and corrupt activities	75-77 Ultimo Road was purpose built as the headquarters of the Sydney branch of the KMT. The KMT were the ruling party in China from 1927-1949. For most of its history 75-77 Ultimo Road served as the Australasian headquarters of the KMT overseeing other branches across Australia, New Zealand and the Pacific. It continues to be used as the Sydney headquarters of the KMT. The main goals given to the Australasian KMT were the strengthening of its loyalty to the Chinese KMT and the winning of sympathy for the KMT government in China amongst the Australian public.
8 Developing Australia's cultural life	Leisure	Activities associated with recreation and relaxation	75-77 Ultimo Road was both the headquarters of a political party and a community gathering space, for members and for newcomers to Australia. The Hall was the venue for popular film nights. The NSW Chinese Sport Association had free use of the third floor of 75-77 Ultimo Road to provide room for reading, table tennis, social dancing and movie showing.

Australian Theme	NSW Theme	Notes	Discussion
8 Developing Australia's cultural life	Social institutions	Activities and organisational arrangements for the provision of social activities	From 1938 to the mid-1970s the KMT organised the Dragon Ball, an annual social dance for members of the Chinese Australian community and their friends. Rehearsals for the debutante ritual in the Dragon Ball were held at the KMT Hall at 75-77 Ultimo Road. ⁹⁸ The Dragon Ball was the biggest and most-anticipated annual event on the Sydney Chinese social calendar. Besides the Dragon Ball, the Australasian KMT organised outdoor social activities. Through its social activities 75-77 Ultimo Road was an important place for the local community and for helping new arrivals settle in Sydney.
9 Marking the phases of life	Persons	Activities of, and associations with, identifiable individuals, families and communal groups	Nos. 75-77 Ultimo Road is associated with the Chinese Australian community and prominent individuals of the community include: Charles (Peter) Yee Wing, Samuel Wong and Eugene Seeto.

GML's *Chinatown Thematic History* (2023) was developed to provide key historical themes to guide understanding of the development of Chinatown. The following table identifies the relevant themes from GML's report.

GML main theme	GML sub-theme	Discussion
Theme 2: Living and Working in Chinatown	Women of Influence	Unlike the KMT party in China women were allowed to join the Australasian branch and were even exempt from the membership fee.
Theme 3: Belief, Culture and Community	Clan Houses, Clubs and Associations	Nos. 75-77 Ultimo Road is evidence of the headquarters of the Australasian KMT, of which people were members along political associations rather than familial and place of origin ties. Established over 100 years ago. the building continues to be owned and occupied by the Chinese Nationalist Party of Australia and it still fulfils political and social functions.

⁹⁸ GASSIN, GRACE, 2021, All Eyes on You: Debutantes' Explorations of Chinese Australian Womanhood at the Dragon Festival Ball, *Australian Historical Studies*, 543.

6.2. Assessment against NSW heritage assessment criteria

Criterion A Historic Significance

An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

75-77 Ultimo Road was purpose built in 1921 for the Sydney branch of the Chinese Nationalist Party (its Chinese name being Kuo Min Tang or KMT). It continues to be the home of the Sydney branch of the party and an invaluable archival collection of the party's activities outside China. For a significant period of its history, it was the party's Australasian headquarters and the location of the *Chinese Times* newspaper. It demonstrates three historical processes: the political processes of the KMT, the social processes of the KMT and the operation of the *Chinese Times*.

Political processes of the KMT

The KMT was globally a major political party in the 20th century and 75-77 Ultimo Road was the headquarters of the KMT in Australasia for over 100 years. It has been the locus of the Chinese Nationalist Party political activity since it was built in 1921.

Throughout the 1920s Australasian branches of the KMT were establishing their headquarters and the construction of the headquarters of the Sydney branch in 1921 is an early example of this activity. The Sydney branch was purpose built and funded by donations from members across Australasia. The establishment of global branches, purpose built and leased, is testament to the power and influence of the Chinese nationalist movement in the 20th century. The network of branches across Australia is representative of the contribution of Chinese Australians to the political revolution in China and the important part that the Australasian KMT played in a global network of Party branches.

The location of an Australasian headquarters in Sydney is demonstrative of the mobility and inter-connectedness of the Chinese communities across Australia and the Pacific through trade, communications and political affiliations which intersected in Sydney.

As the Australasian headquarters between 1922 and 1964, the Sydney branch is not only locally but also state, nationally and transnationally significant, as it oversaw branches in rural Australia and in capital cities, in New Zealand and in the South Pacific Islands. The Sydney office was the hub of KMT activity in the region and the site of a number of Australasian conventions over the years. Funds raised by members were remitted to support Sun Yat-Sen and then Chiang Kai-Shek Nationalist government which ruled China from 1927-1949.

The Chinese Nationalist Party of Australasia not only contributed crucial funding for the Nationalist cause and for the war effort during the Sino-Japanese War, but it was also a transmitter of ideas and technology to China. It was progressive in comparison to the KMT in China, leading the way in allowing female members to join the Party and it played a role in advocating for the rights of Chinese Australians during the White Australia years. The third floor of the building which is set up as a museum of KMT history contains a number of artefacts which show how technology was adopted and adapted over the years to share communications with China and other branches in Australia, New Zealand and the Pacific. These artefacts include cinematic projectors, audio tape records, old Gestetner machines, typewriters and printing and typographical equipment.

The building itself houses a large collection of records, documents, publications, photographs and artefacts related the history of the KMT's overseas activities.

The building is evidence of the keen interest in political reform in China maintained by Chinese Australians and how this carried over into their lives in Australia.

Social processes of the KMT

Nos. 75-77 Ultimo Road was also the centre of many social activities and fundraisers for the Chinese Australian community of Sydney, particularly the annual Dragon Ball which began in 1938 and remained the major event on the social calendar for the Chinese Australian community until the early 1970s. It was also a place for people new to Sydney to connect through social activities.

Operation of the *Chinese Times*

Nos. 75-77 Ultimo Road was the publishing office for the Chinese Times newspaper (1925-1949) which was an organ of the Australasian KMT.

Significance indicator	Assessment
Association with an event, or series of events, of historical, cultural or natural significance	Nos 75-77 Ultimo Road was the location of a number of Australasian KMT conventions, which brought together delegates from across NSW, Australia, New Zealand and the Pacific. The rise of the KMT in China and Taiwan in the 20th century saw the establishment of overseas branches across NSW, including Sydney (75-77 Ultimo Road) Newcastle, Tamworth, Wollongong and Inverell.
Demonstration of important periods or phases in history	The Sydney branch at 75-77 Ultimo Road oversaw rural NSW branches, demonstrating significant Chinese settlement across NSW. The exact number in NSW is unknown but by 1922 it was reported that there were 23 branches and 5289 members of the Chinese Nationalist Party in Australasia and the South Pacific⁹⁹

⁹⁹ YONG, 153.

Significance indicator	Assessment
Association with important cultural phases or movements	Nos 75-77 Ultimo Road was a hub for coordinating important political and cultural activities of the Chinese Australian community. The building at 75-77 Ultimo Road dates from the early period of Chinatown centred on the Municipal (now Paddy's) Markets. At this time, the majority of Chinese migrants to NSW were Cantonese speakers distinct from the majority Mandarin speakers today. The Australasian KMT is distinguished both as a political and a social hub of the Chinese community in NSW, where it had branches across the state. The Sydney branch was a local social hub and the building at 75-77 Ultimo Road was the venue for cultural activities such as drama groups and film screenings, sports such as tennis and table tennis clubs and the organisational and rehearsal venue for Dragon Balls which were the key social event on the Chinese Australian social calendar from the 1930s to the 1970s. During the White Australia years, the Australasian KMT lobbied both the Chinese and the Australian governments for reform of racially discriminatory legislation. Nos. 75-77 Ultimo Road was the Australasian headquarters of the Chinese Nationalist Party (KMT). It was established to support political reform in China and as a base to maintain loyalty for the party in Australasia and to raise funds for the Nationalist Party and for various charitable causes. It transmitted ideas to local members and those across NSW through the <i>Chinese Times</i> (which had its publishing house at 75-77 Ultimo Road), meetings and conventions held at 75-77 Ultimo Road.
Demonstration of important historical, natural or cultural processes or activities	The Sydney branch of the KMT oversaw regional NSW branches and supported the KMTs government in China. In addition, it provided and continues to provide various community services. Over the years, these have included Chinese language classes (1930s), organising social activities. In the 1970s, it provided support services for new migrants from Indo-China. It continues to play a role in delivering community services today.

Significance indicator	Assessment
Symbolism and influence of place for its association with an important historical, natural or cultural event, period, phase or movement	Nos. 75-77 Ultimo Road is symbolic of the success of the KMT in the 20th century and the support for the party amongst the Chinese diaspora in Australasia as membership was wide spread and these members funded the construction of the building. It is also symbolic of their political activities across Chinese communities of Australasia whose ideas and fundraising, developed and raised in places such as Sydney and NSW influenced politics in China. Through its directives, meetings and conventions the Australasian headquarters at Ultimo Road oversaw and influenced a network of KMT branches across NSW. This was supported by <i>the Chinese Times</i> newspaper which had its publishing office at 75-77 Ultimo Road and was an organ of the KMT.

Criterion B Historical Association

An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

75-77 Ultimo Road is associated with the Australasian KMT who have owned and occupied the purpose-built building for over 100 years.

Prominent individuals from the Chinese Australian community affiliated with the KMT at 75-77 Ultimo Road include:

- Charles (Peter) Yee Wing, the merchant and managing director of Tiy Sang & Co., who served as president of the KMT from 1919-1930. He helped establish the Australasian KMT Canton Liaison Office and was a co-founder of the China-Australia Mail Steamship Line.
- Samuel Wong, the merchant of Tiy Sang & Co. who was Vice President of the Australasian KMT. His membership, was revoked for objecting to Chiang Kai-Shek's leadership and the Communist purges of the Party, but in 1945 he re-joined, the party and proposed a plan for the relief of the refugees which resulted in the establishment of the Chinese Youth League.
- Mar Leong Wah, merchant and manager of Wing Sang & Co., was leader of the KMT for over 20 years and a founding member of the Society of Chinese Residents in Australia supporting Chinese resistance during the Sino Japanese War.
- Eugene Seeto, a wartime refugee who came to Australia and was later elected to the executive of the Australasian KMT. Seeto instigated the preservation of the KMT's historical collection.

The place is also associated with Robert Wall & Sons, a significant building company in the 19th and 20th centuries in Sydney who built 75-77 Ultimo Road and a number of other significant buildings such as Culwulla Chambers.

75-77 Ultimo Road is associated with the architect Francis Ernest Stowe. A notable architect and engineer of the late 19th and early 20th centuries, Stowe was a prominent Freemason who was the Grand Architect of the Grand Lodge. Besides designing 75-77 Ultimo Road, he designed a number of masonic buildings, as well as the Ball's Head Coal Loading Depot. He also founded the Sydney Marine Engineer College where students such as Florence Taylor attended.

Significance indicator	Assessment
A key phase(s) in the establishment or subsequent development at the place or object was undertaken by, or directly influenced by, the important person(s) or organisation	The Sydney branch of KMT has been associated with 75-77 Ultimo Road for over 100 years. It contributes to the history of the local community representing the political activities of Chinese in Australia particularly during the early 20th century when membership was high. As leaders of the Australasian KMT, individuals such as Charles (Peter) Yee Wing, Samuel Wong, Mar Leong Wah and Eugene Seeto have extended associations with 75-77 Ultimo Road. They have made major contributions to the history of Chinatown and Chinese Australians in Australia including establishing the China-Australia Mail Steamship Line, the Chinese Youth League, garnering

Significance indicator	Assessment
	support for China during the Sino-Japanese War, and instigating the preservation of the rare KMT archival collection at 75-77 Ultimo Road. The place is also associated with cultural activities important to the local community and held at 75-77 Ultimo Road including drama groups, film screenings, sports, and the organisation and rehearsal venue of the Dragon Ball. Nos. 75-77 Ultimo Road is also associated with the significant building company Robert Wall & Sons, and architect Francis Ernest Stowe who constructed and designed the building as well as significant buildings throughout Sydney in the 19th and 20th centuries.
An event or series of events of historical importance occurring at the place or object were undertaken by, or directly influenced by, the important person(s) or organisation	Nos. 75-77 Ultimo Road is associated with the Australasian KMT, having served as its headquarters from 1922-1964. In this role it oversaw branches across NSW, Australia, the Pacific and New Zealand, managing these branches through directives, meetings and conventions. Through its relationship to the NSW branches 75-77 Ultimo Road makes a major contribution to the history of NSW. Chinese Australians who were members of NSW branches were people of NSW and though their political activities, ideas and fundraising, were mainly directed at influencing politics in China, they were agitating support across NSW communities making NSW a venue of KMT political activity. They also sought to influence White Australia legislation. The building at 75-77 Ultimo Road, funded by donations from members across Australia and Australasia is a material manifestation of these efforts and ambitions in Chinatown. Thus, the association of the place to the Australasian KMT is significant in acknowledging the history of migrants, specifically politically, in NSW.
One or more achievements for which the person(s) or organisation are considered important are directly linked to the place or object	Not applicable

Criterion C Aesthetic/Creative/technical achievement

An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

Architecturally, nos. 75-77 Ultimo Road is an early example of an office building in Sydney. It is of some architectural interest for its unusual composition where the fenestration is arranged under a single arch and reads as a single window.

The composition and detailing including arch, fenestration, brick mullions, pilasters, parapet and Chinese Characters make a notable contribution to the streetscape and demonstrates aesthetic characteristics associated with Haymarket's redevelopment in the early 20th century.

Significance indicator	Assessment
Recognition as a landmark or distinctive aesthetic natural environment	The composition of the façade is distinctive. The fenestration united under a single arch that spans the width of the building and lined with brick mullions come together to read as a single window. Its striking façade with its notable composition and detailing makes a strong contribution to the streetscape.
Recognition of artistic or design excellence	Not applicable.
Represents a breakthrough or innovation in design, fabrication or construction technique, including design/technological responses to changing social conditions	Not applicable.
Distinctiveness as a design solution, treatment or use of technology	The composition of the façade, with its fenestration under a single arch, is unusual in the local area.
Adapts technology in a creative manner or extends the limits of available technology	Not applicable.

Criterion D Social, cultural and spiritual

An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons.

Nos. 75-77 Ultimo Road has a strong association with the Australasian KMT and its members who have occupied the place for over 100 years. The place continues to be actively used and is the hub of the KMTs political activity in Sydney.

As a community hub where political, social and educational activities were located, 75-77 Ultimo Road continues to be highly valued by the Chinese Australian community as it evidence of one of the major political venues of Chinatown, and represents the political and social lives of the Chinese Australian community in Chinatown during the 20th century. As the headquarters of a network of branches across Australasia it also represents the political activities of the Chinese in NSW.

Significance indicator	Assessment
Highly regarded by a community as a key landmark (built feature, landscape or streetscape) within the physical environment	Not applicable.
Important to the community as a landmark within social and political history	Not applicable.
Important as a place of symbolic meaning and community identity	KMT membership was very high and to this community and the broader Chinese Australian community, 75-77 Ultimo Road represents significant political and social aspects of 20 th century Chinese migrants in Chinatown. This is through its capacity as the locus of KMT political activity in Chinatown since 1921 and as a community hub organising and hosting a number of cultural activities. Together these aspects made the place a hub of the Chinese Australian community in Chinatown. As a surviving example of the former network of KMT branches that once spread across Australasia, including NSW, the place at Ultimo Road is symbolic to the wider Chinese Australian community of the political activities of Chinese migrants in regional NSW and beyond.
Important as a place of public socialisation	Not applicable.
Important as a place of community service (including health, education, worship, pastoral care, communications, emergency services, museums)	Not applicable. The place currently does not function as a museum but the third floor is set up as a museum and therefore has the potential to operate as one.
Important in linking the past affectionately to the present	Not applicable.

Criterion E Research potential

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

Nos. 75-77 Ultimo Road is home to what is probably the largest collection of documents on the activities of the overseas KMT branches outside of China and Taiwan. The collection is an invaluable record of administrative records, publications and photographs not only of the Sydney branch but of those throughout Australia, New Zealand and the Pacific Islands. The archival collection has extensive interpretive value for not only the Sydney branches but those across Australasia including those in regional NSW. The collection has great potential in furthering our understanding of the history of the KMT and the Chinese Australian community in NSW and beyond. The collection was crucial in the development of the Mei-Fen Kuo and Judith Buttler's book *Unlocking the History of the Australasian Kuo Min Tang 1911-2013* though it is unclear to what extent the collection has been analysed.

There is also further research potential in the activities of the KMT across Australasia, such as the establishment of other headquarters and their links to 75-77 Ultimo Road.

Significance indicator	Assessment
Comparative analysis	No other archival collections were identified in the comparative analysis and therefore the archival collection held at 75-77 Ultimo Road, appears to be the only one in NSW. The archival collection at Ultimo Road is highly representative of the history of the KMT in Australasia, including branches in NSW, and thus has exceptional interpretative potential for Australian historical research. This interpretative value includes research that could improve our understanding of the history of the KMT in NSW and the role of 75-77 Ultimo Road in that history.
Potential to improve knowledge of a little-recorded aspect of an area's past or to fill gaps in our existing knowledge of the past	There is some archaeological potential in relation to the former buildings on the site.
Potential to inform/confirm unproven historical concepts or research questions relevant to our past	The archival collection is highly representative not only of the history of the KMT but of the social, cultural, political and organisational activities of the Chinese Australian communities as a whole during the twentieth century and thus has exceptional interpretative potential for Australian historical research including in Chinatown and NSW. . The collection also has research potential for Chinese communities throughout Australasia, New Zealand and South Pacific where the KMT had branches. (see appendix for details on what the collection holds).

Significance indicator	Assessment
Potential to provide information about single or multiple periods of occupation or use	The KMT's archival collection has the potential to provide information on the establishment and operations of 75-77 Ultimo Road and activities of regional NSW branches during the 20th century.
Potential to yield site-specific information that would contribute to an understanding of significance against other criteria	The KMTs archival collection is unique in the local area for its likely contribution to understanding the operations and achievements of the Sydney branch of the KMT and its historical significance to the local area. It also has potential to contribute our understanding of the location, operations and contributions of regional branches.

Criterion F Rare

An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

The archival collection of the Sydney branch of the KMT, housed at nos. 75-77 Ultimo Road, is likely a rare collection on the activities of the KMT's overseas branches. It is also likely the largest of its kind outside of China and Taiwan.

Rarity is a valuable criterion in the context of the Chinese in Australia as there is a history of resumptions and even later development demolishing places associated with the early Chinese settlement in Australia. Building nos. 75-77 Ultimo Road is a particularly significant building. Nos. 75-77 Ultimo Road is a rare surviving example of early Chinese Australian commissioned buildings and it is a rare example of a building purpose built for the KMT.

Significance indicator	Assessment
Rare surviving evidence of an event, phase, period, process, function, movement, custom or way of life in an area's history that continues to be practised or is no longer practised	The building at 75-77 Ultimo Road houses the KMT's archival collection which is unusually extensive in the local area and NSW. The Archive provides evidence of the KMT's activities and membership across Sydney, NSW and beyond. It is rare to find such a large, intact and complete archive of a Chinese Australian organisation.
Evidence of a rare historical activity that was considered distinctive, uncommon or unusual at the time it occurred	Not applicable.
Distinctiveness in demonstrating an unusual historical, natural, architectural, archaeological, scientific, social or technical attribute(s) that is of special interest.	Not applicable.
Demonstrates an unusual composition of historical, natural, architectural, archaeological, scientific, social or technical attributes that are of greater importance or interest as a composition/collection	There was no collection of KMT headquarters in Sydney and therefore they cannot demonstrate a composition of historical attributes at a local level. It is unknown if the headquarters of the other NSW regional branches are extant and therefore it cannot be determined if a collection of KMT headquarters exists in NSW. If any regional NSW headquarters are extant then they would be valuable as a collection demonstrating an historical network.

Criterion G Representative

An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).

Nos. 75-77 Ultimo Road does not meet the threshold for criterion G.

Significance indicator	Assessment
A class of places or objects that demonstrate an aesthetic composition, design, architectural style, applied finish or decoration of historical importance	Not applicable.
Representative of a class of places that demonstrate a construction method, engineering design, technology, or use of materials, of historical importance	Not applicable.
Representative of a class of places that demonstrate an historical land use, environment, function, or process, of historical importance	Not applicable.
Representative of a class of places that demonstrates an ideology, custom or way of life of historical importance	Not applicable.

6.3. Statement of Significance

The building and its archival collection are a key site of Chinese history in NSW and Australia, directly related to the 20th century political history of China and Taiwan, and the social and economic affairs of Chinese Australians during the operation of the white Australia policy.

The building at 75-77 Ultimo Road was constructed for and served continuously as the headquarters of the Chinese Nationalist Party of Australasia (Kuo Min Tang or KMT) for over 100 years. It has been the locus of Chinese Nationalist political activity since it was purpose-built in 1921. It was also the publishing office for the Chinese Times newspaper (1925- 1949). The building at 75-77 Ultimo Road has not only local significance, as the headquarters of the Sydney branch, but is also significant at a state, national and transnational level as the headquarters of the KMT in Australasia, overseeing branches in rural Australia, New Zealand and in the Pacific.

Funds raised by members of the Australasian KMT were remitted to support Sun Yat-Sen and the ruling Nationalist government (1927-1949) in China and later for the war effort during the Sino Japanese war. The Australasian KMT was also a transmitter of ideas and technology to China. It led the way in allowing female members to join the Party and it played a role in advocating for the rights of Chinese Australians during the White Australia years.

Many prominent Chinese Australians are associated with the KMT Building at 75-77 Ultimo Road, including Peter Yee Wing, Samuel Wong, Mar Leong Wah and Eugene Seeto. The building is also associated with the prominent building company Robert Wall & Sons and architect Francis Ernest Stowe. It is architecturally notable for its fenestration and brick mullions under a single arch spanning to width of the building to read as a single window. Together the elements of the façade including its composition and detailing particular the arch, fenestration, brick mullions, pilasters, parapet and Chinese Characters, make a notable contribution to the streetscape.

The place was also the centre of cultural life with many social activities for the Chinese Australian community, particularly the Dragon Ball which began in 1938 and was a major event on the social calendar for the Chinese Australian community in Sydney until the early 1970s.

The building itself houses what is probably the largest collection of records, documents, publications, photographs and artefacts related to the KMT's history outside of China and Taiwan. It is also demonstrative of a prolific period in the 1920s that saw the establishment of the KMT's overseas headquarters in centres of Chinese settlement, of which the place is a rare purpose-built example which continues to be used today for its original purpose.

7. Listing Recommendations

Under its Local Environmental Plan (2012), the City of Sydney is required under 5.10(a) to “conserve the environmental heritage of the City of Sydney”. For a place to be heritage listed it needs to substantially meet at least one of NSW Heritage’s criteria (2023) for assessing significance. The significance assessment of 75-77 Ultimo Road has found that the place meets six criteria at least at a local level, and therefore it and its archival collection warrants protection under the Local Environmental Plan. The significance assessment has demonstrated that the place has importance to Sydney with its distinct history in the Haymarket precinct, its representing of the significant role of Chinese in Australia and the current regard held for the buildings by the community. Therefore, the place should be listed under Schedule 5, Part 1 of the City of Sydney LEP 2012.

8. Management Recommendations

The following recommendations are drawn solely from a consideration of the significance of the place and good heritage practice.

These recommendations are framed with an understanding that heritage conservation is a social contract, requiring responsibility to be shared by the owners and consent authorities for the mutual benefit of all stakeholders.

As such, these recommendations are written with consideration of possible future ambitions of the owners, while striving to achieve the best heritage outcome for the place, and with an expectation that the consent authority, in representing the community's interest, will assist/support the owners in managing and conserving the significance of the place, where possible.

8.1. Obligations arising from significance

The high cultural significance of the place identified in the statement of significance obliges its conservation and good management (Burra Charter Article 2).

The significance is embodied in the place. Place means site, area, land, landscape, building of other work, group of buildings or other works, and may include components, contents, spaces and views. Place also includes fabric, setting, use, associations, meanings, records, related places, and related objects. (Burra Charter Article 1).

The significance of 75-77 Ultimo Road is primarily identified the on-going use of the place as the headquarters of the KMT's Sydney branch for over 100 years, in the collection which it houses, and its historical use as the headquarters of the Australasian KMT. Consideration of these three values informs the management recommendations for the place.

The significance of the archival collection requires that it be appropriately cared for and that public access to the collection is facilitated.

The ongoing connection of the place to the Australasian KMT and the Chinese Australian community should be continued through use and ownership.

8.2. Tolerance for change

The façade of the building strongly conveys its association with the KMT and is of some architectural interest. There is limited tolerance for change to the building's façade with a need to preserve the buildings form and KMT associated details.

There is greater tolerance for change internally where there is limited original fabric. Appropriate interventions may include a lift and alterations to the layout. The open plan layout of the second and third floors is indicative of historical uses, namely a hall which held many social and political events. As such, any changes to the layout must ensure that the historical open plan remains interpretable.

8.3. Conservation of fabric

The archival collection should be assessed for conservation to assist with ensuring and facilitating appropriate care of its objects.

There is limited original building finishes and details at the place. Missing elements which could be reconstructed and/or reinstated, if desired, are the timber window frames and original ceilings could be revealed if existing.

8.4. Interpretation

The archival collection has high interpretative value requiring public access to be enabled. In the past, the Australasian KMT has held open days and is amenable to doing so in future,

dependent on the availability of staff or volunteers and funding. Public access to the collection could also be facilitated through digitalisation of the collection.

The significance of the place is not independent of the history and development of Chinatown in the Haymarket area, and as such, interpretive strategies for 75-77 Ultimo Road should be considered within an overall interpretation strategy for Chinatown.

We recommend that the City of Sydney and the owners work together in considering additional interpretive strategies for the place such as:

- Setting up a plaque(s) at street level to communicate the site's history and significance.
- Creation of digital archives/websites showcasing the history and significance of Chinatown, identifying 75-77 Ultimo Road as a place of significance in the area.

A heritage interpretation plan must be provided in the event of major alterations to the building.

8.5. Future use

Much of the building's significance lies with its direct relationship with the KMT and associated archival and movable heritage collection. It is recommended that future use of the building maintain these ties and continues to ensure the retention of significant internal and external features and appropriate conservation of its collection in accordance with relevant planning controls. Other appropriate uses include retail, offices or a museum space.

Appendices

Kuo Min Tang Building, 75-77 Ultimo Road

The following information on the building was provided by Elizabeth Kao, Treasurer of the Chinese Nationalist Party of Australasia (KMT). It is abstracted from Dr Mei-Fen Kuo's "Report on KMT archives" in 2006 and the book "Unlocking the History of the Australasian Kuo Min Tang 1911-2013" by Mei-Fen Kuo and Judith Brett, published in 2013 by Australian Scholarly.

"The KMT Building at 75 Ultimo Road was built exclusively with donations from individual party members, it was opened in 1921 and served continuously as the headquarters of the KMT organization for Australia and Oceania. The preservation of the organization's documentary collection to this day is largely a result of it being continuously housed at the one dedicated site.

"The building has four floors and a roof top room. The ground floor is leased to a Chinese herbalist shop for commercial purposes and the rental income maintains the operation of the KMT affairs. The KMT occupies the rest of the building. The organization's offices and reading room are on the first floor and on the second floor is a meeting hall. The third floor has a large room and a small storeroom and was used as a Chinese school classroom (Yu Mei Chinese School) in the 1980s and 1990s and now functions as a museum and the archives for the KMT.

"The third floor is set up as a museum of KMT history and contains a number of historical artifacts, including sewing machines, cinematic projectors, audio tape records, old Gestetner machines, typewriters, old gramophone records, printing and typographical equipment, as well as a round wooden table with marble top presented by Peking Café of Sydney, in glass display cases, there are organizational memorabilia including seals, badges, and a large number of Chinese moveable type and printing blocks. In this room are also a number of items from the archival collection that are on open display. The archived collection has administrative records, publications and photographs relating to KMT branches throughout Australia, New Zealand and the Pacific Islands. The collection also includes party membership lists, completed membership application forms, financial records, correspondence and notices, minutes of meetings and conventions, list of donors to various causes, magazine subscriptions lists, newspaper clippings, and internal and external publications (in addition to photographic and artifact collections). In the room on the roof top there are approximately ten-meter-long shelves with metal/plastic/leather-look boxes containing cinematic films screened during the 1940s through to the 1990s.

"The KMT Archival Collection kept in Sydney is probably the largest collection in the world outside of China and Taiwan of documents relating to the activities of the KMT branches among overseas Chinese. The archival collection is highly representative not only of the history of the KMT but of the social, cultural, political and organizational activities of the Chinese Australian communities as a whole during the twentieth century and thus has exceptional interpretative potential for Australian historical research. The collection is related not only to the Chinese community in Sydney but since the KMT had branches in Chinese communities throughout Australasia, New Zealand and South Pacific the collection is of national and international significance.

"The historical artifacts displayed in the KMT museum can be opened to the public on special occasions when the KMT is well planned and prepared. It is rare for such a large, intact and complete archive of an Australian Chinese organization to become available. The rarity, value and fragility of the documents in the collection along with the variety of other material, machinery, and artifacts highlights the need for professional/additional support for the KMT to establish a policy for collection management and continued preservation and protection of the collection. (This is our Committee's consensus)."¹⁰⁰

¹⁰⁰ Information provided by Elizabeth Kao, Treasurer, Chinese Nationalist Party of Australasia (KMT), 6 March 2024.

Attachment E

**Hector Abrahams Architects - Draft
Inventory Sheet – 50-54 Dixon Street**



State Heritage Inventory form

Complete all mandatory fields on the form, as indicated with an asterisk (*).

A. Nominated item

1. Name & type

Name*	Goon Yee, Loong Yee and Loon Fook Tongs building
Other or former names	
Item type (if known)	Built
Item group (if known)	
Item category (if known)	
Area, Group, or Collection Name	

2. Location

If the item does not have a street number, provide land parcel information as well.

If the item has no land parcels, provide coordinates and a map.

For moveable objects enter the principal address where held.

Street address*	50-54 Dixon Street Haymarket NSW 2000
Alternate street address	
Local government area*	Sydney

Land parcels*	Lot	A	Section (if applicable)		DP	958137
	Lot	B	Section (if applicable)		DP	958137
	Lot	C	Section (if applicable)		DP	958137

Coordinates	
Latitude	-33.87800701628926
Longitude	151.2041958518705
Datum	

3. Extent of nomination

Provide a map or plan clearly indicating the extent of the curtilage (boundary) of your nomination.



Source of map or plan	Nearmap, Annotated by HAA
Description of the boundary, if required	

4. Ownership

For organisations / company, please provide both the name of the business and a contact.

Name of owner(s)*	LOONG YEE TONG SOCIETY INCORPORATED
Business / organisation name, if applicable	
Address	50-52 Dixon Street, HAYMARKET NSW 200
Phone	
Email	
Ownership explanation, if required	

Name of owner(s)*	GOON YEE TONG LIMITED
Business / organisation name, if applicable	

STATE HERITAGE INVENTORY FORM

Address	54 Dixon Street, HAYMARKET NSW 200
Phone	
Email	
Ownership explanation, if required	

B. Significance

5. Why is it important in NSW?

Refer to the guideline [Assessing heritage significance](#) when completing this section.

Statement of significance*
The building at 50-54 Dixon Street has historical significance as key social organisations for the Chinese Australian community, and for enabling its members to maintain links to their hometowns. The three-storey building at 50-54 Dixon Street was jointly funded and purpose-built in 1916 by leaders of the Tsang Shing (Zengcheng) and Tung Koon (Dongguan) counties. It was built to house the Loon Fook Tong (Luen Fook Tong) clubhouse at 50 Dixon Street for people from the Tsang Shing County; the “Goon Yee Tong” clubhouse at 54 Dixon Street for people from Tung Koon County; and between the two clubhouses, at 52 Dixon Street, a joint clubhouse, the “Loong Yee Tong”. The three district associations have occupied 50-54 Dixon Street for over 100 years. The associations played a vital role in the Chinese Australian community by offering services to assist with settling in Sydney or returning to China, arranged bone-repatriation, provided accommodation, conducted charitable events and most likely arranged the transfer of members’ remittances to China. 52 Dixon Street has historical association with the ‘Tung Wah Times’ newspaper (1902–1936), the second Chinese newspaper to be established in Sydney. In 1914, the ‘Tung Wah Times’ boasted the largest circulation of any Chinese newspaper in Australasia. The coexistence of a number of different Chinese newspapers indicates the diverse political affiliations of Chinese diaspora and the newspapers’ role in shaping Chinese Australian identity. 52 Dixon Street was also the meeting place for members of the NSW Chinese Chamber of Commerce (1913-1965), which promoted overseas trade and defended Chinese Australian commercial interests from anti-Chinese campaigns. Historian Mei-Fen Kuo has characterised Sydney in the late 19th to early twentieth century as “a hub of Chinese mobility” and “a centre of community mobilisation and identity formation” (Kuo, M. F., 2013). 50-54 Dixon Street was central to this development. The form and aesthetics of the building are consistent with those of early 20th century buildings pertaining to Chinatown and thereby contribute to the understanding of the historical streetscape of Dixon Street. The Chinese signage on the façade is significant as markers of the historical uses of the building. The district associations continue to play a social role amongst their respective communities. The historical uses of the place such as the popular restaurants which occupied the ground floors are remembered fondly by the local Chinese Australian community. The place is representative of early purpose-built district association buildings built across the country to serve the increasing Chinese diaspora in Australia. The building at nos. 50-54 Dixon Street is likely to be the last surviving example of a purpose-built district association building in Sydney or NSW, continually owned by the associations for over 100 years.

Comparisons*

The creation of district associations across Australia is a historic process which continues today with a number of new associations being created in the late 20th century and early 21st century (A. Wong et al, July 2016, p.47). This comparative analysis focuses on the district associations founded in the 19th and early 20th century, in order to understand the historical significance, rarity and representativeness of 50-54 Dixon Street

NEW SOUTH WALES

Chin Wah Benevolent Association, Sydney, NSW - It is unclear when this Association was established, but it has existed since at least 1913. Information on the functions of the association and its address is unknown (International Chinese Business Directory of the world, 10 February 1913, p.1225).

Chung Hwa National Association, 158 George Street, Redfern - It is unclear when this Association was established, but it has existed since at least 1913. Information on the functions of the association and whether it is extant is unknown. Historical aerials indicate that the building had been demolished by 1975 (International Chinese Business Directory of the world, 10 February 1913, p.1225).

Yiu Ming Hung Fook Tong, 417 Sussex Street, Haymarket - The Yiu Ming Hung Fook Tong was founded in 1880 for the Ko Yiu people in Sydney (A. Wong et al, July 2016, p.47). Today, the place is known as Dixon House. It is unclear if the building was purpose-built for the District Association or if it leased space within the building. The exact functions of the Tong or whether the Tong continues to use the building is unknown.

Chinese Youth League of Australia, 10 Dixon Street, Haymarket - The Chinese Youth League was founded in 1939 in an attempt to gather patriotic Chinese youth to form an association to fight the Japanese invasion in China. The league assisted in providing jobs, meals and accommodation to stranded Chinese seamen who jumped ship or came to Sydney as refugees during WWII. The league is also known for its efforts in fighting the white Australian policy. The building is extant and the league conducts activities and sports events for Chinese youth in Sydney (Chinese Youth League of Australia website, 2024).

Kwong War Chong Building, 84 Dixon Street, Haymarket - The Kwong War Chong building was erected in 1909 for Philip Lum Chun Lee's company 'Kwong War Chong & Co.' The ground floor of the building was a general store. The above floors served as an early community centre for the Zhongshan (Chungshan) people in Sydney, and as a meeting place for the 'Tong Sen Tong', a society for the Long Du people (Alexandra Wong, 2020). The place is no longer used by the associations. The place is listed on the NSW State Heritage Register (Listing No. 02089) and on the Sydney LEP (Item no. I2293) (Kwong War Chong, State Heritage Inventory)

Chungshan Society of Australia Inc., 50 Albion Street, Surry Hills - Founded in 1983, the Chungshan society offers migration services for Chinese immigrants from Zhongshan. The society also conducts tours to attend winter camps and cultural exchanges in Zhongshan, particularly for the descendants of the Zhongshanese in Sydney (The China-Australia Heritage Corridor website, 2024). The organisation continues to operate out of this address. This building is located within the Reservoir Street & Fosterville Heritage Conservation Area.

Sze Yup Temple, 2 Edward Street, Glebe - The Sze Yup Temple was funded and built by Chinese immigrants from the four Sze Yup districts of Kwangtung in 1898, as a place of worship and as a cultural centre. The place provided accommodation for Chinese travellers and migrants, material assistance, and conducted bone repatriation for deceased Chinese people in Sydney (The Glebe Society website, 2013). The place is listed on the NSW State Heritage Register (Listing No. 00267) and on the Sydney LEP (Item no. I680) (Sze Yup Temple, State Heritage Inventory)

Yiu Ming Temple, 16-22 Retreat Street, Alexandria - Construction of the Yiu Ming Temple began in 1908. It functioned as a temple as well as a cultural and social centre for the community. The place assisted new arrivals with funding, provided accommodation and employment opportunities for the people from

Gaoyao and Gaoming districts. The temple also organised bone repatriation of deceased society members. The place is listed on the NSW State Heritage Register (Listing No. 01297) and on the Sydney LEP 2012 (Item no. I28) (Yiu Ming Temple, State Heritage Inventory)

VICTORIA

Num Pon Soon Society Building, 200-202 Little Bourke Street, Melbourne – The place was purpose-built in 1861 for Sam Yup Society (later the Num Pon Soon Society) the district association for people from the three Sam Yup districts. It is the earliest surviving Chinese community building in Victoria. It is significant for its historical and social association with Chinese immigrants, their customs and traditions. The place is listed on the Victorian Heritage Register (Listing No. H0485) (Victorian Heritage database report).

Ning Yang Society, 208 Little Bourke Street, Melbourne - The Ning Yang Society (also known as Taishan Society) was formed in c.1909 (Chinese-Australian Historical Images in Australia website, 2008). The place was built for the people of the Ning Yang (Sim Hing) district of Canton (The Herald, 16 June 1909, p.1). The district association is located in the upper floors.

Kong Chew Society, 4 Tattersalls Lane, Melbourne - Founded in c.1850, the Kong Chew Society functioned as a welfare and mutual aid organisation for the people of the Guangdong province of China. The society still exists as a registered organisation (Australian National University Archives, 2012). It is the earliest See Yup (now known as Siyi) association in Australia. People from the Siyi region migrated overseas and created district associations known as “Kong Chew” to illustrate their ancestry and ties to their home region (Kong Chew Society website, 2024).

See Yup Society Temple, 76 Raglan Street, South Melbourne - The See Yup Society Temple was constructed in 1866 to support the Chinese people of four See Yup districts (Paul Macgregor, 2024) who arrived in Melbourne in the late 19th century (Michelle Lai, 2021). The place is the principal centre of worship and death registry of the Cantonese in Victoria. The place is listed on the Victorian Heritage Register (Listing No. H0219) (Victorian Heritage Database report).

PERTH

Chung Wah Association, 128 James Street, Northbridge - Established in 1909, the Chung Wah Association is the largest and oldest surviving non-profit organisation in WA. The association was formed to support the social welfare of the Chinese migrants in Perth and continues to operate at the same location (Chung Wah Association website, 2024). The place is listed on the WA State Register (Place No. 02027) (Govt. of Western Australia Heritage Council website, 2016).

DARWIN

Chung Wah Society, 6 Litchfield Street, Darwin City - Established in 1911, the Chung Wah Society was built as a social and sporting club for the Chinese population in Darwin. The place promotes cultural education, social interests and welfare of the members. It also functions as a Chinese temple. The place continues to operate at the same location (Chung Wah Society website, 2024).

CONCLUSION

Since the 1850s, Chinese migrants in Australia have built both temples and association buildings as a way of providing a meeting place for the local community and for offering services and assistance in various aspects of life. The majority of purpose-built district association buildings still in use today are located in Victoria. Within NSW, there is a mix of purpose built, leased and multi-use buildings including temples. The building at nos. 50-54 Dixon Street is a rare example in NSW of a purpose-built building constructed primarily for the use of the district associations and continues to be owned and used by these associations.

C. Description**6. Describe the existing item**

Description*	The physical analysis of the building at nos.50-54 Dixon Street is limited to the external façade of the building's Dixon Street frontage. Internal access to the building was not provided. The building at nos.50-54 Dixon Street is a three-storey masonry building. Two brick pilasters divide the façade into three vertical bays. Each bay corresponds to the three individual lot boundaries upon which the single building was built. The ground floor awning, a painted cement band at the second-floor level and a cornice and parapet at the roof level creates a visual division indicating each floor. Atop the building is a parapet with a central pediment and inscription 'AD 1916' indicating the date of completion of the building. The ground floor of the building has been significantly altered by the introduction of contemporary food and retail premises with contemporary fit outs. The façade of the upper floors consists of 12 equidistant windows. A noteworthy feature of the façade are the Chinese characters written across the first-floor exterior. The Lean Sun Low sign painted in Chinese characters on the exterior of 54 Dixon Street appears to be original, as does the very faded Chinese Chamber of Commerce sign on 52 Dixon Street. The signs painted on the exterior of the building between 50 and 52 Dixon Street appears in later photographs dating from 1984. The ground floor is sublet to eateries, the above floors are believed to be occupied by the district associations. Internal configurations, surviving fabric and contemporary use are unknown. Signage on the ground floor door of 54 Dixon Street indicates that the above floors are available for commercial office or retail shop lease, with street level advertising allowed. 50 DIXON STREET The ground floor of 50 Dixon Street hosts the 'Canton' restaurant and is characterised by contemporary glazed maroon tiles, kitchen window and main entrance. A plaque with Chinese characters is located at the edge of the tiled façade. The first-floor brick façade has been painted grey, covering the original Chinese writing, while the second floor retains its original brick finish. Each floor comprises of two window openings with exposed arched brick lintels and bullnose brick sills. The first floor comprises of two double hung windows with opaque glazing and metal framing, and the second floor has four-panel transparent glazed sliding windows with metal frames. The top left window on the second floor is fitted with an external grill mesh. Air conditioning units sit above the awning. 52 DIXON STREET No.52 Dixon Street's ground floor facade is embellished with contemporary grey stone cladding and shopfront windows for the 'Skewer BBQ' restaurant. A stairway installed in circa 1995 leading to the first floor, is located on the northern side of the shop. A plaque indicating the names of the district associations is positioned on the wall to the left of the stairway on the ground floor, and was mounted in circa 1995. The awning at 52 Dixon Street has been set back to accommodate the Chinatown gates abutting the building. On the first and second storeys, the building is a face brick finish with two window openings with arched brick lintels and bullnose brick sills per floor.
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STATE HERITAGE INVENTORY FORM

	These four-panel glazed sliding windows have metal frames and are modern additions to the building, dating to sometime after 1979. The first-floor windows have internal metal grills. The northern window on the second floor is fitted with an external grill mesh. The Chinese characters on 52 Dixon Street are obstructed by the addition of electrical conduits. Air conditioning units sit above the awning. Metal embellishments with Chinese motifs can be seen on the pilaster between 52 and 54 Dixon Street. 54 DIXON STREET On the ground floor, 54 Dixon Street is currently occupied by 'Super Emoji' juice shop. A door identifying the district associations is located north of the juice shop. Signage over the door shows the logo of the 'Goon Yee Tong Limited' association. It is assumed that the doorway leads to a stairwell to the above floors. The ground floor façade is clad with grey tiles and contains three steps leading to a setback glazed shopfront. On the first and second floor, the façade comprises of four window openings with arched brick lintels and bullnose brick sills, two at each floor. The windows are double hung with frosted glass panels and metal frames. The old Lean Sun Low sign painted on the exterior of 54 Dixon Street is obstructed by the addition of electrical conduits. Air conditioning units are located above the awnings.
Condition of fabric and/or archaeological potential*	The external fabric is in good condition. An inspection of internal fabric was not conducted. There may be some archaeological potential but this is likely limited.
Integrity / intactness*	The external façade at the ground floor level has been substantially altered for modern food retail use. The façade on the above floors remains fairly intact with some original joinery removed and non-original paint finish. An internal inspection was not conducted.
Modification dates	
When was the last time you inspected the item?	External inspection was conducted in March 2024. An internal inspection was not conducted.
Current use	The ground floor is occupied by restaurants and cafes. The use of the above floors is unknown.
Original or former use/s	District Association building (clubhouses) for the "Goon Yee Tong", "Loong Yee Tong", and "Loon Fook Tong," Tung Wah Times newspaper office and Chinese Chamber of Commerce headquarters.
Any additional comments	

D. History**7. Origins and historical evolution**

Years of construction*	Start		End	1916
Designer or architect*	Unknown			
Maker or builder*	Unknown			
Historical outline*	CONTEXTUAL BACKGROUND The great majority of Chinese migrants who came to the Australian colonies for the goldrushes in the early 1850s came from counties in the Pearl River Delta, in the vicinity of the provincial capital of Canton. As Dr Michael Williams' research shows, they maintained strong ties to their villages (Williams, M. 2018). People tied by native place, languages and kinship established associations to support and sponsor others from the same place or of the same surname. These associations included the Goon Yee Tong, for people from Tung Koon (Dongguan) County, and the Loon Fook Tong (Luen Fook Tong), for people from the Tsang Shing (Zengcheng) County. The Goon Yee Tong was established by at least 1857, as the influential merchant Way Kee is known to have been Treasurer of the association from 1857 to 1889. In the late 19th century, after the goldrushes had ended, the Chinese population in the Australian colonies was still largely a rural-based population. In NSW, people from Tung Koon were concentrated in rural towns such as Tamworth, Newcastle, Bathurst, Camden and Liverpool, where they mainly worked as market gardeners or storekeepers. A notice published in the Chinese Australian Herald in December 1902 indicates that the Goon Yee Tong association was established by Tung Koon natives to organise bone repatriation and engage in charitable endeavours (27 December, 1902, p.5). A 1906 article in the Tung Wah Times named N. Lean Fore as the director of the organisation with responsibility for bone repatriation (30 June 1906, p.5). People from Tsang Shing were concentrated in towns such as Wellington and Newcastle, and in Victoria and New Zealand, where they were also largely engaged in market gardening and storekeeping. The district association for people from Tsang Shing was called the Loon Fook Tong. These two district associations merged to create a joint Tung Koon-Tsang Shing association called the Loong Yee Tong. Evidence given in the 1891 'Report on the Royal Commission on alleged Chinese gambling and immorality and charges of bribery against members of the police force' shows that the Loong Yee Tong was in existence from at least 1891. Way Shong, Treasurer of the Loong Yee Tong, who was amongst the many Chinese community members interviewed for the 1891 Commission, stated he knew of two Chinese societies in Sydney – the Goon Yee Tong and the Loong Yee Tong (Report of the Royal Commission on alleged Chinese gambling and immorality and charges of bribery against members of the police force, 1891). Way Shong stated that the objects of the Loong Yee Tong are to "provide a fund for sick people and people who are unable to pay their passages home". He also spoke of funds donated to the hospital and sent to Hong Kong for buying coffins to put on board the boats so that if any Chinaman died at sea his body would not be thrown overboard (Way Shong, 22 September 1891). Another interviewee, Pow Chee stated that "the Loong Yee Tong belongs to two districts, and I think about 80 or 90 percent of [the migrants from] those districts belong to the Society" (Pow Chee, 12 October 1891).			

EARLY DEVELOPMENT OF THE AREA

The buildings which occupy 50-54 Dixon Street are part of 15 acres of Gadigal land at the head of Cockle Bay, granted to John Dickson in 1813. The grant was subsequently subdivided and in 1830 and 1833 allotments were sold in Sussex, Goulburn and Dickson (sic) Streets.

Dove's Plan 1880 plan shows two plots where 50-54 Dixon Street stands today. The northern plot was a yard with two single-storey wooden buildings with shingle roofs at the west entrance, three two-storey brick or stone buildings with shingle roofs to the south, and one single-storey wooden structure with a slate or metal roof in the eastern corner. The southern plot was a timber yard with a wood and iron shed along the northern edge of the plot, as well as a single-storey wooden structure with slate or metal roof in the north east corner. It is unknown when these structures were demolished.

In 1900, the title for 50-54 Dixon Street was transferred to Dugald Thomson (Assessment book, Lang ward 1914, p.88). By that time, buildings on Dixon Street were run-down. A photograph showing the rear view of a row of conjoined brick cottages at 37-47 Dixon Street, Haymarket, reveals the state of nearby buildings on Dixon Street at the turn of the century.

In 1908, Sydney Municipal Council resumed terrace houses, mills and workshops spread over four acres bounded by Ultimo, Thomas, Hay, Quay and Engine Streets to make way for new market buildings designed by the City Architect. The first Municipal Market building opened in 1909 and the second in 1910 (City of Sydney Archives, 1920, A-01001328). These developments were reported in the Chinese Australian Herald in March 1909, with the comment that numerous Chinese firms were expected to move in light of the market's relocation (13 March 1909, p.2). From 1910, Chinese firms which had previously been centred around Campbell Street, Haymarket in proximity to the Belmore Markets, began to open stores in Hay, Dixon, Quay, Harbour Streets and Ultimo Road close to the new Municipal Markets.

50-54 DIXON STREET – CLUBHOUSES FOR THE TUNG KOON "GOON YEE TONG", TUNG-JAANG "LOONG YEE TONG", AND TSANG SHING "LOON FOOK TONG"

In an oral history interview conducted sometime around 1991, businessman Leslie Chang, whose family were from Tung Koon recalled: "When the Tung Koon people came to Sydney, there were so many of them, they decided to join forces with people from the neighbouring county of Jaang Sheng [sic].. They put their money together and bought three shops in Dixon Street, the rent from which was to be used for charitable and educational purposes" (Chang et al, 2022, p.47).

Maxwell Yip, Secretary of the Goon Yee Tong stated: "I was told by my late Uncle Henry Lum Yip that money was raised by donations from businessmen, market gardeners and anyone willing to contribute towards the purchasing of 50-52-54 Dixon Street. Goon Yee Tong and Ling Fook Tong [sic] formed a combined association called Ling Yee Tong [sic]" (Anthony Ah Kee, 22 May 2022).

50-54 Dixon Street was in fact purpose-built on purchased land using funds raised from members of the associations. In 1907, nine rounds of donations for the Loong Yee Tong were published in the Tung Wah Times newspaper (Tung Wah Times, 27 July 1907, p.7). By early 1916, sufficient funds had been raised for the Goon Yee Tong and the Loon Fook Tong to purchase land in Dixon Street. On 11 February 1916, land title for two blocks of land at 50-54 Dixon Street was transferred from Dugald Thomson to Goon Yee Tong representatives, Chee Sung and Gilbert Yet Ting Quoy and Loon Fook Tong representatives Fung Nam and James Kwong Sing (LRS, Vol. Fol. 1323-162). That same year, a building application was made to the Council and a plan submitted by G. L. Quoy (likely Gilbert Yet Ting Quoy), for a three-storey building at 50-54 Dixon Street to house three stores and dwellings (City of Sydney Archives, 1916, A-00580341). Gilbert Yet Ting

	Quoy was a leader of the Tung Koon community. He was the lessee of produce business, Lee Sang & Co. which occupied the Municipal building at 90 Hay Street. The pediment of the building at 50-54 Dixon Street shows the date of its completion as 1916. A plaque at the entrance to the building at 50-54 Dixon Street reads in English 'Loong Yee Tong Inc.' The Chinese characters read: 增城聯福堂 東增聯義堂會所 東莞公義堂 In translation: Tsang Shing "Loon Fook Tong", Tung Koon Goon Yee Tong, and Tung-Jaang Loong Yee Tong clubhouse." (Ely Finch, 2024) ["Quotation marks indicate a coined romanisation"] According to Daphne Lowe Kelley, former President of the Luen Fook Tong and the Loong Yee Tong: "The original access to the upper floors of 50-52 Dixon St was internally through each building. However, as this was not always convenient to the lessee shop-owners, a decision was made to build a separate stairway to access the upper floors to LFT and GYT. I can't remember the exact year but it was after 1995 when Loong Fook Tong Inc was registered. The street plaque was added at that time" (Daphne Lowe Kelley, Personal Communication, 18 June 2024). Signs are painted in Chinese on the exterior of 50-54 Dixon Street. The signs read from right to left: 東莞公義堂 東增聯義堂 增城聯福堂 They translate, respectively, to: "Tung Koon Goon Yee Tong, Tung-Jaang Loong Yee Tong, and Tsang Shing "Loon Fook Tong" (Ely Finch, 2024) There are two additional faded painted signs on the exterior of the building. A sign above 52 Dixon Street appears to read: 中華總商會 This translates as 'Chinese Chamber of Commerce', though the third and fourth characters are not clear. A sign above 54 Dixon Street reads: "聯新樓" This translates as 'Lean Sun Low' (Ely Finch, 2024). The Chinese Chamber of Commerce at 52 Dixon Street and the Lean Sun Low restaurant at 54 Dixon Street are discussed later in this report. Earlier photographs of 50-54 Dixon Street show that the signs on the exterior of buildings at 50, 52 and 54 Dixon Street have been repainted over the years. There has been a change to the joint ownership of the three buildings between the two associations. According to Daphne Lowe Kelley "the land on which the buildings known as 50, 52 and 54 Dixon Street are located was purchased in the name of four trustees, two of whom were from Dongguan [sic] and two from Jung Seng [sic]. A short while after the three adjoining buildings were completed, 54 had a change of trustees when Charlie Young replaced the two Jung Seng trustees." (Anthony Ah Kee, 22 May 2022).
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The land title record confirms that in August 1917, the title for 54 Dixon Street was transferred from Chee Sung, Gilbert Yet Ting Quoy, Fung Nam and James Kwong Sing to Chee Sung, Gilbert Yet Ting Quoy and Charlie Young (LRS, Vol. Fol. 2782-50, 1917). With this transfer, joint trusteeship of 54 Dixon Street ceased and trustees were exclusively from Tung Koon. Upon the death of Chee Sung in 1927, 54 Dixon Street was transferred to Gilbert Yet Ting Quoy and Charlie Young, the remaining trustees (LRS, Vol. Fol. 2782-50, 1927). In 1930, it was further transferred to Yet Quork Yan, Chung Lun, Charley Foo On and Noble Lean Fore as joint tenants (LRS, Vol. Fol. 2782-50, 1930). The loss of joint trusteeship of 54 Dixon Street has, since 1917, disadvantaged the members of the Luen Fook Tong (Daphne Lowe Kelley, Personal Communication, 27 April 2024).

According to Lowe Kelley, the societies were only registered as incorporated associations in 1995. When they registered, 50 and 52 Dixon Street were registered as belonging to the joint association. No.50 and 52 Dixon Street are still owned by the joint association of the Loong Yee Tong. The Goon Yee Tong is no longer an incorporated association, but a company limited by guarantee (Daphne Lowe Kelley, Personal Communication, 27 April 2024).

50 DIXON STREET

Although 50 Dixon Street was built as a clubhouse for the Tsang Shing Loon Fook Tong Association, the earliest land title for 50 Dixon Street lists Salvation Army (General) William Bramwell Booth as leasing the building in 1918 (LRS, Vol. Fol. 2782-51). 50 Dixon Street is listed in the 1919 Sands Directory as the Salvation Army Women's Home (Sands Directory, 1919). The Assessment Books do not stipulate which floor/s was leased for this purpose. While it is established that the Salvation Army worked and recruited amongst the Chinese community, particularly on the tin fields of Northern NSW in the 1870s - early 1920s, there appears to be little written on this early history of the Salvation Army Women's Home and any relationship between the Chinese Australian owners of the building and the Salvation Army. The Salvation Army Women's Hostel was not established at its long-term address at 471 South Dowling Street, Surry Hills until 1924.

The Sands Directory of 1922 lists 50 Dixon Street as occupied by W. & G. Ping, Manufacturers agents (Sands Directory, 1922, p.50). William and George Ping dissolved their partnership in 1925 when George Ping retired and William Ping carried on the business until 1933 (The Daily Telegraph, 4 December 1925, p.11). In 1923, Ho Hing & Co. Importers was also listed at 50 Dixon Street (Sands Directory, 1923, p.49). Upon the death of Chee Sung in 1927, land at 50 Dixon Street was transferred to surviving joint trustees Gilbert Yet Ting Quoy, James Kwong Sing and Ping Nam (LRS, Vol. Fol. 2782-51).

Between 1920 and 1928, the ground floor of 50 Dixon Street was occupied by the Eastern Residential House, advertising accommodation "for Eastern tourists, merchants, travellers and students, both interstate and country" (Tung Wah Times, 20 May 1922, p.6 and Tung Wah Times, 6 October 1928, p.1). An advertisement from 1920 names the proprietors (葉秉樑 and 葉秉棟). They share the same surname ("Yip/Yet"), and first character of their given name, suggesting that they are brothers or cousins (Tung Wah Times, 25 December 1920, p.6).

A building survey of 50-54 Dixon Street conducted in 1945 recorded 4 to 6 persons in residence in each building. The type of business was described as Chinese stores, bulk stores, Chinese Club with 30-40 at Club meetings (City of Sydney Archives, 1945, A-00508333). It is not clear which club this referred to.

THE DISTRICT ASSOCIATION IN RECENT TIMES

Today the Loon Fook Tong is named the Zengcheng Association of Australia. According to Lowe Kelley, in the last 40 years or so, as a result of the committees conducting meetings in Chinese, the membership has few English-speaking descendants from the older

families. In recent years, there are now some committee members who have both Chinese and English (Daphne Lowe Kelley, Personal Communication, 27 April 2024).

In 2016, King Fong conducted a walking tour of Chinatown which included a visit to 50 Dixon Street. Photos taken upstairs at 50 Dixon Street and posted on Facebook show framed photographs hanging on a wall. According to Daphne Lowe Kelley, these are photographs of the members of the NSW Chinese Chamber of Commerce for different years (Daphne Lowe Kelley, Personal Communication, 2 March 2024).

The photographs on display, along with any other records, documents and ephemera, are an integral part of the history of this building and are a rich source of information about the associations, their members and activities.

52 DIXON STREET

52 Dixon Street was the address of the joint Tung Koon-Tsang Shing association, the Loong Yee Tong. Contemporary newspaper accounts shed little light on the purpose of the association. Historian Mei-Fen Kuo writes that “the Loong Yee Tong’s main objective was to collect money “to put coffins on board ships passing to and from China” (Kuo, M. F. 2018). The Sands Directory shows that the earliest tenants of the building were the Tung Wah Times newspaper and the NSW Chinese Chamber of Commerce. Members of the Goon Yee Tong and the Loon Fook Tong were associated with both the Tung Wah Times and the NSW Chinese Chamber of Commerce.

THE TUNG WAH TIMES (1902-1936)

From 1918, the address of the ‘Tung Wah Times’ newspaper was given as 52 Dixon Street (Sands Directory, 1918, p.49). Its publisher was J. Young of Dixon Street, Haymarket (Tung Wah Times, 4 May 1918, p.8 and Tung Wah Times, 28 June 1919, p.1). Published from 1898–1902 as the ‘Tung Wah New’s, then as the ‘Tung Wah Time’s, it was the second Chinese newspaper to be established in Sydney after the ‘Chinese Australian Herald’, which began publication in 1894 (Yong, C. F. 1977). Mei-Fen Kuo argues that the Chinese press has special distinction as: “The only foreign-language press in Sydney to publish without interruption over three decades from the 1890s to the 1920s ... no foreign-language newspapers of any stamp could match the record of continuous circulation of Chinese-language newspapers in Sydney from the 1890s into the 1950s” (Kuo, M. F. 2018).

Besides associations based on native place or lineage, Chinese people established organisations which were aligned to their social, commercial and political ideals. Chinese diaspora migrants in Australia sought to modernise China, but had different ideas on how this might be achieved. For example, the Yee Hing Society, active from the gold rush times, sought the overthrow of imperial rule in China. The ‘Tung Wah News’ encouraged Chinese in Australia to set up the Chinese Empire Reform Association (CERA), which promoted Chinese intellectuals Kang Youwei and Liang Qichao’s advocacy of reform of the imperial system and later the establishment of a constitutional monarchy in China. In 1900, supported by the NSW Chinese Chamber of Commerce, the ‘Tung Wah Times’ became the official organ of the Chinese Empire Reform Association (Fitzgerald, J., 2007). Gilbert Yet Ting Quoy was an office bearer of the CERA along with other well-known merchants in the Sydney Chinese community, including Thomas Yee Hing, Ping Nam, C. Leanfore, Henry Fine Cheong, Goon Ick, W.R.G. Lee and George Bew (Yong, C. F., 1977, pp.120-121).

Ting Quoy also launched a campaign through the ‘Tung Wah Times’ newspaper in 1908 and 1909 advocating the need to establish schools to teach Chinese language. Along with Ping Nam, Leong Cheong, Lee Chun, John Hoe and Lean Fore, Ting Quoy taught at the first Sydney Chinese School which was established at the Loong Yee Tong clubhouse at 52

Dixon Street in the early twentieth century. The school lasted for more than half a century (Yong, C. F., 1977, p.214; Mei-Fen Kuo, Personal Communication, 2024).

In 1914, the 'Tung Wah Times' boasted the largest circulation of any Chinese newspaper in the Commonwealth, New Zealand and the Pacific Islands (19 September 1914, p.1). The 'Tung Wah Times' ceased publishing in 1936, but it is unclear why. The 'Tung Wah Times' was located in 52 Dixon Street until at least 1933 (Sands Directory, 1932-33, p.39).

THE NSW CHINESE CHAMBER OF COMMERCE

In 1917, 52 Dixon Street was also the headquarters of the NSW Chinese Chamber of Commerce (Sands Directory, 1918, p.49), which was a successor to earlier merchants' associations, the Lin Yik Tong (Chinese Commercial Association, 1892-1903) and the Chinese Merchants Society (1903-1912), established by Tsang Shing merchants Thomas Yee Hing and Ping Nam. According to historian C.F. Yong, the NSW Chinese Chamber of Commerce was formed in 1913 in order to send a representative to Peking for the election of the first Parliament. The first President of the NSW Chinese Chamber of Commerce was Ping Nam, a merchant in the firm of On Chong & Co. (Yong, C. F., 1977, pp.86-88). Ping Nam was publisher of the 'Tung Wah Times' in 1912, and one of the joint title-holders to 50-52 Dixon Street in 1927 (LRS, Vol. Fol. 2782-51). The constitution of the NSW Chinese Chamber of Commerce, which stated that the sole aim of the Chamber was to maintain and promote trade, prevented Chinese labouring and farming classes from joining (Yong, C. F., 1977, pp.90-92). The Chamber defended the commercial interests of Chinese merchants against organisations such as the 'Anti-Chinese League' and the 'Retail Grocers and Storekeepers Association' which ran public campaigns in the early nineteenth century to dissuade the public from patronising Chinese stores. Amongst the influential businessmen who were members of the Chinese Chamber of Commerce was Gilbert Yet Ting Quoy, who was President of the Chamber in 1924.

According to Yong, "five round-table meetings were held in the headquarters of the NSW Chinese Chamber of Commerce at 52 Dixon Street which culminated in the formation in 1917 of the first Chinese Australian shipping line, the China-Australia Mail Steamship Line" (Yong, C. F., 1977, pp.97-109). With funds raised from shares sold to Chinese in Australia and the Pacific, the Line purchased three passenger ships to sail between Shanghai, Canton, Hong Kong and Australia. According to Yong, there was aggressive competition from established British and Japanese shipping companies, coupled with losses resulting from the Australian government requisitioning the ships for the war effort. He writes, "Amidst accusations of poor administration and the disintegration of the entente between rival factions, the line suffered irrecoverable losses and the business was wound up in 1924" (Yong, C. F., 1977, pp.106-109).

The NSW Chinese Chamber of Commerce was dissolved in 1965 (Dictionary of Sydney website, 2024).

THE EASTERN RESTAURANT

In 1950 and 1952, applications were made to make alterations to the shopfront of 52 Dixon Street and in 1953 Council approved the conversion of 52 Dixon Street into a restaurant (Construction, 30 September 1953). The City Archives contains plans of 52 Dixon Street in 1953 showing the restaurant layout on the ground and first floor of the building (City of Sydney Archives, 1953, A-00558224).

The Eastern Restaurant (in Chinese "Doong Shan") on the ground floor of 52 Dixon Street. was run by Victor Peter Googan (Lowe Hing Choy, born in Coonamble) and his wife Louie Lee (Wong Loy Day, born in Stuart Town, NSW). The story behind the Googan name is that the name of Peter's father, Lowe Goo Gun (born in Tong Mei village, Tsang Shing), was recorded as Googan. Peter Googan was bilingual, which allowed him to deal easily both with his Australian suppliers and customers and with Chinese businesses. The chefs

brought out from Hong Kong to work in his restaurant lived upstairs from the restaurant. Peter had an import/export licence which allowed him to import such items as crockery, various foodstuffs and a noodle machine to make wonton wrappers.

The restaurant had modern, square, coloured linoleum tiles on the floor, but also had a feature wall decorated with antique carved wooden decorative panels from Quong Tart's tearoom in the Queen Victoria Building, given to the Googans by the McEvoy family, descendants of Quong Tart. Peter's eldest daughter Gwenda recalls waitressing at the restaurant still wearing her school uniform. There were around 16 tables in the restaurant, though if there were banquets, guests could go upstairs to dine.

The Eastern was the first Chinese restaurant to obtain a liquor licence until 10pm, at a time when liquor service in hotels ended at 6pm. The liquor licence and the English menu attracted non-Chinese customers. Gwenda recalls that at the time of the big flood in Maitland in the mid-1950s, customers queued up to support a flood relief fundraiser held at the Eastern. The restaurant's signature dish was "Doong Shan Faan" a rice lined bowl filled with a combination of chicken, pork and prawn tipped onto a plate and served with an egg-white and milk sauce (Gwenda Bau, Personal Communication, 20 January 2024).

The Eastern Restaurant was in business from the mid-50s to the late 60s.

In the 1960s at least, the upper floors of 52 Dixon Street provided dormitory accommodation. In an interview with Lance Lai conducted by Christopher Cheng for the Australians with Chinese Heritage Oral History Project, Lance discussed how he and his family lived on the top floor of 52 Dixon Street before moving to 54 Dixon Street, above their family-run restaurant Lean Sun Low. Lance described the first and second floors of 52 and 54 Dixon Street as a "commune" for people from Tung Koon (Christopher Cheng, 2023).

In 1988, the Luen Fook Tong made a building application for internal fit-out for a shop and office at 50-52 Dixon Street (City of Sydney Archives, 1988-1993, A-00661100). In the 1990s, the Eastern August Moon Restaurant operated across both 52 and 54 Dixon Street (City of Sydney Archives, 1996-2000, A-00672244).

Today, the Luen Fook Tong have their office at 52 Dixon Street and committee meetings are still held there, but the three flights of stairs make it difficult for older members. Functions are now held off-site, such as the recent Chinese New Year celebrations at Fitzroy Hall and Woodstock Community Centre and Park in Burwood (Daphne Lowe Kelley, Personal Communication, 2 March 2024). The current arrangement is that Goon Yee Tong has a sub-lease from Loong Yee Tong for 50 Dixon Street and Luen Fook Tong has a similar arrangement for 52 Dixon Street (Daphne Lowe Kelley, Personal Communication, 2 March 2024). The ground floor of 52 Dixon Street is currently leased as a Chinese BBQ restaurant.

54 DIXON STREET

54 Dixon Street was built as the clubhouse of the Tung Koon Association. Over the more than 100 years that the Goon Yee Tong has owned the building, it has also fulfilled an important role in providing accommodation for people from Tung Koon, who were either arriving or returning to China. In 1918, a building application was approved to make alterations to 54 Dixon Street, to build partitions to create six rooms on the first and second floor of 54 Dixon Street by Council (City of Sydney Archives, 1918, A-00551744).

As Leslie Chang recalled: "In the early days there were also dormitories in the upstairs of the Dixon Street buildings for Tung Koon and Tsang Shing people passing through Sydney. Under the constitution of the society the shops can only be leased to a Tung Koon person at a very reasonable rental" (Chang et al, 2022, p.47).

On the ground floor of 54 Dixon Street in 1920 was the China Trading Co., which was advertised as "Importers, exporters, Eastern Merchants and indent agents" (Tung Wah Times, 23 October 1923, p.7). As indent agents, the company distributed goods on receipt

of purchasing orders. An advertisement from 1921 showed the company sold imported rice, ginger, sauce, peanuts, silks and teas and sought to buy shark fins and beche-de-mer (Daily Commercial News and Shipping List, 3 July 1921, p.2).

A Chinese restaurant called Lean Sun Low which had opened on the ground floor of 54 Dixon Street by December 1922, advertised banquets, meals, Chinese cakes, barbecued meats and welcomed birthday, marriage and other celebrations (Tung Wah Times, 9 December 1922, p.4). In the 1950s, the Lean Sun Low Café was run by the Lai family. Historian Shirley Fitzgerald wrote: "Alan Lai, who had arrived in Sydney as a teenager in 1951 and lived in Dixon Street, was at the time running Lean Sun Low... He recalled that in the 50s, girls would walk past holding their noses, and the only Aussies who came in were often drunk and reluctant to pay the bill" (Fitzgerald, S., 1997, p.149).

Amongst the Chinese community, however, Lean Sun Low was very popular for its wonton (short soup). Irene Moss, born in Dixon Street in 1948, recalled her childhood: "Mum and Dad used to work quite hard packing tomatoes. And sometimes when Mum didn't have time to cook a meal, she would give me a couple of bob and, because she knew the people at Lean Sun Low pretty well, I'd go in there and they'd know what to get me - a little bowl of wonton soup. I used to do that quite a lot" (Shun Wah et al, 1999, p.30).

Fashion designer Jenny Kee, whose father was a produce agent at the markets, also recalled going to the Lean Sun Low Café after visiting her father's office upstairs at the markets in the early 1950s. "On the way home, we always stopped by the Lin [sic] Sun Low Café to have our billy cans filled with a savoury rice porridge called juk" (Anthony Ah Kee, 29 May 2018). A 1959 photograph titled "Chinese in Sydney" shows the street number 54 at the top of the glass door. The restaurant in the photograph is Lean Sun Low.

According to Lance Lai's recollections, his father Lai Kum Hung was in his early twenties when he was sponsored to come Australia around 1954. Lance's mother Eileen Hung Wah Lai arrived in Australia when she was fourteen. There were many people like the Lai family, who moved from their villages to Hong Kong and then to Australia, and on arrival lived for cheap rent at 52 and 54 Dixon Street until finding a place to rent in the suburbs. According to Lance, his father Lai Kum Hung became an elder in the community and was President of the Goon Yee Tong in the 1980s. Along with others such as Henry Tsang, King Fong, Bernard Chan and Stanley Wong, Lai Kum Hung was one of the founders of the Chinatown Mall and his name is inscribed on the northern archway (Christopher Cheng, 2023).

The Lean Sun Low Café continued operating into the early 1990s when an application was made to build a new shop front for the restaurant (City of Sydney Archives, 1990-1993, A-00661361). In 2000, the restaurant operating across both 52 and 54 Dixon Street, was called the Eastern August Moon.

The ground floor of 54 Dixon Street is currently leased for retail and dining whilst the Goon Yee Tong Ltd occupies Level 1 of 50 Dixon Street, Haymarket. Its website describes the association as: "A registered non-profit Chinese society based in Sydney, Australia. It was founded over a century ago by Chinese migrants from the district of Dongguan, Guangdong province in southern China" (Goon Yee Tong Ltd website, 2024).

The current arrangement is that Goon Yee Tong has a sublease from Loong Yee Tong for 50 Dixon Street and Luen Fook Tong has a similar arrangement for 52 Dixon Street (Daphne Lowe Kelley, Personal Communication, 2 March 2024).

COMMUNITY APPRECIATION

A discussion about the buildings at 50-54 Dixon Street took place amongst participants of the Chinatown Heritage Study Stakeholder Workshop, hosted by the City of Sydney on 5 April 2024. Daniel Ma, who also spent his childhood growing up in Chinatown, would like to see the building at 50-54 Dixon Street preserved. Making reference to 58 Hay Street

	[the Wing Sang Headquarters Building] which was lost to redevelopment and can no longer communicate its stories in the same way, Daniel commented, “Buildings are stories in themselves”. Daniel expressed the opinion that without the building and its internal fabric, its history is meaningless. However, some participants of the workshop did not believe that the buildings needed to be retained and that their significance could be interpreted in other ways. The participants expressed that the building is important as it is the only building where clan societies have operated continually for over 100 years. More recently the composition of the association has changed leading to different appreciations of the place. For instance: “More recent arrivals (post-Tiananmen) from China have little appreciation of the history of the district, and the racism and exclusion experienced by 19th and early 20th Century migrants. The White Australia legislation reduced the Cantonese population. The mainland Chinese (who settled in large numbers from the late 1980s) did not experience the racism and the feeling of being in an isolated minority. Different waves experienced Chinatown differently, and many have no sentimental attachment to the building let alone a historical one” (Brad Powe, 5 April 2024). Notwithstanding recent changes, the associations remain very strong. For instance, Man-Yee Leanfore, who has a family connection to the building both through her own (Ho) family and her late-husband’s family, would like for the story of the place to be told and the history to be recognised.
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8. Historical themes represented

Themes indicate the broad historical context in which an item is significant. Themes help to identify related or comparative items contributing to the same theme.

Refer to the document [NSW Historical Themes](#) if completing this section.

Relevant National / Australian themes	2 Peopling Australia 3 Developing local, regional and national economies 4 Building settlements, towns and cities 6 Educating 7 Governing 8 Developing Australia’s cultural life 9 Marking the phases of life
Relevant NSW / State themes	Ethnic influences Migration Communication Transport Land tenure Accommodation Education Welfare Social institutions Birth and Death

E. Criteria for heritage significance**9. Assessment under Heritage Council criteria**

It is important in the course or pattern of the cultural or natural history of the local area (Criterion A)

The building at nos.50-54 Dixon Street is a purpose-built three-storey building for the Tung Koon (Dongguan) and Tsang Shing (Zengcheng) associations, which are key social organisations for the Chinese Australian community in Sydney. The building also housed several other historically significant Chinese Australian organisations, The Tung Wah Times Newspaper, the NSW Chinese Chamber of Commerce, and a number of restaurants which were instrumental in developing the restaurant culture of Dixon Street. A plaque on the building and the painted Chinese characters are evidence of these historical uses.

DISTRICT ASSOCIATIONS

The building at nos. 50-54 Dixon Street is associated with the following district associations, the "Loon Fook Tong" at 50 Dixon Street, for people from Tsang Shing County, the "Goon Yee Tong" at 54 Dixon Street for people from Tung Koon County; and between 50 and 54 Dixon Street, a joint clubhouse at 52 Dixon Street, the "Loong Yee Tong". These clubs have occupied this address for over 100 years.

Funding was raised by members of these district associations for the purchase of land at 50-54 Dixon Street and construction of the building which was completed in 1916. The historical role of the district associations was to provide funds for the sick, assist the aged in returning to China, raise funds for charity, both in Australia and China, provide accommodation and assist with the settlement of new persons arriving from their districts and those returning. The associations also most likely arranged the transfer of members remittances to China. The district associations also arranged bone-repatriation, donated money to hospitals and ensured the purchase of coffins for deceased Chinamen at sea. The place thus demonstrates the strong links between members in Australia and their native places.

The role of the association is significant in maintaining the Chinese Australian community's links with their hometown and facilitated the settlement of Chinese immigrants in Australia. Historian Mei-Fen Kuo has characterised Sydney in the late 19th to early twentieth century as "a hub of Chinese mobility" and "a centre of community mobilisation and identity formation" (Kuo, M. F., 2013). The building at nos. 50-54 Dixon Street was central to this phenomenon.

NSW CHINESE CHAMBER OF COMMERCE, 52 DIXON STREET, HAYMARKET

52 Dixon Street was the long-term (over two decades) headquarters of the NSW Chinese Chamber of Commerce which was significant for its role in promoting trade and defending the commercial interests of Chinese Australians from anti-Chinese movements and organisations such as the Anti-Chinese League and the Retail Grocers and Storekeepers Association, which ran public campaigns in the early nineteenth century to dissuade the public from patronising Chinese stores.

Members of the Chamber established the first Chinese Australian shipping line, the China-Australia Mail Steamship Line, which operated from 1917 to 1924 between Shanghai, Canton, Hong Kong and Australia.

EASTERN RESTAURANT, 52 DIXON STREET, HAYMARKET (1953-66)

As the first Chinese restaurant to obtain a liquor licence until 10pm, the Eastern Restaurant is significant as one of the earliest Chinese restaurants to popularise Chinese food in Sydney. Its English menu made Chinese food accessible to non-Chinese customers, demonstrating the adaptation of Chinese culture and community within the Australian context. Together the restaurants including the Eastern Restaurant and Lean Sun Low helped to develop the restaurant culture of Dixon Street.

It has a strong or special association with the life or works of a person, or group of persons of importance in the cultural or natural history of the local area (Criterion B)

The three-storey building at nos. 50-54 Dixon Street has historical association with the "Loon Fook Tong", "Loong Yee Tong" and "Goon Yee Tong" District Associations of the Tsang Shing and Tung Koon Counties. The place is also associated with the following organisations:

NOTABLE FIGURES

The place is associated with a number of prominent figures in the Chinese Australian community, particularly Ping Nam and Gilbert Yet Ting Quoy.

Ping Nam was a well-known merchant, one of the founding members, and the first president of the NSW Chinese Chamber of Commerce. He was also the publisher of the Tung Wah Times, as well as an office bearer of the CERA.

Gilbert Yet Ting Quoy, a Sydney Chinese merchant, along with Ping Nam, campaigned for the establishment of the Sydney Chinese school which existed at 52 Dixon Street for over half a century.

TUNG WAH TIMES, 52 DIXON STREET

52 Dixon Street was the publishing address for the Chinese newspaper 'Tung Wah Times' from 1918 until at least 1933 but likely until 1936. The newspaper is significant for being the second Chinese newspaper in Sydney and for having had the largest circulation of any Chinese newspaper in the Commonwealth, New Zealand and Pacific Islands. It is demonstrative of the diverse political affiliations of the Chinese Australian community. Chinese newspapers promoted political interests of different factions within the community. The Tung Wah Times operated as an organ of the Chinese Empire Reform Association (CERA) which advocated reform of the imperial system and later the establishment of a constitutional monarchy in China.

NSW CHINESE CHAMBER OF COMMERCE, 52 DIXON STREET

Formed in 1913, the Chinese Chamber of Commerce had its headquarters at 52 Dixon Street from 1918 to 1965. The place is also associated with a number of prominent figures in the Chinese Australian community, particularly Ping Nam and Gilbert Yet Ting Quoy.

SALVATION ARMY WOMEN'S HOME, 50 DIXON STREET

There is potential for the place to have historical association with the Salvation Army Women's Home which was present in the building between 1919 and 1921. It could have significance as one of the earliest women's refuges. However, further research is needed to substantiate this.

It is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement the local area (Criterion C)

The building at nos. 50-54 Dixon Street is aesthetically significant in providing an understanding of the historical streetscape of Dixon Street. It is a good example of a late Federation building and it is this style that represents the founding architectural character of Dixon Street. The Chinese signage on the façade is a distinctive characteristic of the Chinatown area.

It has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons (Criterion D)

The Loon Fook Tong, Goon Yee Tong and Loong Yee Tong district associations have owned and/or used the building at 50-54 Dixon Street for over 100 years and it has ongoing social significance for members of the Tsang Shing County and Tung Koon districts. Although many of the historical functions of the district associations have ceased, such a bone repatriation, the district associations continue to hold sociable and charitable activities at the place.

The place is symbolic of Chinese migration and settlement in Australia and is also evident of the Chinese diaspora's practice of maintaining, over many generations, strong ties to their home country. The building contributes to the local identity of the two communities within Sydney.

STATE HERITAGE INVENTORY FORM

A number of moveable heritage items at the upper floors of 50 Dixon Street were identified in the 2016 photographs, and may be held in the premises today. This is unconfirmed and needs further investigation. Items including photographs of members of the NSW Chinese Chamber of Commerce and presidents of Loong Fook Tong and other ephemera are apparent in the photographs. The display and safe keeping of these items are integral to the continued social significance of the place.

The restaurants located at 50-54 Dixon Street including the Eastern Restaurant and Lean Sun Low, were popular places for eating and socialising amongst the local community and are remembered fondly by older members of the Chinese Australia community.

It has potential to yield information that will contribute to an understanding of the cultural or natural history of the local area (Criterion E)

Lack of access to the interiors of 50-54 Dixon Street poses a limitation to the understating its research potential. Photographs of interiors taken in 2016 indicate that there were a number of moveable heritage items in the building, particularly photographs of members of the NSW Chinese Chamber of Commerce and presidents of Loong Fook Tong association, however their current location is unsubstantiated. These photographs and other records of the district associations membership and activities hold high research potential.

As the location of the moveable heritage items remains unsubstantiated, they cannot be assessed under this criterion.

It possesses uncommon, rare or endangered aspects of the cultural or natural history of the local area (Criterion F)

A small number of purpose-built district association buildings are known to have been erected in several parts of Australia since the late 19th century. The building at nos.50-54 Dixon Street is one of a handful of buildings in the country that continue to exist and function as district associations and have done so for over 100 years. Within Sydney or NSW, there is potential that the building at nos.50-54 Dixon Street is one of the last remaining original purpose-built district association buildings from the early 20th century.

Moveable heritage items, such as framed photographs of members of the organisations that operated at 50-54 Dixon Street, may be located within the building. This collection is likely rare as no other collection has been identified. They have the potential to provide an understanding of the cultural history of the area, particularly, the membership and operation of the NSW Chinese Chamber of Commerce, the Tung Wah Times and the district associations. It is important that the location of the photographs and any other records or ephemera pertaining to these organisations is ascertained and that the contents are documented and preserved.

It is important in demonstrating the principal characteristics of a class of cultural or natural places/ environments in the local area (Criterion G)

The late Federation building at nos.50-54 Dixon Street is one of a handful of buildings on Dixon Street that is representative of the historical scale, materiality and composition of the old Chinatown streetscape.

F. Heritage listings

10. Existing heritage listings

If completing this section, mark against each listing whether the item is listed or not. You may want to contact the relevant local council or organisation to check the item's listing status.

Listed	Not Listed	Listing
	✓	Commonwealth Heritage List
	✓	National Heritage List
	✓	Register of the National Estate
	✓	Declared Aboriginal place
	✓	Local environmental plan (LEP) – heritage item (or draft item)
	✓	LEP – heritage conservation area (or draft area)
	✓	NSW government agency Heritage and Conservation Register
	✓	National Trust register
	✓	Aboriginal Heritage Information Management System
	✓	National shipwreck database
	✓	Engineers Australia list

G. Recommended Management

11. Management recommendations

The following recommendations are drawn solely from a consideration of the significance of the place and good heritage practice. Given that the historical and social significance of the place is particularly important, these recommendations are framed with an understanding that heritage conservation is a social contract, requiring responsibility to be shared by the owners and consent authorities for the mutual benefit of all stakeholders, including the Chinese community. As such, these recommendations are written with consideration of possible future ambitions of the owners, while striving to achieve the best heritage outcome for the place, and with an expectation that the consent authority, in representing the community's interest, will assist/support the owners in managing and conserving the significance of the place, where possible.

OBLIGATIONS ARISING FROM SIGNIFICANCE

The high cultural significance of the place identified in the statement of significance obliges its conservation and good management (Burra Charter Article 2). In the Burra Charter, significance is embodied in the place, where place means site, area, land, landscape, building of other work, group of buildings or other works, and may include components, contents, spaces and views. Place also includes fabric, setting, use, associations, meanings, records, related places, and related objects. (Burra Charter Article 1). This place has been in continual ownership by the district associations for over 100 years and should, where practicable, continue to do so. Markers of historical use such as the painted Chinese signage on the façade, should be conserved.

TOLERANCE FOR CHANGE

There is limited tolerance for change to original fabric on the first and second floors of the building façade. The internal layout and extent of original internal fabric is unknown. There is a greater tolerance for change to non-original fabric particularly on the ground floors which are currently occupied by food retail stores. Retail signage should not be located above the awning. Internal changes to the building for service

upgrades and access, including lifts and reconfiguration of any original staircases is appropriate, but should consider impacts to any significant fabric or floor plans (if applicable).

CONSERVATION OF FABRIC

The façade contributes to understanding the historical streetscape of Dixon Street. The Chinese characters painted on the façade communicate historical association with the district associations. It is recommended that the following fabric be conserved to support these significances:

- All original fabric on the façade including face brick finish, lintels and sills, cornices, and pediment, entablature and associated embellishments.
- The plaque on the ground floor facade of the building denoting the names “Loon Fook Tong”, “Goon Yee Tong”, and “Loong Yee Tong”.
- The Chinese characters painted onto the façade of the upper floors, indicating the names of the district associations, the NSW Chinese Chamber of Commerce and Lean Sun Low restaurant.

INTERPRETATION

Where the opportunity arises, the paint to 50 Dixon Street should ideally be removed to restore the original face brick finish. The Chinese characters should also be repainted by a calligrapher, with careful attention to retaining the calligraphic style, and intrusive elements such as electrical conduits on the facade removed. There may be movable heritage items in the upper floors of 50 Dixon Street. It is recommended that further investigation of the interiors be carried out in order to confirm the existence of this collection. If confirmed, the moveable heritage items have high interpretative value and therefore it is advised that the collection be professionally photographed, catalogued and made accessible to professionals for research. The significance of the place is not independent of the history and development of Chinatown in the Haymarket area, and as such, interpretive strategies for 50-54 Dixon Street should be considered within an overall interpretation strategy for Chinatown. It is recommended that the City of Sydney and the owners work together in considering additional interpretive strategies for the place such as:

- Setting up a plaque(s) identifying the history and significance of the place.
- Creation of digital archives/ websites showcasing the history and significance of Chinatown, identifying 50-54 Dixon Street as a place of significance in the area.

A heritage interpretation plan must be provided in the event of altering the building for change of use and/or major developments.

FUTURE DEVELOPMENT

Additions and alterations to 50-54 Dixon Street is acceptable but must ensure retention of the façade and any significant interiors (if existing), and be sympathetic to the existing building in terms of style, colour and materiality. Future development must also be sympathetic to the overall Dixon Street streetscape, nearby heritage items, and locality statements for the area. The setback and scale of any vertical additions to the place must be sufficient to maintain the readability of the existing form and scale of the principal building.

FUTURE USE

As much as practicable, it is recommended that the place continues to be used and accessed by the district associations and their members. Where necessary, development/ upgrading of the place to support this use is acceptable. Other appropriate uses include but may not necessarily be limited to office, retail and commercial use, but these should not preclude use of the place as clubhouses by the district associations and their members. Prior to any proposed major development including change of use, respectful and purposeful engagement with members of the district associations and with the Chinese Australian community, including descendants of early committee members is recommended.

G. Photograph**12. Principal or main photograph***

Caption*	50-54 Dixon Street, Haymarket
Date of photograph*	15 March 2024
Name of photographer*	Sherly Robert
Copyright holder, if known	Hector Abrahams Architects

H. Author details**13. Primary author of this form***

Name	Sherly Robert; Dr Juanita Kwok.
Position and organisation, if applicable	Strategic Intern, Hector Abrahams Architects; Historian, Independent Consultant.
Contact phone number	(02) 9299 7959
Email address	mailbox@haarchitects.com.au
Date form completed	24/07/2024

14. References used to complete this form*

Author	Title	Date Published	Link
Alexandra Wong, Kay Anderson, Ien Ang and Donal McNeill	Sydney's Chinatown in the Asian Century: From ethnic enclave to global hub	July 2016	
Anthony Ah Kee	Chinese Community of Sydney in the Past	22 May 2022	https://www.facebook.com/groups/1535721703222852
Australian National University Archives	Kong Chew Society	Accessed June 2024	https://archivescollection.anu.edu.au/index.php/kong-chew-society
Brad Powe	Chinatown Heritage Study Stakeholder Workshop	5 April 2024	
Chang, Thelma and Leslie	South Flows the Pearl	2022	
Chinese Youth League of Australia website		Accessed June 2024	https://www.cyl.org.au/
Chinese-Australian Historical Images in Australia	Ning Yang Society	Accessed June 2024	https://www.chia.chinesemuseum.com.au/biogs/CH01855b.htm
Christopher Cheng	Lance Lai Interviewed by Christopher Cheng for the Australians with Chinese Heritage Oral History Project	2023	https://nla.gov.au/nla.obj-3183559394/listen
Chung Wah Association website		Accessed June 2024	https://www.chungwah.org.au/en/about-us/

STATE HERITAGE INVENTORY FORM

Author	Title	Date Published	Link
Chung Wah Society website		Accessed June 2024	https://www.chungwahnt.asn.au/
City of Sydney Archives [A-00508333]	Building Survey Card - Chinese stores and club, 50-54 Dixon Street Haymarket, 1945	1945	https://archives.cityofsydney.nsw.gov.au/nodes/view/959411
City of Sydney Archives [A-00551744]	Dixon St (54) Jim Le Ling partition	1918	https://archives.cityofsydney.nsw.gov.au/nodes/view/1417942
City of Sydney Archives [A-00558224]	Dixon St (52)	1953	https://archives.cityofsydney.nsw.gov.au/nodes/view/1414776
City of Sydney Archives [A-00580341]	Dixon St (50-54) G L Quoy three stores	1916	https://archives.cityofsydney.nsw.gov.au/nodes/view/1449673
City of Sydney Archives [A-00661100]	BA (Building Applications) 50 - 52 Dixon St Sydney Eastern Restaurant - Internal Fitout Shop & Office - \$30000 - 12 05 88 Luen Fook Tong Society	1988-1993	https://archives.cityofsydney.nsw.gov.au/nodes/view/1478464
City of Sydney Archives [A-00661361]	Building Application - 54 Dixon St Sydney - New Shopfront To Restaurant Lean Sun Low - \$8000 - 28 12 90 - Jackson Design	1990-1993	https://archives.cityofsydney.nsw.gov.au/nodes/view/1478725
City of Sydney Archives [A-00672244]	Development Application - 50 - 52 Dixon St Sydney - Erect Top Hamper & Under Awning Signs - \$133 80 - 29 04 96 - Eastern August Moon Chinese	1996-2000	https://archives.cityofsydney.nsw.gov.au/nodes/view/1489726
City of Sydney Archives [A-01001328]	Glass Negative - Fruit and vegetable markets, Haymarket, circa 1920	1920	https://archives.cityofsydney.nsw.gov.au/nodes/view/1726756
City of Sydney Archives [A-01089146]	Assessment book, Lang ward	1914	
City of Sydney Archives [A-01136227]	Sands Directory, 1932-33 part 1 City St Directory	1932-1933	
City of Sydney Archives [A-01136236]	Sands Directory, 1923a part 1 City St Directory	1923	
City of Sydney Archives [A-01136237]	Sands Directory, 1922 part 1 City St Directory	1922	

STATE HERITAGE INVENTORY FORM

Author	Title	Date Published	Link
City of Sydney Archives [A-01136241]	Sands Directory, 1918 part 1 City St Directory	1918	
City of Sydney Archives [A-01136885]	1919 Part 1 - City Street Directory - A-Gou	1919	https://archives.cityofsydney.nsw.gov.au/nodes/view/1899634
Construction	City Council Applications	30 September 1953	http://nla.gov.au/nla.news-article222898664
Daily Commercial News and Shipping List	Advertising	13 July 1921	http://nla.gov.au/nla.news-article159593337
Daphne Lowe Kelley	(personal communication)	18 June; 27 April; 2 March 2024	
Dictionary of Sydney	NSW Chinese Chamber of Commerce	Accessed June 2024	https://dictionaryofsydney.org/organisation/new_south_wales_chinese_chamber_of_commerce
Ely Finch	(Translation)	2024	
Fitzgerald, J.	Big white lie: Chinese Australians in white Australia	2007	
Fitzgerald, S.	Red tape gold scissors: The story of Sydney's Chinese	1997	
Goon Yee Tong Ltd website		Accessed 21 February 2024	https://goonyeetong.org.au/en/about/
Govt. of Western Australia Heritage Council	Chung Wah Association Hall	Accessed June 2024	https://inherit.dplh.wa.gov.au/Public/Inventory/Details/26f3e0a6-c7d9-4642-8e8c-640d7cedef06
Gwenda Bau	(Interview with Author)	20 January 2024	
International Chinese Business Directory Co., Inc.	International Chinese Business Directory of the world for the year 1913	1913	https://babel.hathitrust.org/cgi/pt?id=uc1.\$b440600&seq=9
Kuo, M. F.	Jinxin: The remittance trade and enterprising Chinese Australians, 1850–1916	2018	

STATE HERITAGE INVENTORY FORM

Author	Title	Date Published	Link
Kuo, M. F.	Making Chinese Australia: Urban elites, newspapers and the formation of Chinese Australian Identity	2013	
Mei-Fen Kuo	(Personal Communication)	1 May 2024	
My China Roots Traceable	The search for Ah Loong: A Chinese Grandfather Rediscovered	Accessed June 2024	https://www.mychinaroots.com/blog/stories/the-search-for-ah-loong-a-chinese-grandfather-rediscovered/
NSW Land Registry Services	Land Titles, Vol. Fol. 2782-50	1917	
NSW Land Registry Services	Land Titles, Vol. Fol. 1323-162	1830, 1900, 1916	
NSW Land Registry Services	Land Titles, Vol. Fol. 2782-50	1917, 1927, 1930	
NSW Land Registry Services	Land Titles, Vol. Fol. 2782-51	1918, 1927	
Paul Macgregor	(email to Authors)	June 2024	
Shun Wah, Annette and Aitken, Greg	Banquet: Ten Courses to Harmony	1999	
State Heritage Inventory	Kwong War Chong	Accessed June 2024	https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5067050
State Heritage Inventory	Sze Yup Temple	Accessed June 2024	https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5045668
State Heritage Inventory	Yiu Ming Temple	Accessed June 2024	https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5044695
The China-Australia heritage corridor	Former Kwong War Chong Building received heritage listing	Accessed June 2024	https://www.heritagecorridor.org.au/news-and-blogs/former-kwong-war-chong-building-received-heritage-listing
The China-Australia Heritage Corridor	Xiao Yu RUAN	Accessed June 2024	https://www.heritagecorridor.org.au/people/xiao-yu-ruan

STATE HERITAGE INVENTORY FORM

Author	Title	Date Published	Link
The Chinese Australian Herald		27 December 1902	https://trove.nla.gov.au/newspaper/article/169055770
The Chinese Australian Herald	決議改建街市	13 March 1909	http://nla.gov.au/nla.news-article168080171
The Daily Telegraph	Advertising	4 December 1925	http://nla.gov.au/nla.news-article245063064
The Glebe Society website	Sze Yup Temple	Accessed June 2024	https://glebesociety.org.au/buildings/sze-yup-temple/
The Herald	Ning Yang Woikwon- New Chinese Society	16 June 1909	https://trove.nla.gov.au/newspaper/article/242065980?searchTerm=Ning%20Yang%20Society#
Tung Wah Times	敬告本邑梓友	30 June 1906	https://trove.nla.gov.au/newspaper/article/247428605
Tung Wah Times	東增聯義堂第一次捐款芳名	27 July 1907	http://nla.gov.au/nla.news-article246930263
Tung Wah Times	Advertising	20 May 1922	http://nla.gov.au/nla.news-article227656590
Tung Wah Times	Advertising	6 October 1928	http://nla.gov.au/nla.news-article224803806
Tung Wah Times	Advertising	6 December 1920	http://nla.gov.au/nla.news-article227013534
Tung Wah Times	Advertising	4 May 1918	http://nla.gov.au/nla.news-article227019117
Tung Wah Times	Advertising	28 June 1919	https://trove.nla.gov.au/newspaper/article/227015723
Tung Wah Times	Advertising	19 September 1914	http://nla.gov.au/nla.news-article227973558
Tung Wah Times	Advertising	23 October 1920	http://nla.gov.au/nla.news-article227018088
Tung Wah Times	Advertising	9 December 1922	http://nla.gov.au/nla.news-article227655088
Victorian Heritage database report	Num Pon Soon Society Building	Accessed June 2024	https://vhd.heritagecouncil.vic.gov.au/places/780

STATE HERITAGE INVENTORY FORM

Author	Title	Date Published	Link
Victorian Heritage Database report	See Yup Temple	Accessed June 2024	http://vhd.heritage.vic.gov.au/search/nattrust_result_detail/66652
Way Shong; Pow Chee	Report of the Royal Commission on alleged Chinese gambling and immorality and charges of bribery against members of the police force	1891-1892	https://babel.hathitrust.org/cgi/pt?id=coo1.ark:/13960/t59c7hk45&seq=49
Williams, M.	Returning Home With Glory: Chinese Villagers around the Pacific, 1849 to 1949	2018	
Yong, C. F.	The New Gold Mountain	1977	

15. Signature of author*

To confirm you have approved the final content of the form, giving permission for the information to be used by Heritage NSW and the Heritage Council of NSW.

Name		Date	24/07/2024
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16. Signature of image copyright holder*

To confirm you have approved the final content of the form, giving permission for the images provided to be used by Heritage NSW and the Heritage Council of NSW.

Name		Date	24/07/2024
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I. Additional photographs and images



Caption*	View of 50-52 Dixon Street, Haymarket
Date of photograph*	15 March 2024
Name of photographer*	Sherly Robert
Copyright holder, if known	Hector Abrahams Architects



Caption*	View of 54 Dixon Street, Haymarket
Date of photograph*	15 March 2024
Name of photographer*	Sherly Robert
Copyright holder, if known	Hector Abrahams Architects



Caption*	View of 50-54 Dixon Street, Haymarket
Date of photograph*	January 2024
Name of photographer*	Dr Juanita Kwok
Copyright holder, if known	Dr Juanita Kwok



Caption*	Plaque at 52 Dixon Street, Haymarket
Date of photograph*	January 2024
Name of photographer*	Dr Juanita Kwok
Copyright holder, if known	Dr Juanita Kwok



Caption*	1979 view of 50-54 Dixon Street
Date of photograph*	1979
Name of photographer*	Unknown
Copyright holder, if known	



Caption*	2000 view of 50-54 Dixon Street
Date of photograph*	16 April 2000
Name of photographer*	Mark Stevens
Copyright holder, if known	

Attachment F

**Hector Abrahams Architects - Draft
Inventory Sheet - 90-100 Hay Street**



State Heritage Inventory form

Complete all mandatory fields on the form, as indicated with an asterisk (*).

A. Nominated item

1. Name & type

Name*	Former Municipal Stores
Other or former names	
Item type (if known)	Built
Item group (if known)	
Item category (if known)	
Area, Group, or Collection Name	

2. Location

If the item does not have a street number, provide land parcel information as well.

If the item has no land parcels, provide coordinates and a map.

For moveable objects enter the principal address where held.

Street address*	90-100 Hay Street, Haymarket
Alternate street address	
Local government area*	City of Sydney

Land parcels*	Lot	1	Section (if applicable)		DP	261942
	Lot	2	Section (if applicable)		DP	261942
	Lot	3	Section (if applicable)		DP	261942
	Lot	4	Section (if applicable)		DP	261942
	Lot	5	Section (if applicable)		DP	261942
	Lot	6	Section (if applicable)		DP	261942

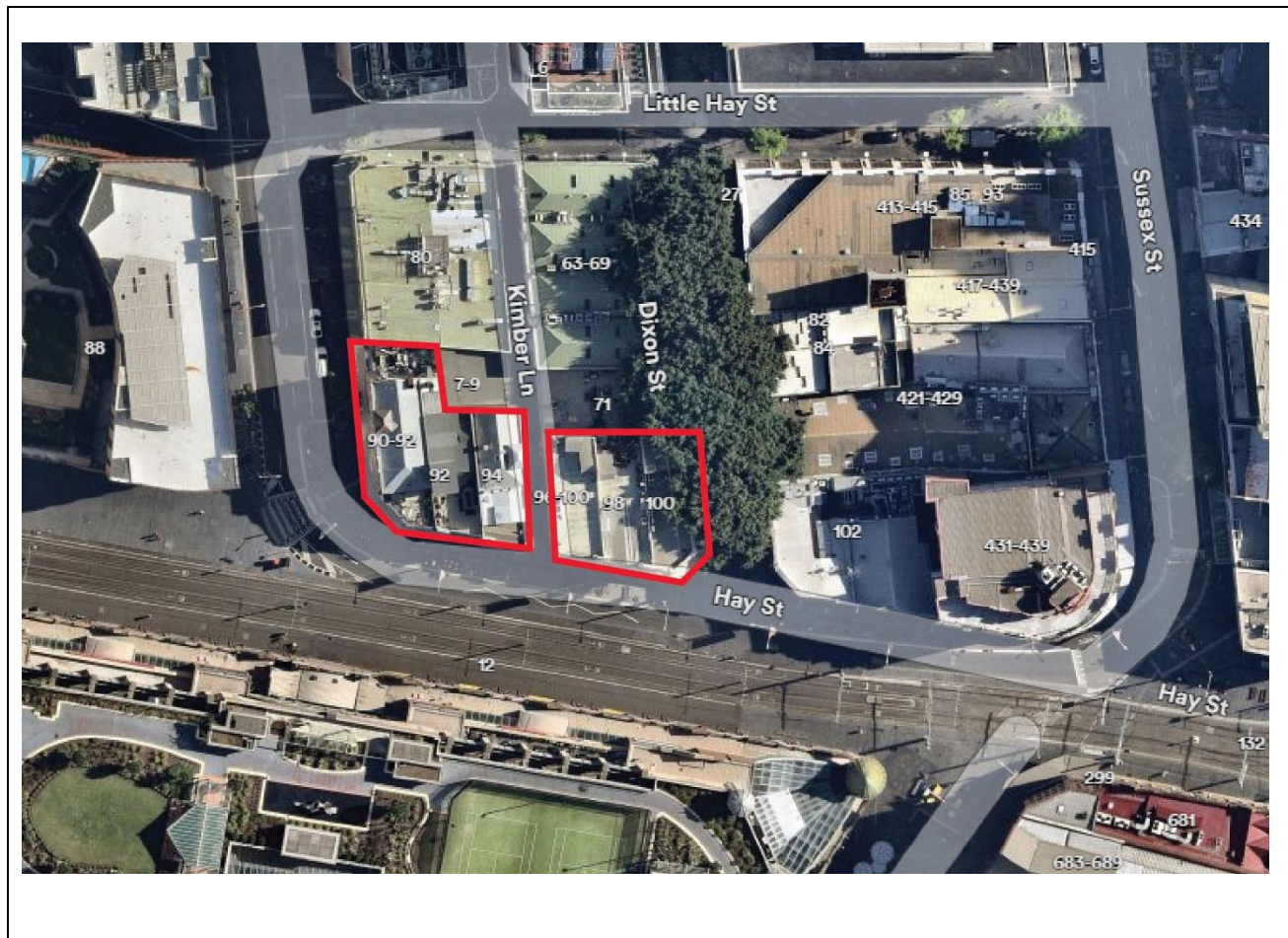
Coordinates

STATE HERITAGE INVENTORY FORM

Latitude	
Longitude	
Datum	

3. Extent of nomination

Provide a map or plan clearly indicating the extent of the curtilage (boundary) of your nomination.



Source of map or plan	Nearmap with HAA overlay
Description of the boundary, if required	

4. Ownership

For organisations / company, please provide both the name of the business and a contact.

Name of owner(s)*	HUNTERS INVESTMENTS (NSW) PTY LTD
Business / organisation name, if applicable	
Address	90 Hay Street. Haymarket PO BOX K565, HAYMARKET NSW 1240
Phone	
Email	

STATE HERITAGE INVENTORY FORM

Ownership explanation, if required	
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Name of owner(s)*	Mr M H Ta & Mrs C T Ta
Business / organisation name, if applicable	
Address	92 Hay Street, HAYMARKET NSW 2000
Phone	
Email	
Ownership explanation, if required	

Name of owner(s)*	LAO & CHEN PTY LTD
Business / organisation name, if applicable	
Address	94 Hay Street, HAYMARKET NSW 2000
Phone	
Email	
Ownership explanation, if required	

Name of owner(s)*	Mr S Yee & Mrs M H Yee
Business / organisation name, if applicable	
Address	96 Hay Street, HAYMARKET NSW 2000
Phone	
Email	
Ownership explanation, if required	

Name of owner(s)*	HYNSCO PTY LTD & Mrs M H Yee & Mr S Yee
Business / organisation name, if applicable	
Address	98 Hay Street, HAYMARKET NSW 2000
Phone	
Email	
Ownership explanation, if required	

Name of owner(s)*	HYNSCO PTY LTD
Business / organisation name, if applicable	
Address	100 Hay Street, HAYMARKET NSW 2000
Phone	
Email	
Ownership explanation, if required	

B. Significance

5. Why is it important in NSW?

Refer to the guideline [Assessing heritage significance](#) when completing this section.

Statement of significance*
The group of buildings at 90-100 Hay Street are important in the history of the Chinese in NSW. Located opposite the Municipal Markets and built in direct association with the markets, the stores at 90-100 Hay Street were occupied by Chinese Australian fruit and vegetable produce firms between the 1910s and the 1970s. They were also important in the history of the city as the relocation of the City markets from the Belmore Markets in Haymarket to the Municipal Markets was a catalyst for the development of a new Chinatown in Haymarket, as firms opened stores to be near the markets. These stores are location markers in Sydney of the processes of the banana and commercial vegetable growing industries which were pioneered by Chinese Australians. The place is a key destination on a trade route with a supply network of vegetables and bananas coming from Chinese Australian communities across New South Wales, Queensland and Fiji. Lee Sang & Co. at 90 Hay Street dealt primarily in vegetable produce supplied by a network of stores and market gardens in regional NSW and firms at 92-100 Hay Street dealing primarily in bananas were supplied by plantations in northern NSW, Queensland and Fiji. The buildings at 90-100 Hay Street are associated with major Chinese Australian businesses such as Wing Sang & Co., Wing Tiy & Co., Gee Ick & Co., and Lee Sang & Co. and is a rare example of stores occupied by multiple major Chinese Australian businesses. Histories of the firms which occupied the stores evidence the achievements of Chinese Australians in the fruit and vegetable industries despite the impacts of immigration restrictions on Chinese Australian businesses and families. Nos. 96-100 are also associated with the significant and popular restaurant, Emperor Gardens which has occupied the place since 1979. There are many family and community stories and memories attached to 90-100 Hay Street, particularly for those whose families lived or worked in the buildings, or grew the produce sold through the stores, and for those in China who were reliant on remittances sent through these stores. These stories testify to the resilience of the Chinese Australians in the face of social and economic discrimination imposed by White Australia legislation. The authors and editors of the book, <i>The China-Australia Migration Corridor: History and Heritage</i>, use the metaphor of a “transnational heritage corridor” to describe the circulation of people, money, goods and ideas between Zhongshan and Australia (Byrne, D., Ang, I. & Mar, P., 2023). Alexandra Wong and Ien Ang argue that the businesses which merchants operated at the Sydney end of the corridor, have significance not only at a local, but at a transnational level (Ang, I. & Wong, A. 2023, p.222). The same can be said of the Chinese businesses which rented the Municipal stores at 90-100 Hay Street.

Comparisons*

The following comparative analysis presents other stores occupied by the same business as at 90-100 Hay Street as well as other Chinese Australian stores across Sydney and NSW.

DEMOLISHED MARKETS AND CHINESE AUSTRALIAN STORES

No. 58 Campbell Street, Sydney - Established in 1890, 58 Hay Street was the headquarters of banana merchants Wing Sang & Co. It was demolished in circa 1980s to make way for the Entertainment Centre.

No. 450 Sussex Street, Sydney - The banana merchants Wing Sang & Co. had stores in the early 20th century at 450 Sussex Street. The building was demolished between 1911-1912.

No. 435 Sussex Street, Sydney - The banana merchants Wing Sang & Co had another store on Sussex Street at no. 435. The building has since been demolished

Corner of Campbell and Wexford Street, Sydney - Gee Ick and Co. had premises on Wexford Street until the street was resumed in 1906-1908. The current day Wentworth Avenue is on a similar alignment.

Old Belmore Markets (Campbell Street) - The old Belmore Markets opened in 1969 and named after the then Governor. They were replaced by the New Belmore Markets in 1893a and demolished in 1910 (City of Sydney Archives, A-00038649).

EXTANT FORMER MARKETS AND CHINESE AUSTRALIAN STORES IN SYDNEY

Nos. 20-22 Campbell Street, Haymarket - Wing Sang & Co. occupied this building between 1890 and 1909 when it moved to larger premises on the corner of Sussex and Hay Street. A number of other Chinese Australian fruit and produce businesses including Hie Lee & Co., Lee Sang & Co., and Wing Ti & Co. occupied this building or neighbouring buildings. The place is currently listed on the Sydney LEP 2012 as part of a group listing of terraces (item no. I827).

Nos. 82-84 Dixon Street, Haymarket - Kwong War Chong building at 82-84 Dixon Street is a highly significant building that "formed part of an extensive network of business, industrial and social relations among Chinese Australians" during the 20th century. The buildings functions included but were not limited to accommodation for market gardeners, remittance agency, and a retail site with a Chinese Australian owned business operating here between 1909 and 2017 ("Former Kwong War Chong & Co building, including interiors and contents of 84 Dixon Street," State Heritage Inventory). It is listed on the Sydney LEP 2012 (item no. I2293) and the State Heritage Register No. 02089.

Nos. 35-39 Ultimo Road, Haymarket - Chinese Australian firms such as Wing On & Co. and fruit and vegetable firm formerly occupied these market stores buildings which were constructed in 1911-1913 adjacent the Municipal markets. The market stores were predominantly occupied by fruit and produce merchants and butcheries. Wing On & Co. was the longest occupant, leasing the premises from 1914-1974 ("Former Markets Stores Including Part Interior," State Heritage Inventory). It is listed on the Sydney LEP 2012 (item no. I867).

Former Municipal Markets (Hay Street) - The former Municipal Markets are adjacent and contemporary to 90-100 Hay Street. Both designed by the City Architect, they had an operational relationship with produce delivered and repacked at 90-100 Hay Street and then sold at the markets. The former Municipal Markets have been developed and are now known as Market City, which contain a shopping centre and Paddy's Markets.

Former 'New Belmore Markets' (13 Campbell Street) - Constructed to replace the old Belmore Markets, the New Belmore Markets opened in 1893. They were later replaced by the Municipal Markets in 1909. It has been used for entertainment purposes since 1916 when it reopened as the Hippodrome and then later as a 'atmospheric theatre' (designed to give the illusion of a courtyard under a night sky). Today it houses the Capitol Theatre ("Capitol Theatre including interior," State Heritage Inventory).

EXTANT/FORMER CHINESE AUSTRALIAN STORES IN NSW

Kwong Sing & Co. Emporium (196-204 Grey Street, Glen Innes) - The former Kwong Sing & Co. Emporium is representative of once common country town Department Stores and is evidence of the contribution of Chinese Australia's to the development of regional NSW. The business was run by the Young family since

its establishment in 1886 with the current building being constructed in 1915 ("Shop - "Kwong Sing & Co Emporium," State Heritage Inventory).

Wing Hing Long Store (10 Ruby Street, Tingha) - The former Wing Hing Long store, built in the 1880s, is one of the oldest retail buildings in Tingha and now operates as a museum. It has a long history with Chinese Australians who built the store and operated business out of the premises from 1881 until 1998 (Kira Brown). The place is evidence of the contributions of Chinese Australians to the development of regional NSW. Much moveable heritage has survived including signage, fittings, furnishing and the cashier's box and pulley ("Store - Wing Hing Long & Co. Store," State Heritage Inventory). It listed on the State Heritage Register (no. 01307).

Former Yee Lee General Store (38 Alexander Street, Stuart Town) - It is unclear when this modest general store was constructed but a store has existed on the site since 1878. Yee Lee bought the site in 1901, opening a general store and following his death in the mid-1930s his sons continued to run the store. The date that the business stopped operating is unclear though the family played an important role in the development of the area ("Yee Lee's Store (former)," State Heritage Inventory). It is locally listed on the Dubbo Regional LEP 2022 (item no. I312).

CONCLUSION FROM THE COMPARATIVE ANALYSIS

Many of the buildings associated with Chinese Australian business enterprises in Sydney have been lost by neglect or demolished. In Sydney, stores and warehouses and neighbourhoods, such as the area around Wexford Street, where Chinese Australians worked and lived were demolished in the resumptions in the late nineteenth and early twentieth century. Other buildings associated with Chinese Australians have been demolished in more recent redevelopments. For example, the Wing Sang headquarters at 58 Hay Street was demolished in around 1980 for the construction of the Sydney Entertainment Centre (The China-Australia Heritage Corridor Project).

The few surviving buildings scattered across NSW are a mix of modest timber weatherboard stores and more substantial two to three storey buildings. The intactness of these places varies with some retaining historical signage and ephemera demonstrating their historical connections to Chinese Australian firms. The buildings at 35-39 Ultimo Road are near contemporary to and are most similar to 90-100 Hay Street. These market stores were also built opposite the Municipal Markets and occupied by major Chinese Australian businesses such as Wing On & Co.

The Municipal Stores at 90-100 Hay Street are amongst the largest of the surviving buildings occupied by Chinese Australian stores and are one of few surviving places in Sydney associated with multiple major Chinese Australian firms.

C. Description

6. Describe the existing item

Description*	EXTERNAL The buildings at 90-100 Hay Street are of a late Federation architectural style. The place is two buildings located at the end of a block and has continuously operated as six premises. Although detached, the two buildings are symmetrical and therefore read as one building through consistency in scale and form. Some external detailing distinguishes between the premise though 96-100 reads one. The buildings are three to four storey masonry constructions with a mostly internal timber post and beam structure. Though originally face brick they have since been painted cream (nos. 90, 96, 98 and 100), blue (no. 92) and grey-green (no. 94). There is also some graffiti on the upper levels of nos. 98-100. Awnings are suspended above the ground floor with a single awning spanning nos. 96-100 and three individual awnings to nos. 90-94. Air-conditioning units are
--------------	--

located above the awnings and downpipes of various colours run down the facades between the buildings but are symmetrically positioned. Windows openings on the first floors have segmented arches with the upper floors being rectangular openings but the window frames and glazing are a mix double hung, single pane and multi-paned sashes.

NOS. 90 AND 100

The two end premises (nos. 90 and 100) address Harbour Street to the west and Dixon Street to the east. They are defined by their chamfered corners and masonry piers, some with recessed detailing which divide the premises into five bays. The three bays which address the street corner have six vertical window openings under a key stone arch and basket weave bond inset panel of brick.

The northern and middle bay to the Harbour Street elevations are four storied and have gabled parapets and nine vertical windows. The nine windows in the central bay are comprised of glass bricks.

The central and middle bay on the Dixon Street elevation is three stories and there is no parapet, instead there are pipe and wire mesh balustrades. There are also six windows in each bay.

NOS. 92-98

The premises at 92-98 are delineated by masonry piers, some of which are stepped and have recessed detailing. These premises each have six vertical windows to the first and second floors.

ROOF

Balustrades on the roof are of various materials and vary at each address. Balustrades at no. 96-98 Hay Street are pipe and wire mesh, glass at no. 94 and timber at no. 92. There is also an illuminated art installation, titled In Between Two Worlds by Jason Wing, in Kimber Lane, between nos. 94 and 96

INTERIORS

NOS. 90 AND 92

The interiors of nos. 90 and 92 have not been assessed. The ground floors of nos. 90 and 92 have been altered and fitted out with modern food retail outlets.

NO. 94

No. 94 is used as a karaoke bar and its interiors have been significantly altered with a modern fit-out to accommodate a life, fire stairs, bar, industrial kitchen and karaoke rooms with mirrored partitions. There is some original detailing, namely recessed brick arches, evident in the stairwell.

NOS. 96-100

Although historically divided the ground floors of 96-98 Hay Street are now a single restaurant space with an industrial kitchen for the Emperors Garden. The first floor of no. 100 is also used as a dining space. The dining spaces are carpeted and the walls are either painted or wall papered, some walls also have tiles.

There are original and modified stairs and the first floor of 98-100 are connected internally through an opening in the wall and contain an industrial kitchen. The brick work and recessed arches remain exposed. The second floor of no. 100 contains rooms with original joinery including

STATE HERITAGE INVENTORY FORM

	columns, doors leaves, architraves and transom windows. There are also false ceilings and modern timber floors. The upper floors of 96 have not been assessed.
Condition of fabric and/or archaeological potential*	The place is in fair to good condition. There is some vegetation growing on the façade.
Integrity / intactness*	The exterior form has a high degree of integrity. Finishes and details such as paint on the façade of the buildings, balustrades, awnings and some windows are not original. Overall, internally there is a low degree of intactness. 94 Hay Street has had substantial alterations internally with minimal surviving original fabric. 98-100 Hay Street have largely been altered but there is some original fabric. 90 -92 Hay Street were not inspected internally and their degree of intactness is not known.
Modification dates	
When was the last time you inspected the item?	April 2024
Current use	Various restaurants and hospitality operations
Original or former use/s	Municipal stores, fruit and vegetable stores, residence
Any additional comments	

D. History**7. Origins and historical evolution**

Years of construction*	Start		End	1911
Designer or architect*	City Architect			
Maker or builder*	Charles C. Coleman			
Historical outline*	PREFACE The history of the buildings at 90-100 Hay Street might be divided into a market period and a post market period. In the market period, from the 1910s to the 1970s, the buildings functioned as Municipal Stores, leased from the City Council, for the most part by Chinese Australian fruit and vegetable merchants. At this time, the majority of the Chinese originated from the Pearl River Delta, in the vicinity of the provincial capital of Canton, and Cantonese or district languages were the main Chinese languages spoken in Sydney. It was also a time when the Chinese Australian population was a minority population, owing to White Australia legislation which virtually prohibited the entry of new migrants from China or Hong Kong and restricted the family life, occupations and industries of resident Chinese Australians. The end of this period in the mid-late 1970s coincides with the abolition of White Australia legislation and the relocation of the Municipal Market to Flemington.			

The later period dates from around the late 1970s, by which time migration was increasing with the relaxation of restrictions and Chinatown evolved as a dining destination. From this time and up to the current day, the buildings at 90-100 Hay Street, which were no longer owned by the City of Sydney, were primarily used as restaurants. As the authors of *China Unbound* write:

“By the 1980s, when these Western societies had largely given up their racially discriminatory immigration policies and opened up to Asian immigration, the dominant conception of Chinatown was no longer that of an abject ethnic ghetto: rather, Chinatown was now seen as a positive expression of multicultural heritage and difference” (Anderson, Ang, Del Bono, McNeill, and Wong, 2019).

This report on 90-100 Hay Street focuses on the market period as the most historically significant period in the history of the buildings. According to Major General (retd) Darryl Low Choy, President of the Chinese Australian Historical Society, the connections of 90-100 Hay Street with the banana trade tells the story of Chinatown and demonstrates the adaptability of Chinese Australians to changing economic and political conditions in order to survive. Low Choy believes Chinese Australian migrants are misrepresented only as sojourners who eventually left Australia, but the history of 90-100 Hay Street (and also 75-77 Ultimo Road and 50-54 Dixon Street) tells a different story of the many unrecognised contributions which Chinese migrants settlers made to Australia. He argues that the buildings must be understood in their political context as businesses adapted to the changing laws and policies of Australia.

CONTEXTUAL BACKGROUND

CHINESE AUSTRALIANS IN THE FRUIT AND VEGETABLE INDUSTRIES

The great majority of Chinese migrants who arrived in the Australian colonies from the early 1850s came from counties in the Pearl River Delta, in the vicinity of the provincial capital of Canton. Initially they were drawn by the goldrushes, but later came to work in a variety of other occupations, including as tin miners, market gardeners, scrub clearers and cabinet makers. They maintained strong ties to their villages (Williams, 2018).

Chinese immigrants to the goldfields brought horticultural skills with them, which not only included water management skills and age-old knowledge of growing vegetables and fruit, but capital sharing and marketing strategies” (Boileau, Joanna 2017, pp 2-7). In Australia, they adapted to different climates and market needs to develop successful commercial growing and wholesale businesses. In the latter decades of the 19th century, fruit and vegetable production, distribution and sales became major occupations of Chinese people in the Australian colonies. The 1885 Sands Directory listed 54 gardens in Sydney, largely in Alexandria and Botany (Fitzgerald, S. 1997, p.95). The extension of rail networks enabled regional producers to send their produce to the market in Sydney. As historian C.F. Yong writes, “the extensive cultivation of vegetables by Chinese growers gave Chinese greengrocers in cities and towns a large share in the wholesale and retail vegetable trade, for Chinese market gardeners often supplied their produce to Chinese greengrocers” (Yong, C. F. 1977, p.36).

Besides growing vegetables, Chinese migrants also developed fruit industries, in particular the banana industry. Chinese who had arrived in North Queensland to work on the Palmer and Hodgkinson gold fields turned to agriculture in the mid-1870s. The Cairns Post of 28 May 1887 declared, “The Chinese farmers and fruit growers of the North may almost be regarded as the fathers of agriculture in the Cairns district” (Johnston, Connor). Chinese fruit merchant firms were involved in all aspects of the banana industry from land-clearing, cultivation, and developing the means of transport. Chinese banana growers, particularly along the Johnstone River would alter water courses to accommodate their banana laden sampans (Johnston, C, p. 23).

Bananas were freighted to southern cities for sale by wholesale fruit merchant firms. One of the most successful of the Sydney-based Chinese fruit merchants was Wing Sang & Co. founded in 1890. Wing Sang & Co. invested capital gained from its banana wholesale business into ventures in Hong Kong and China, founding the Sincere Co. which opened the first department store in Hong Kong in 1900.

Another banana wholesale firm, Wing On & Co. followed suit, opening a department store in Hong Kong in 1907, then in Shanghai, and diversifying into banking, insurance and textile milling. Wing Sang and Wing On developed business networks which extended throughout Asia and the Pacific and in Hong Kong and China. The decision to invest capital earned from Australian ventures into Hong Kong and China was due in no small part to colonial and Commonwealth legislations which obstructed business opportunities for Chinese people in Australia and the Pacific.

Wing Sang & Co. and other Chinese Australian firms had begun establishing these department stores and transnational business networks a decade before the Municipal markets were completed, Wing Sang & Co. and its subsidiaries leased 94 and 96 Hay Street and a Chinatown area centred on Dixon Street evolved.

WHITE AUSTRALIA LEGISLATION

Australian colonies had already introduced legislation to restrict the entry of Chinese people to Australia in the late 19th century, but the 1901 Immigration Restriction Act introduced a dictation test designed to prevent entry of non-whites into the Commonwealth. Chinese people already resident in Australia who wished to travel could apply to be exempted from the Dictation Test. Certain categories of Chinese people had some exemptions from the restrictions, such as students and merchants. Import/export merchants with a certain business turnover were allowed to bring in assistants and special clerks to assist them in their businesses, with extensions renewable on an annual basis. As Alexandra Wong and Ien Ang write, "the system of exemptions was a complicated bureaucratic process and required the active sponsorship of a merchant or employer already in Australia, which reinforced the entry of people from the same hometowns or lineages" (Ang, I. & Wong, A. 2023, p.221). The effect of these policies can be seen very much in the lives of the Yip families at 90 Hay Street and the Ma families at 94 and 96 Hay Street.

The merchant class represented 15.6 percent of the whole Chinese population in NSW in 1901 (Yong, C. F. 1977, p.45). After 1905, only wives of well-established merchants were admitted, and for short periods only, usually six months" (Choi, C. Y. 1975). No such privileges were extended to the labouring class of market gardeners, carters, packers, stall-holders and storemen associated with the markets. Chinese were prohibited from becoming naturalised between 1903 and 1957. They could not bring their wives or families to Australia, and could only apply for exemption from the dictation test to return to their villages, marry and to visit their families.

Towards the end of the 19th century, the Chinese population in the Australian colonies began to transition from a rural to an urban population. In 1880 there were 1014 Chinese people in Sydney as against 9000 others in the rest of the State, but in 1888, Sydney had 4,202 Chinese people (Yong, C. F. 1977). The 1901 Census of NSW recorded 3276 males and only 56 females born in China (Fitzgerald, S. 1997, p.93). The gender imbalance, owing to migration preferences in the first place and then restrictive legislation, decreased with the birth of females born of Chinese or Chinese-European parents in Australia. However, NSW Census figures for women born in China remained low until naturalisation restrictions were relaxed in 1957 (Ang, I. & Wong, A. 2023, p.220).

THE DEVELOPMENT OF CHINATOWN IN THE HAYMARKET DISTRICT

The Chinatown centred on Dixon Street came about as a result of the construction of the Municipal Markets, but the markets which preceded them are an important part of the history. Hay Street traces its origins to 1829, when a site was designated for cattle and corn markets. The Haymarket, as it became known, was a convenient stopping place for farmers' bullock carts before the long haul up the Brickfield Hill to the city's early market buildings, on the site of what is now the Queen Victoria Building (Fitzgerald, Shirley, 2009).

In 1869, the City Council established produce markets, known as the Belmore Markets on Campbell Street on a block to the east of the Capitol Theatre (Ellmoos, L, 2008). Chinese businesses, previously located in the Rocks area of Sydney near the overseas shipping wharves, re-located their businesses to Pitt, Campbell and Goulburn Streets and adjoining laneways to be near to the Belmore Markets. The (old) Belmore Markets were replaced by the (new) Belmore Markets built on the present site of the Capitol Theatre between 1892 and 1893 (Ellmoos, L., 2008).

Historian C.F. Yong writes, "In Sydney Belmore Market was the vegetable emporium. There Chinese and Australian growers sold their vegetables from the carts which were backed into stalls and the horses remained in the vehicles until the stock was sold out." (Yong, C. F. 1977, p.37).

The City of Sydney Local Environment Plan 2012 has listed highly significant buildings which relate to the Chinese Australian history of the Belmore Markets era, in particular, the Wing Sang building at 20 Campbell Street - Terrace Group (Listing Number 1827) and the Chinese Masonic Hall including interiors at 18 Mary Street (Sydney LEP 2012 Item No. I1571).

By the turn of the century, the new Belmore Markets could no longer accommodate the 350 local vegetable growers and nearly 200 fruit-growers who brought their produce into the market to sell and so a special market committee was set up to examine new sites (Christie, M. 1988, p.87). The committee came up with a plan, approved by the public and the press, whereby the Wexford Street area would be resumed, cleared of slum dwellings and re-developed as a market. As City historian Shirley Fitzgerald wrote, while Wexford Street, Exeter Place, Foster, Mary, Stephen and Elizabeth Streets in Surry Hills were home to Chinese Australian families, "to the wider community this area was a slum..." (Fitzgerald, S. 1997, p.90). Historian of the Sydney markets, Michael Christie observed, "The advantage of the scheme from the Council point of view, was that local business would be placated and the 'Chinese problem' dealt with" (CHRISTIE, M. 1988, p.87). The City Council was granted authority to resume land under the Sydney Corporation Amendment Act, 1905 (Ellmoos, L, 2008). In 1906, Council began a process of land resumption and demolition beginning with Wexford Street which was replaced by Wentworth Avenue. Two Chinese churches were destroyed in the resumption – the Chinese Presbyterian Church in Foster Street (1893-1910) and the Chinese Mission's St Luke's Church in Wexford Street, demolished only ten years after the foundation stone was laid. An estimated 724 people had their houses demolished (Fitzgerald, S., 1997, p.123). This resumption and demolition was unnecessary as the chosen market site was located west of George Street near Darling Harbour and the Railway" (Christie, M. 1988, p.87).

In 1908, Sydney Municipal Council resumed terrace houses, mills and workshops spread over four acres bounded by Ultimo, Thomas, Hay, Quay and Engine Streets to make way for two new market buildings, including the Municipal Stores at 90-100 Hay Street, designed by the City Architect. The first market building on Hay Street opened in 1909 and the second in 1910. These developments were reported in the Chinese Australian Herald in March 1909, with the comment that numerous Chinese firms were expected to move in light of the market's relocation (Guang yi hua bao = The Chinese Australian Herald, 13 March 1909, p.2). From 1910, Chinese firms which had previously

been centred around Campbell Street, Haymarket in proximity to the Belmore Markets began to open stores in Hay, Dixon, Quay, Harbour Streets and Ultimo Road, close to the new Municipal Markets. First amongst these was Chungshan (Zhongshan) merchant Phillip Lee Chun, who in 1909 purchased land at 82-84 Dixon Street and had a building constructed on that land for his business, Kwong War Chong, which for sixty years afterwards provided a remittance service to NSW's Loong Tu community (Hector Abrahams Architects, 2019, p.4).

OCCUPANTS OF PRIOR BUILDINGS AT 90-100 HAY STREET

Dove's 1880 plan of Sydney shows four one to two storey masonry buildings between Harbour Street and Kimber Lane and a single two storey timber building between Kimber Lane and Dixon Street. Prior to the building of the Municipal Stores at 90-100 Hay Street, the buildings on Hay Street from Harbour Street to Kimber Lane were numbered 92-98 Hay Street and those from Kimber Lane to Dixon Street were 100-106 Hay Street.

The owner of 92 Hay Street in 1907 (now 90 Hay Street) was Samuel Hordern, of the successful Anthony Hordern and Sons firm. No. 92 Hay Street was used as a Hordern and Sons store and stables before the land was purchased and cleared for the construction of the Municipal Stores (City of Sydney Archives, A-01136253 to A-01136244). A photograph of the corner of Harbour and Hay Streets taken in 1910 shows that 92 Hay Street had been demolished by then.

The City Assessment books and Sands Directory show that occupants of 94 Hay Street prior to its demolition were Mrs Mary Doherty, fruiterer and Mr George Doherty, pattern maker from 1900 to 1904; Peter Peterson in 1905 and George Hanna hairdresser from 1906 to 1910 (City of Sydney Archives, 1903- 1910, A-01136249 to A-01136256). Lee & Co. occupied 94 Hay Street in 1911 (City of Sydney Archives, 1911, A-01136248).

Businesses which occupied 96 Hay Street (now 92/94 Hay Street) were Daniel S. Ford, printer, 1903-1905; Ross Frederick William 1909-10; and Mrs Elizabeth Shea, Refreshment Rooms in 1911 (City of Sydney Archives, 1903 – 1911, A-01136256 to A-01136248). At 98 Hay Street was Yee Sang, pork butcher (City of Sydney Archives, 1911 A-01136248).

From 1900 to 1910, 100-106 Hay Street, the block from Kimber Lane to Dixon Street (now 96-100 Hay Street) was occupied by West's Patent Tyre Co Ltd and by J.E. Bishop, Secretary (City of Sydney Archives, 1910 and 1911, A-01136249 and A-01136248).

90-100 HAY STREET: THE MUNICIPAL STORES

In 1911, the Municipal Council put out a tender for the construction of Municipal Stores at 90-100 Hay Street, opposite the new Municipal Markets. The tender stipulated that the contractor was to complete the whole of the works in six months or in default, to pay £5 per day for every day until the work was completed (City of Sydney Archives, 1911, A-00455910). The successful tenderer was Charles C. Coleman who signed a contract with the City on 21 July 1911.

The buildings which had previously existed at 92–106 Hay Street were demolished in 1911 and replaced by the current three storey buildings. Buildings at 92-98 Hay Street were re-numbered as 90-94 Hay Street and buildings from 100-106 Hay Street became 96-100 Hay Street.

The City Council owned, leased and managed the Municipal Stores until 1969, when the newly established Sydney Farm Produce Market Authority took over running of the stores on 1 January, 1969 (Government Gazette of the State of New South Wales, 20 December 1968, p.5000). The new Sydney Markets at Flemington were opened in 1975 and trading ceased at the Municipal Markets in the Haymarket.

After the markets moved to Flemington, the Municipal Stores were vacant for some time before investors such as Alan Seeto, Bernard Chan and Stanley Wong and family bought up real estate in Chinatown. Alan Seeto, who came to Australia in 1973 from Papua New Guinea owned a building with three restaurants on the corner of Hay and Harbour Streets (The Canberra Times, 2 February 1986, p.50). Nos. 90-100 Hay Street was the site of a number of restaurants, but the evolution of Chinatown's restaurant culture is better demonstrated by earlier restaurants such as the Eastern Restaurant and Lean Sun Low at 50-54 Dixon Street. An exception to this is the standout example of longevity of the restaurants owned and operated by the family of Stanley Yee at 96-100 Hay Street since 1979.

NO. 90 HAY STREET

LEE SANG & CO. AND GILBERT YET TING QUOY

The first tenant in the newly constructed building at 90 Hay Street was Lee Sang & Co. Produce Merchants and Importers, who leased the building from 1919 (City of Sydney Archives, A-01136240). In June 1920 Lee Sang & Co. advertised a new shipment of fireworks to celebrate the visit of the Prince of Wales (The Sun, 5 June 1920, p.6). Lee Sang & Co. was a well-established produce business, registered in 1903 at 28A Campbell Street. The firm may have existed earlier, as the Registration of Firms Act, No. 100 only came into being in 1902. Lee Sang & Co. was registered by Won Chum, Gilbert Yet Ting Quoy and Ah Sing. Additional people in the business were listed as Cecil Gilbert Quoy [the son of Edith and Gilbert Yet Ting Quoy, born in 1900], Sydney Lee, See Wah and Hoon Wing (State Archives NSW, NRS 12961, Index No.48, Item No. [2/8526] p.497). Lee Sang & Co. replaced Hop War and Co. as representative of Tung Koon natives in the Lin Yik Tong (Chinese Commercial Association, 1892-1903) (Kuo, M. F. 2013, p.120). Hop War had previously replaced influential Tung Koon merchant Way Kee.

To ensure a steady supply of vegetables, Ting Quoy and other partners established stores and market gardens in the NSW country towns such as Bathurst in 1909 and Aberdeen in 1919, trading as Tong Sing & Co (State Archives NSW, NRS 12961, Index No. 48, Item No. [2/8541], File No. 18272 and Index No. 48, Item No. [2/8548], File No. 32521.). Produce would be transported by rail to Sydney and delivered to the store where it was sorted before being sold by at the markets across the road. An advertisement from 1925 stated that the Lee Sang & Co. at 90 Hay Street sold potatoes, horse feed, Chinese groceries, fruit and vegetables, bone ash, tobacco, peanuts, cigarettes, matches, and Chinese and Western fireworks, forwarded remittances and acted as a selling agent for local produce. It also named two other Lee Sang & Co. stores in Hong Kong and Thursday Island (Tung Wah Times, 21 November 1925, p.4).

Through the 1920s and 1930s, Gilbert Yet Ting Quoy's name was on the lease for 90 Hay Street. Born circa 1874 in Tung Koon, China, Gilbert Yet Ting Quoy arrived in Australia in 1885, and by 1903, when he obtained a Certificate of Domicile to travel to China, he was 29 years old (NAA: ST 84/1, 1903/1-10, 26.). He married Australian-born Edith Ginn and the couple had at least ten children (FITZGERALD, S. 1997, p.26).

By the time Gilbert Yet Ting Quoy and partners registered Lee Sang & Co. at 90 Hay Street, Ting Quoy was already a successful, well-established merchant. He had registered Ting Quoy & Co. Produce Merchants at 43 Lane Cove Road North Sydney in 1903 (State Archives NSW, NRS 12961 Index No. 48, Item No [2/8530], File No. 5857, 529). Quoy was a conservative political leader in the Chinese community, an office bearer of the China Empire Reform Association (CERA) The CERA was a political organisation which advocated political reform in China through a system of modernisation while maintaining the Emperor system. They would later advocate for a constitutional monarchy. Other well-known merchants in the Sydney Chinese

community who were members of the CERA included Thomas Yee Hing, Ping Nam, C. Leanfore, Henry Fine Cheong, Goon Ick, W.R.G. Lee and George Bew (YONG, C. F. 1977, p.120-121).

Quoy was also a member of the NSW Chinese Chamber of Commerce and its President in 1924 (Yong, C. F. 1977, p.121 and NAA:SP1122/1, N1961/3364, 330). Formed in 1913, the NSW Chinese Chamber of Commerce was an organisation which defended the trade and commercial interest of Chinese Australians from anti-Chinese movements and organisations and promoted the Sino-Australian import and export trade. Quoy was amongst Sydney Chinese merchants who launched a campaign through the Tung Wah Times newspaper in 1908 and 1909 advocating the need to establish Chinese schools. Along with Ping Nam, Leong Cheong, Lee Chun, John Hoe and Lean Fore, Quoy taught at the Sydney Chinese School at the Loong Yee Tong clubhouse at 50-54 Dixon Street (Yong, C. F. 1977, p.214 and KUO, 2013, p.229).

Quoy was one of the founders of the first Chinese Australian owned shipping line, the China-Australia Steamship Line in 1917, and was on the Advisory Board of the Line (Yong, C.F., 1977, p.264). C.F. Yong argues this shipping line, established to break up the Japanese shipping monopoly and extend the Sino-Australian import and export trade, "expressed the unity and co-operation achieved for the first time by Chinese in Australia over a single issue of common interest." (Yong, C.F., 2013, p.97.). When the shipping line collapsed in 1924, Quoy came under criticism by other factions for poor administration and undue influence, as William Liu, the appointed proprietor of the China-Australia Mail Steamship Line, was married to Quoy's daughter Mabel (Yong, C. F. 1977, p.101 and NSW BDM Marriage Cert 41597/1907).

FAMILY SPONSORED BY GILBERT YET TING QUOY

Gilbert Yet Ting Quoy actively sponsored the entry of relatives and clan members to Australia. Amongst those he sponsored was his nephew, Henry Won Yeh Lum (later known as Henry Lum Yip), who arrived in 1922 as a student and lived with the Quoy family (NAA:SP1122/1, N1961/3364, 345). In 1924, the Chinese Consul applied on behalf of Henry Won Yeh Lum [sic] for an extension of stay and to be transferred to the firm of Lee Sang & Co. Permission was granted for transfer to Lee Sang on payment of a bond, and Henry was engaged in a clerical capacity in the firm of Lee Sang & Co. at 90 Hay Street (NAA:SP1122/1, N1961/3364, 323-330).

As early as 1926, the 90 Hay Street building had a lift. City of Sydney historian Shirley Fitzgerald cites a letter Mabel Quoy wrote to Henry Lum Yip, who took a return visit to China in 1926. Mabel wrote:

"Dear Lum ... I have been to Lee Sangs twice since you left. Bo and Winsom said hullo as we passed up the lift. Choong was in the peanut room..." (Fitzgerald, S. 1997, p.170).

Another relative sponsored by Gilbert Yet Ting Quoy was Harry Hornung Yip, who arrived in July 1926 (NAA:SP11/2). In 1930, the Chinese Consul General F.T. Sung applied successfully for extension for Henry Won Lep Yum and Harry Hornung Yip, both in the service of Lee Sang & Co., 90 Hay St. "Hornung Yeh is the export clerk and Won Yeh Lum is studying business there", he wrote (NAA:SP1122/1, N1961/3364, 256). Harry Yip went on to become a partner in Yeh Lum & Co., was President of the NSW Chinese Chamber of Commerce for about six years from 1958, and had a family of whom there are many descendants still working in the produce industry.

Henry Lum Yip and family

In 1932, the Department of the Interior approved an application made by Gilbert Yet Ting Quoy for Henry Won Yeh Lum's wife, Yee Yip Sue, to be admitted to Australia for a visit (NAA:SP1122/1, N1961/3364, 235). Throughout the 1930s, applications were made to extend her stay and by 1940, five children had been born to the couple

(NAA:SP1122/1, N1961/3364, 145). According to the family of Henry Lum Yip, "six of his children were born above his Haymarket store" (SBS News online, 30 August 2020).

YIP SEE SYNDICATE

In 1936, Lee Sang & Co. were unable to pay their creditors, but eventually an arrangement was made with creditors who accepted five shillings in the pound in full discharge of their debts. A new company, Sino Australian Pty Ltd was formed with Gilbert Quoy as General Manager, sons Cecil and Alwyn Quoy as Assistant Manager and Secretary and Henry Won Yep Lum as Director and Buyer (NAA: SP1122/1, N1961/3364, 182). In 1940 a partnership comprised of Mr E. L. Quoy, Mrs E. B. Quoy, Henry Yep Lum, Walter Don Hoy, Harry Yip and W.H. Lo, all equal partners and all domiciled in Australia, bought the business of Chien Sang & Co and established Yep Lum & Co. (10 Hay Street) (NAA: SP1122/1, N1961/3364, 182).

In the 1940s, 90 Hay Street was alternately leased by the Sydney Banana Company, "Licensed Farm Produce Agents, Wholesale Fruit, Produce and Vegetable Merchants" and the Yip See syndicate (City of Sydney Archives, 1945, A-01089048). The Sydney Banana Company may have been a part of the Yip See syndicate as the business was managed by Charles Liu, the brother-in-law of Mabel Liu, Gilbert Yet Ting Quoy's daughter. In 1941, the Sydney Banana Company advertised for banana growers on the North Coast of NSW to consign their bananas to the firm, boasting a store "equipped with the most modern scientific banana ripening plant" (Tweed Daily, 23 August 1941, p.6). The Sydney Banana Company also leased 90 Hay Street in 1948 (City of Sydney Archives, 1948, A-01089047).

The Yip See syndicate made application to the City Council erect an additional banana ripening room on the first floor of 90 Hay Street in 1943 (A-00338781). In 1948, the Yip See syndicate made an application to erect a banana elevator at 90 Hay Street (Construction, 22 September 1948, p.15). A building survey of 90 Hay Street in 1949 recorded a shop and office on the ground floor, a banana storage room on the first floor, additional storage on the second and five rooms for residence on the third floor (City of Sydney Archives, 1949, A-00508810).

Such banana ripening rooms were not unique to Chinese Australian fruit merchants. Documents in the collection of the City of Sydney Archives show that in the late 1950s, many banana commission agents with stores in the markets and in Hay, Quay and Thomas Streets and Ultimo Road applied to install banana ripening rooms, however, the Chinese fruit merchants appear to have been the first to do so.

Like Gilbert Yet Ting Quoy, before him, Henry Won Yep Lum sponsored the entry of members of the Yip clan to Australia. According to his family, over the years, he continued to reunite families, sponsoring around 70 Chinese migrants. Many arrived as students from China and Hong Kong after World War II (SBS News online, 30 August 2020). Henry's immigration file shows that in 1961, Yep Lum & Co. was owned by six equal partners – Harry H. Yip, Walter Donhoy Yip, Henry Lum Yip, Wellington Hong Lo, Mrs C. G. Quoy and Mrs G.Y. T. Quoy (NAA:SP1122/1, N1961/3364, 46).

In 1948, Henry Lum Yip applied for permanent residence but his application was refused by Arthur Calwell, the then Minister for Immigration, though he was granted approval to remain in Australia without applying for extensions (NAA:SP1122/1, N1961/3364, 99). It was not until 1957 that Chinese-born people were allowed to apply for naturalisation and citizenship could be granted to anyone who had been 15 years in the country (ANG, I. & WONG, A. 2023, p.220). In 1961, Henry applied for naturalisation and on 7 December 1961, he was granted Australian citizenship (NAA:SP1122/1, N1961/3364, 23, 13).

90 Hay Street not only serves as a tangible reminder of the activities of the Yip clan produce merchants, but also of the labouring class of packers and carters who packed and transported the produce and to the market gardeners who grew the vegetables. In

an interview with Mavis Gock Yen, Leung Pui (1914-1996) spoke about his father, who worked at the Haymarket produce markets. His family had remained in the village of Lung Hooey in Lungdu. On a return visit to see them Leung Pui recalled:

“The first thing Dad took out was a leather apron. This leather apron had a hole in the chest. Dad said the money he earned came from packing tomatoes for the vegetable market in Sydney in Haymarket. He had to get up before dawn every morning and start carrying cases and cases of tomatoes, repack them and then carry them into the storeroom. He was doing that every day. That’s why he and the other partners wore leather aprons... He told us the market gardeners had to get up in the dark and carry hundreds of loads of water on their shoulder poles every day... ‘There’s no gold!’ he said. ‘It’s all muscle power.’” (Gock Yen, Mavis, 2022, p.137).

THE POST-MARKET PERIOD

After the markets closed, this area of Hay Street was deserted. Douglas Lam, who migrated to Sydney from Hong Kong in the early 1960s and spent much of his spare time in Haymarket, recalls the stores were empty in 1975 (Douglas Lam, personal communication, 24 April 2024.). In the late 1970s, real estate was bought up by investors such as Alan Seeto who had come to Australia from Papua New Guinea. Seeto owned three restaurants on the corner of Hay and Harbour Streets (The Canberra Times, 2 February 1986, p.50). Entrepreneur and investor Dominic Choy who emigrated to Australia in 1962 refitted the building and in 1981 opened a restaurant called Choys AD 1000 at 90-92 Hay Street.

By the 1980s Dominic Choy had established the Howin Group of companies and a chain of six Choys restaurants. In 1990 the Howin Group took a 49 percent interest in Rockvale Pty Ltd and partnered with Japan’s Kajima Construction Group to develop Market City as a \$600 million major commercial and residential development on the old Paddy’s Market Site adjacent to Sydney’s Chinatown (Guangdong-Hong Kong Information Daily, 29 August 1993).

No. 90 Hay Street has been tenanted by a number of restaurants since then and as of January 2024, was occupied by a Japanese restaurant called Sushi Rio.

NO. 92 HAY STREET

HIE LEE & CO.

The first tenant in the new Municipal building at 92 Hay Street was the firm of Hie Lee & Co. which occupied the building from 1912. The Hie Lee & Co firm had previously registered as wholesale fruit merchants at 28 Campbell Street in 1903. In the Tung Wah Times of 14 December 1912, the firm advertised themselves as fruit and produce merchants, and the head office as 92 Hay Street (Tung Wah Times, 14 December 1912, p.4). More specifically, Hie Lee & Co. were banana commission agents, advertising “best prices for growers” in the Tweed Daily in May 1920 (Tweed Daily, 15 May 1920, p.2).

When Hie Lee & Co. registered their business at the 92 Hay Street address on 2 January 1919, those carrying on business were Ah Loy, Ah Hue Loong, Hing Loong, Yick Man, Willie Hee, George Low, Tee Wing and Ah Sum (State Archives NSW, NRS 12961: Index no. 48. File No 31883, Item No.[2/8548]). In May 1919, a notice in the Chinese Republic News announced the withdrawal of four of the partners from the firm (31 May 1919, p.6). In October 1921, the firm advertised in the Tung Wah Times, under the name of Tie Lee & Co (1 October 1921, p.4). The "Hie Lee" romanisation reflects See Yip pronunciation whilst the romanisation "Tie Lee" reflects Cantonese pronunciation. The Cantonese romanisation in this advertisement might reflect a change in joint ownership from See Yip speakers to Cantonese speakers, or merely the language of the

person who was tasked with listing or designing the advertisement (Ely Finch, personal communication, 10 January 2024).

QUONG WING CHONG

On 29 August 1922, Hie Lee & Co. was purchased by the firm of Quong Wing Chong (Chinese Republic News, 19 August 1922, p.6). In 1902, William Quing was listed as an owner of Quong Wing Chong. Quing was associated with the Tsang Shing district (Guang yi hua bao = The Chinese Australian Herald, 21 June 1902, p.5). In 1923, the Tsang Shing firm of Quong Wing Chong & Co. (92 Hay Street), the Tung Koon firm of Lee Sang & Co. (90 Hay Street) and the Chungshan firm of Kwong War Chong (84 Dixon Street) were amongst the founders of a new organisation that represented Chinese Christians from three different Christian denominations. Called the "Neutral Alliance", the organisation aimed to quell tensions in the community following months of written warfare between Sydney's three Chinese newspapers (Chinese Republic News, 14 April 1923, p.8). This is but one initiative that sought to rise above district loyalties and political differences to seek cohesiveness in the community.

By 1932, Quong Wing Chong firm appears to have come under the ownership of people from the Sam Yap district, as a Sam Yap organisation called the "Sam Yap Hang Shin Tong" advertised that it would be holding a meeting upstairs at Quong Wing Chong, Hay Street (Tung Wah Times, 27 February 1932, p.8). In 1910 the same organisation conducted a Sam Yap bone repatriation drive in 1910 with addresses for correspondence given as Kwong Wing Chong and Y. C. Hong On Jang (Guang yi hua bao = The Chinese Australian Herald, 21 May 1910, p.6).

In 1924 Quong Wing Chong & Co. moved into the building at 92 Hay Street and shared the premises with Hie Lee & Co. with the former supplying fruit and vegetables while Quong Wing Chong sold Chinese goods and offered a remittance service.

Besides growing and selling bananas, Hie Lee & Co. were exporters of Australian produce. In February 1934, for example, Hie Lee & Co. exported 1021 bags of flour (22 tons) to Hong Kong (Daily Commercial News and Shipping List, 7 February 1934, p.6). This volume of exports is likely to have earned the management of Hie Lee & Co. (as merchants with a certain export turnover), privileges of allowing the entry of wives and employees for the company. In 1936, Hie Lee & Co. along with ten other Chinese banana agents including Sun Lee & Co. and Wing Sang & Co. (96 Hay Street), were amongst 27 agents appointed to join the Banana Marketing Board, a newly created Australian authority (Truth, 22 March 1936, p.12). The lease alternated between Hie Lee & Co. and Quong Wing Chong between 1913 and 1948 (Sands Directory, 1913-1933; and Assessment Book Phillip Ward, 1934-1948).

A building survey of 92 Hay Street in 1949 recorded a shop and office on the ground floor, a banana storage room on the first floor and storage on the second. No use was recorded for the third floor (City of Sydney Archive, A-00508810). In 1950, an application was made to the City Council for construction of a banana ripening room on the ground floor of 92 Hay Street (Construction, 13 December 1950, p.15).

NO. 94 HAY STREET

WING TIY & CO.

From 1913 to at least 1948, Wing Tiy & Co. occupied 94 Hay Street (Sands Directory, 1913-1933; Assessment Book Phillip Ward, 1934-1948). Wing Tiy & Co. relocated from 34 Campbell Street where the firm registered as fruit merchants and commission agents in 1903. Persons carrying on the business were listed as Mark Kew, Char Rin, Lee Loy and Wing Sang (State Archives NSW: NRS 12961, File 521, Item [2/8526]). Wing Tiy & Co. was one of the biggest and longest-lasting banana merchants in Australia. In 1902, Wing Tiy & Co. had amalgamated with Wing Sang and Wing On to form Sang On Tiy & Company to expand its operations into Fiji. This firm had 350 acres under

cultivation in Fiji and in the first season, were bringing 10,000 bunches of bananas a fortnight into Sydney (ALI, B. N. K. 2005, p.438-9).

In 1913, when Wing Qui [sic] & Co. was registered at 94 Hay Street, the persons carrying on the business were Chan York, Loy Leong, Fay Chang, Wing Chan, Qui Chong, Chan Boo and Yin Leong (State Archives NSW, NRS: 12961, Index No. 48, File No. 22803, Item No [2/8543]). Wing Chan, also known as Mark Joe, was one of the founders of the Wing Sang Co.

Around 1933, Charles and Thomas Ma came to Australia from Hong Kong to work in the Ma family firm of Wing Sang & Co. Charles was born in Sydney, but had been sent back to China for his education before returning to Australia. In 1938, Charles, then Manager of Wing Tiy & Co., gave evidence before the Fruit Industry Commission in Sydney about the working hours of the men handling the bananas at the City Markets. Ma said:

“the men handling bananas start at 6.30am. In winter they might finish at 5 o’clock, except on Mondays and Thursdays when they finish at 6 o’clock. In the summer there is no criterion as to when we finish. We start at 6.30am and go round the clock, probably finishing at 11 o’clock at night” (The Albury Banner and Wodonga Express, 10 June 1938, p.9).

A building survey of 94 Hay Street in 1949, recorded a shop and office on the ground floor, a banana storage room and office on the first floor, residence and storage on the second floor and a roof house residence on the third floor (City of Sydney, 1949, A-00508810). The families or employees that occupied these rooms have not so far been identified. A building inspection carried out by the City Building Inspector in 1959, recorded two banana ripening rooms at 94 Hay Street (City of Sydney Archives, 1959, A-00364720).

Charles’ brother Thomas, born in Hong Kong in 1916, also worked at Wing Tiy & Co (Denise Ma, Personal Communication, 10 March 2024). Thomas, his wife Lily and their children had a home in Strathfield, but Thomas spent much of his life working at 94 Hay Street.

Thomas Ma bought Wing Tiy & Co. in 1963, and managed the firm until the mid-70s. After selling up at the time the markets re-located to Flemington, he went to help the ageing Mar Leong Wah at the Wing Sang headquarters at 58 Hay Street. Thomas Ma’s daughter Denise Ma recalls of 94 Hay Street:

“Each school holidays we would go for our trip to the city from Strathfield. We would go to pick up Dad and I remember going to the office on the mezzanine floor. I also remember visiting Uncle Charles and Auntie Edith at 96 Hay Street until they moved out in late 1956. It is a significant part of my life.”

NO. 96 HAY STREET

From 1913 to 1919, Tiy Chung & Co. Produce Merchants occupied the new building at 96 Hay Street. Tiy Chung & Co. had registered the business, then located at 445 Pitt Street in 1903 (State Archives NSW: NRS 12961, File No. 4740, Item No [2/8529], 570). In 1919, Hook Yick & Co., a company with its headquarters in Melbourne, took out an advertisement in the Tweed Daily to announce the opening of a branch at 96 Hay Street and to solicit growers to consign their bananas and “pines” [pineapples] to the Sydney branch.

A similar advertisement taken out in the Tung Wah Times indicated that the firm was dedicated to the sale of Fiji and Queensland fruit and bananas, and produce from Queensland and other states (14 June 1919, p. 7).

WING SANG & CO.

In 1920, an advertisement gave notice that Wing Sang & Co. had purchased Hook Yick's 96 Hay Street shop on the 27th of March 1920, and had started trading there under the name Wing Sang & Co. from that date on (Chinese Republic News, 24 April 1920, p.7). Wing Sang & Co. was one of the largest and best-established firms in Australia, with banana wholesale as the cornerstone of its business, but also engaged in the remittance business. Though Wing Sang had established Hong Kong as its headquarters by 1921, Wing Sang & Co. and subsidiaries maintained its banana wholesale business and import-export trade in Australia into the latter decades of the 20th century.

Wing Sang & Co. had offices and warehouses at various addresses in the Haymarket area before establishing the store at 96 Hay Street in 1921. Whilst some of their buildings, such as the warehouse at 450 Sussex Street and the headquarters at 58 Hay Street have been demolished, others are still standing, for example the Wing Sang & Co. store at 20 Campbell Street.

A detailed history of Wing Sang & Co. buildings in Sydney, Hong Kong and China was undertaken by the China-Australia Heritage Corridor project (The China-Australia Heritage Corridor Project, accessed 9 March 2024).

MAR SEE POY

The Managing Director of Wing Sang & Co. at 96 Hay Street was Mar See Poy (called Mar Sha Poi in his immigration file). Mar See Poy was the grandfather of Glenn and Phillip Mar, who wrote about the sad end to his career at 96 Hay Street (MAR, G. & MAR, P., 2023). Mar See Poy came to Australia in 1914 at the age of twenty-two, as a substitute manager for Wing Sang & Co. At the time, the senior managers were heading back to China following Ma Ying Piu who had set up the Sincere store in Hong Kong (MAR, G. & MAR, P., 2023). The Police report on Mar's file states that "the firm of Wing Sang is held in the highest repute and is financially sound" (NAA: A1, 1925/11716, 112).

The application for Mar See Poy's was granted, renewable on application if the company met with certain conditions, including a high business turnover. For almost a decade Mar See Poy was able to extend his stay, during which time he married, fathered a daughter, lost his first wife, remarried and had two Sydney-born sons, Arthur and Raymond Mar (MAR, G. & MAR, P., 2023).

On applying for an extension in 1924, he was observed by a Senior Boarding officer, who reported:

"I have observed this man on at least ten occasions and R.W, Wilson on four occasions working at a branch store of the firm at 96 Hay Street, Sydney where the business is mainly fruit dealing. On every visit we have seen Mar Sha Poi [sic] with his shirt sleeves rolled back, with a leather apron, without coat or vest, loading and unloading goods from carts, packing and stacking fruit and performing other ordinary store duties. The premises 96 Hay Street open right onto the roadway and this man can be observed at any time employed in the same manner as other Chinese and European fruit store assistants in the same street" (NAA: A1, 1925/11716, 23).

As a manager, Mar See Poy was not expected to partake in the manual work of fruit handling, and with this doubt cast on the nature of his employment, the extension was refused. Glenn Mar writes, "Mar See Poy left Australia in April 1926 with his family... and settled in his home village of Sha Chong ...he died in 1928" (MAR, G. & MAR, P. 2023, pp.136-7).

By 1930, bananas imported from Fiji were subject to crippling import duty and Chinese growers were excluded from the industry in Queensland and northern NSW. As the years wore on, immigration restrictions had the desired effect of draining Chinese enterprises of labour. Chinese firms adapted to the circumstances and like Wing Chong and Hie Lee, Wing Sang & Co., turned to advertising in the newspapers for white and

Italian growers to consign their bananas to the firm. In 1930, the firm was promoted as "Licensed farm produce agents, Oldest established banana specialists, Head Office 58 Hay Street, branches Fruit Exchange, City Markets, 96 Hay Street" (Tweed Daily, 12 July 1930, p.8).

SUN LEE & CO.

In 1933, Sun Lee & Co. took over the lease at 96 Hay Street. Sun Lee & Co. advertised in the Italian newspaper, *Il Giornale Italiano*, that the firm had a local agent in Lismore (*Il Giornale Italiano*, 3 June 1933, p.3). S. Watts at Stokers Siding in the Brunswick Valley of the North Coast of NSW acted as an agent for Wing Sang & Co (Tweed Daily, 7 November 1942, p.4). In 1934, an application made to alter the stairs and banana room was approved at 96 Hay Street (Construction and Real Estate Journal, 19 September 1934, p.4). This would have been around the time that Charles Ma arrived in Sydney with his wife Edith nee Yee. Both Charles and Edith were born in Australia but raised in Hong Kong. Charles and Edith had twin daughters Audrey and June, born in Sydney in 1934 and a son Daniel, born in Sydney in 1944.

Until about 1956, Charles, Edith and children lived on the top floor of 96 Hay Street. Their son Daniel Ma recalls:

"96 Hay Street was called Sun Lee in my childhood. It was where my family lived from the mid-1930s to around 1956. We had the top floor. The building was one of a group of six connected buildings located on Hay Street... All six buildings were similar in their internal layout. Ours comprised of an open-plan shop with ripening rooms at street level, a half-floor mezzanine office space, two full floors of residential accommodation and an open rooftop "terrace"... For the most part the building was fairly basic. The rooms were divided using thin masonite partitions that were only head height..." (Daniel Ma, "personal communication, 6 May 2024).

Every day, Charles Ma would go to work at Wing Tiy & Co. at 94 Hay Street, and in later years at the main Wing Sang building at 58 Hay Street (Daniel Ma, personal communication, 10 March 2024.).

Daniel Ma describes the markets:

"Bananas were delivered in wooden boxes which were all marked with their place of origin and destination stencilled on the box. They were offloaded off the flat-top trucks and wheel-barrowed to the ripening rooms almost every weekday morning. Most of the men handling the boxes wore thick brown aprons which were almost like a uniform at the markets".

Wing Sang & Co. appear to have ceased trading at 96 Hay Street sometime in the 1940s. From 1948 until at least 1952, Russell & Sons were advertising fruit and vegetables at wholesale prices at 96 Hay Street. By the time Daniel grew up at 96 Hay Street, European and Italian vegetable merchants were replacing the previously Chinese-dominated industry. According to Daniel:

"Every weekday there would be a siren at 7am to announce the opening of the markets and that would be the signal for the buildings to raise their street front roller shutters...The whole market area would turn into this hive of activity. Hustle and bustle, people jostling to park their trucks and often lots of swearing!! English profanities. Cantonese profanities. Italian profanities. Greek profanities. It was rough but very exciting!!" (Daniel Ma, personal communication, 6 May 2024).

Daniel Ma recalls in his childhood:

"the ground floor of Sun Lee was sublet to some Italian fruit suppliers. The shop incorporated several banana ripening rooms. Bananas were delivered by rail from "faraway places" like Coffs Harbour and were ripened by gas before being sold to fruit shop owners from all over Sydney"

The Ma family moved out around 1956 but 96 Hay Street remained in use as a banana ripening room until at least 1961 (City of Sydney Archives 2960-1961, A-00368413).

Post-market period

From the late 1970s to the late 1980s, 96 Hay Street was owned by Tensons Pty Ltd (City of Sydney Archives, 1979-1987, A-00680286). It was developed for use as a succession of restaurants including Lotus World Vegetarian Restaurant in 1977 and the Mandalay Nay Pe Daw restaurant in the early 1980s, before Stanley Yee bought the building and established a restaurant in 1979, which was the forerunner of the long-running Emperors Garden, which is still owned and operated by the Yee family to this day. See 100 Hay Street for further detail.

NO. 98 HAY STREET

WAR LOONG & CO.

Between 1913 and 1932, 98 Hay Street was tenanted by War Loong & Co (Sands Directory, 1913-1932). War Loong & Co. Produce Merchants registered a store at 449-451 Pitt Street in 1903 (State Archives NSW: NRS 12961, File No. 4743 [2/8529], 572). In 1911, War Loong & Co. at 185 Hay Street, was listed as a contact by a Sydney Loong Tu (Longdu) district association with respect to a bone-repatriation drive, indicating that War Loong & Co. was a Loong Tu firm, i.e. a firm connected with this subdistrict of Heung Shan, and language community (Tung Wah Times, 11 November 1911, p.7).

Amongst the names of those who had registered the firm of War Loong & Co. in 1903, was Dong Sing. In 1913, War Loong & Co. at 98 Hay Street, applied for a tobacco licence (Government Gazette of the State of New South Wales, 11 June 1913, p.3574). This might have been the Doon Sing who in 1913 raised a "fine crop" of tobacco on W.P. Brook's nine acres of riverfront land in Bathurst (The Bathurst Times, 18 March 1913, p.2). From the late 19th century to the mid-1920s, Bathurst was a centre of Chinese market gardening and tobacco growing in NSW. The railway enabled produce from Bathurst to be transported to the Haymarket, and merchants, such as Gilbert Yet Ting Quoy of Lee Sang & Co. (90 Hay Street), established stores and market gardens in Bathurst early in the 20th century. Due to obstacles placed in the way of Chinese growers, incentives offered to white growers, and a series of unexplained fires, Chinese growers effectively gave up growing tobacco in Bathurst in the mid-1920s (KWOK, J., 2019, p.252).

In 1928, War Loong & Co. advertised an expansion of the business, stating that they dealt in potatoes, onions, horse feed, ox-bone ash, etc., as well as the procurement of fruit and vegetables from country towns (Tung Wah Times, 3 March 1928, p.3).

However, in November 1932, the firm advised their shareholders that they had resolved to close the business down (Tung Wah Times, 26 November 1932, p.5).

WING CHONG & CO.

The Sands Directory lists Wing Chong & Co. at 98 Hay Street in 1933. Wing Chong & Co. were banana agents. The importation of bananas from Fiji had limped on under the weight of heavy import tariffs until 1933, when an article in the Tung Wah Times complained that the tax on selling Fiji bananas in Australia was so heavy—1s. 3d. per crate—that the last two shipments resulted in over 50 percent losses (29 April 1933, p.8). By 1933, when Italian growers had moved into banana growing on the north coast, Chinese Australian banana commission agents including Wing Chong & Co. advertised for consignees in *Il Giornale Italiano* (6 May 1933, p.5). In 1935, Wing Chong & Co. was appointed, along with ten other Chinese banana agents including Sun Lee & Co. and Wing Sang & Co. (96 and 98 Hay Street), to join the Banana Marketing Board, a newly created Australian authority (Truth, 22 March 1936, p.12). In the 1940s, Wing Chong & Co. at 98 Hay Street placed advertisements in the Tweed Daily, seeking growers to consign their bananas to the firm. Wing Chong & Co. banana agents

continued advertising for consignees until at least 1951 (Tweed Daily, 18 October 1940, p. 7 and Northern Star, 25 June 1951, p.7).

NO. 100 HAY STREET

In 1912, the new building at 100 Hay Street was briefly tenanted by United Fruit Co. before Gee Ick & Co. General Merchants occupied 100 Hay Street in 1913, remaining there until 1920 (City of Sydney Archives, 1912 (A-01136247); 1913 (A-01136246); 1915 (A-01136244); 1919 (A-01136240); 1920 (A-01136239)).

GEE ICK & CO.

George Goon Ick took out a tobacco licence for Gee Ick & Co. in 1913 (Government Gazette of the State of New South Wales, 19 November 1913, p. 6953). George Goon Ick was the son of the well-established and influential merchant, Den War, known by his trading name of Gee Ick. Gee Ick was exporting gold from 1865 and operating a gold remittance service for Heung Shan (Chungshan) natives on the Western Goldfields of NSW (Sydney Mail, 28 December 1865, p.7). Gee Ick was a member of the NSW Chinese Empire Reform Association, the Lin Yik Tong (Chinese Commercial Association 1892-1903) and the NSW Chinese Merchants Society, the latter two being predecessor organisations to the NSW Chinese Chamber of Commerce (The Daily Telegraph, 7 September 1897, p.4). Gee Ick & Co. had a store at 185 George Street in the Rocks, before establishing stores at 374 Pitt Street and 62-64 Wexford Street. The latter two stores were demolished in the City resumptions of 1906-1913 (City of Sydney, 1909, A-00038580). When the Pitt Street store was registered in 1903, firstly as importers and merchants and then as general merchants, the registration record showed a number of partners in the business (State Archives NSW:NRS 12961 File No. 12160, [2/8536] , 80; 3179, [2/8528], 390).

Advertisements in the Chinese newspapers show Gee Ick & Co. sold Chinese goods including tea, rice, cooking oil, dried seafood, fireworks, candied ginger, chinaware, Chinese proprietary medicines and Chinese and Western groceries at 100 Hay Street and also provided a remittance service (Ely Finch, personal communication, 9 March 2024). This remittance service likely operated in a similar manner to the service provided by Chungshan firm, Kwong War Chong at 82-84 Dixon Street. Kwong War Chong sent individual remittances together with a letter to the family written by the company's clerk as a consolidated bank draft to a networked bank in Hong Kong. The draft was converted into Hong Kong dollars and the store's branch in Shekki (China) delivered the remittance to the family in the village (Williams, Michael, 1996), p. 22). Families left behind in the villages were dependent on remittances, which played a crucial part in the local economy.

HOP CHONG & CO.

In 1919, the firm of Hop Chong & Co. "Importers and Exporters and Fruit and Produce Merchants and General Commission Agents", was registered at 100 Hay Street by family relatives of Gee Ick and other partners (State Archives NSW:NRS 12961, File No 34665, [2/8549]).

In 1920, the managing partner of Hop Chong & Co. was Lee Kee Chong, another of Gee Ick's sons. Kira Brown, the great-great granddaughter of Lee Kee Chong, has researched the lives of Lee Kee Chong and his family and shared her findings on her website, Chen Quin Jack History (BROWN, K. 2020, accessed 9 March 2024).

According to Brown's research, Lee Kee Chong, born 1864 in Hang Mei, Heung Shan (Chungshan) arrived in NSW in 1880, where he became known as Kee Chong. He worked in the Haymarket in Sydney for a few years before moving to the tin mining town of Tingha in 1885, where he married Agnes Yauphang in 1892. On marrying Kee Chong, Agnes was recorded as "Australian born, but lost nationality through marriage with Chinese", and was declared an alien. Her Australian citizenship was not restored

	until 1940 when she made an application after the death of her husband (BROWN, K. 2020). The Kee Chong family moved to Moree, where Kee Chong began a business called Sam Lee & Co. in partnership with Gee Ick and Den War. In 1903, the family went to China, where Kee Chong took a Chinese wife, to the chagrin of his Australian wife and family. Kee Chong returned to Moree in 1905, followed by Agnes and children. In 1911, Kee Chong applied for a certificate of naturalisation. Though he had been living and working in Australia for more than 30 years and was married with seven children, his application was rejected ('Lee Kee Chong'). In 1920, Kee Chong advertised in the Chinese Republic News, calling on fellow Lee clan members in NSW to raise funds towards the cost of furniture and couplet inscriptions for a Lee family ancestral hall in Hang Mei in Chungshan ('Lee Kee Chong' and Chinese Republic News, 3 July 1920, p.6). Hop Chong & Co. also made a £2 donation towards an appeal in support of China and its resistance against Japan, after the latter's annexation of Manchuria (Chinese Republic News, 21 May 1932, p.8). Though Lee Kee Chong died in 1939, the Hop Chong & Co. business continued at 100 Hay Street until at least 1948 ('Lee Kee Chong' and City of Sydney Archives Assessment Book Phillip Ward, 1939-1948). In 1959, H. Ming Lai applied to install two banana ripening rooms on the ground floor of 100 Hay Street (City of Sydney Archives, 1959, A-00364659). STANLEY YEE AND EMPEROR'S GARDEN RESTAURANT At the Chinatown Heritage Study Stakeholder Workshop, the change in use of 100 Hay Street from its early industrial use and connection with Hong Kong and Shanghai, to its later use primarily for restaurants was noted. This shift in economic purpose is reflective of Chinatown's changing economy and role. Though other restaurants have occupied premises at 90-100 Hay Street, none have lasted as long as Emperor's Garden opened by Stanley Yee in 1979 (The China-Australia Heritage Corridor Project, accessed 9 March 2024). Born in Chuen Luk Village in Chungshan, Yee came to Sydney as a high school student in the early 1960s. While studying he worked at one of the banana wholesale companies in the Haymarket and at Lean Sun Low café. Over the years Yee expanded Emperor's Garden, and established a number of other businesses in the Chinatown areas including a Chinese bakery, a butchery and a tofu factory (ANG, I. & WONG, A. 2023). Stanley Yee was a member of the Dixon Street Beautification Committee, which in the early 1970s pushed for the regeneration of Dixon Street as a centrepiece to the broader Chinatown area (GML Heritage, 2023). Like Kee Chong from Hop Chong & Co. before him, Stanley Yee has continued the tradition of philanthropic contributions, donating generously for a school, a community centre and a kindergarten in his ancestral village in Chungshan. His contributions to his hometown and county of Chungshan have been recognised both in China and Australia. His son Jonathan Yee, who took over the business on Stanley's retirement is also active in the Chungshan Society of Australia, having served as its president for several years (ANG & WONG, 2023, pp.234-6).
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8. Historical themes represented

Themes indicate the broad historical context in which an item is significant. Themes help to identify related or comparative items contributing to the same theme.

Refer to the document [NSW Historical Themes](#) if completing this section.

Relevant National / Australian themes	2 Peopling Australia 3 Developing local, regional and national economies 4 Building settlements, towns and cities 8 Developing Australia's cultural life
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	9 Marking the phases of life
Relevant NSW / State themes	Agriculture Commerce Transport Accommodation Domestic life Birth and Death

E. Criteria for heritage significance

9. Assessment under Heritage Council criteria

It is important in the course or pattern of the cultural or natural history of the local area (Criterion A)
The banana industry was a major industry developed by Chinese Australian entrepreneurs in Australia and Fiji in the 1880s and 1890s, and firms such as Wing Sang based their headquarters in Sydney's Haymarket area. When the new Municipal markets opened at Haymarket in 1912, firms such as Wing Sang and its subsidiaries, leased stores at 90-100 Hay Street. Their businesses and premises are distinct places in NSW for understanding the banana industry and key destinations on this trade route. They provide a cultural history of the role of Chinese Australians in the fruit and vegetable industries, and their adaptation over time, particularly in the face of challenges posed under White Australia legislation. Profits from this industry were invested in commercial enterprises in China. Before Wing Sang and its subsidiaries leased 90-100 Hay Street, they established the first department stores in Shanghai, Canton and Hong Kong. These investments demonstrated the success of the Chinese diaspora in Australia and their continued connections to their native places. Although these department stores were established prior to the leasing of 90-100 Hay Street by Chinese Australian businesses, the stores serve as a marker of the achievements of Chinese Australian businesses recognised abroad by the Chinese diaspora. The Municipal Stores at 90-100 Hay Street are also a location marker of the role of Chinese market gardeners in the vegetable industry in New South Wales. In particular, Lee Sang & Co. were agents for produce grown not only in Sydney but in the market gardens of regional New South Wales, brought to Sydney by rail and delivered to the stores where they were repacked and then sold at the Municipal Markets across the road. The importance of the Markets to the commercial interests of Chinese Australians is evident in the relocation of their businesses to be close to the new market buildings, which then facilitated the evolution of the Haymarket Chinatown. Family histories connected to the stores at 90-100 Hay Street demonstrate how the White Australia legislation restricted entry to Australia and impacted Chinese Australian commercial interests, affecting the lives of those employed by firms leasing premises at 90-100 Hay Street. Merchants with status and business turnover, such as Gilbert Yet Ting Quoy and Henry Won Yep Lum, were able to sponsor family and clan members to enter Australia, but they were the exception during the White Australia years. The histories associated with the stores demonstrate some of the difficulties faced by Chinese Australians in the early to mid 20th century. The buildings at 90-100 Hay Street are part of the historical market landscape of the last operational fruit and vegetable markets in the city. The markets were relocated to Flemington in 1975. Markets were an important aspect of city life and 90-100 Hay Street together with the market buildings are demonstrative of this period when produce markets were prominent in Sydney.
It has a strong or special association with the life or works of a person, or group of persons of importance in the cultural or natural history of the local area (Criterion B)

Nos. 90-100 Hay Street are associated with the Chinese merchant community who leased the buildings and operated out of them successful businesses such as Wing Sang & Co., Lee Sang & Co., Wing Ti & Co., and Gee Ick & Co. These businesses were significant in development of the banana and vegetable produce industries of NSW and Australia.

Nos. 90-100 Hay Street are associated with a number of notable individuals including Gilbert Yet Ting Quoy, the Lee family and Stanley Yee who were influential figures amongst the Chinese Australian community and fruit and produce industries.

- Ting Quoy was a prominent and influential member of the Chinese Australian community. A successful merchant, his business Lee Sang & Co., occupied 90 Hay Street for up to 20 years with his family continuing to have businesses there until after the war. He was a leader of the China Emperor Reform Association (CERA), President of the Chinese Chamber of Commerce and founding member of China-Australia Mail Steamship Line. He also campaigned to establish a Chinese school at which he taught, and he sponsored the entry of family and clan members to Australia.
- The Lee family - Lee Gee Ick was a successful merchant whose business Gee Ick & Co., occupied 100 Hay Street from 1913-1919. His son, Lee Kee Chong, continued to occupy the address with his business, Hop Chong Co., until 1948. Gee Ick was a member of CERA, the NSW Chinese Chamber of Commerce and the Lin Yik Tong (the Chinese Commercial Association).
- Stanley Yee, born in Chuen Luk Village in Chungshan, came to Sydney as a high school student in the early 1960s and worked at one of the banana wholesale companies in the Haymarket and at Lean Sun Low café. In the late 1970s Yee bought property at 96-100 Hay Street where he established the now landmark Emperor's Garden Restaurant. Yee also established a number of other businesses in the Chinatown areas including a Chinese bakery, a butchery and a tofu factory. Yee was a member of the Dixon Street Beautification Committee, which in the early 1970s pushed for the regeneration of Dixon Street as a centrepiece to the broader Chinatown area. His philanthropic contributions are recognised in both his hometown in China and in Australia.

It is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement the local area (Criterion C)

The municipal stores at 90-100 Hay Street contribute to the townscape of Haymarket, particularly along Hay Street and the southern entrance to Dixon Street which is marked by its chamfered corner. Its unified design defines the end of the city block on which it is located.

The former Municipal Markets are located opposite and were once both part of the market's daily operation. Now the buildings, both of which are contemporaries of each other and designed by the City Architect, form a contextual relationship that defines the areas market character.

It has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons (Criterion D)

Members of the Chinese Australian community who were born and grew up in 90-100 Hay Street, whose parents, grandparents or great-grandparents worked in the stores hold deep connections to the buildings. For this community, the buildings are well remembered as stores which are symbolic of the hard work of the producers and the adaptability, resilience and achievements of the Chinese Australian firms.

The Emperors Garden Restaurant is also a place with a strong and special association to the Chinese Australian community as it is celebrated as one of the oldest, family-run Chinese restaurants in Chinatown and continues to operate.

It has potential to yield information that will contribute to an understanding of the cultural or natural history of the local area (Criterion E)

There is some potential for evidence of the processes and operations of the banana and produce stores. Nos. 90 and 92 have not been inspected and therefore it is unknown if there is any evidence of these operations. There is some potential for evidence of the operations of these stores under false ceilings and floors in nos. 94-100 but these were not inspected and cannot be confirmed.

It possesses uncommon, rare or endangered aspects of the cultural or natural history of the local area (Criterion F)

The place is a rare surviving example of stores occupied by multiple major Chinese Australian firms including Wing Sang & Co., Lee Sang & Co., Wing Ti & Co., and Gee Ick & Co. Though some stores formerly occupied Chinese Australian firms survive, such as 20-22 Campbell Street and 35-39 Ultimo Road, many of the earlier stores occupied by firms such as Gee Ick & Co. and Wing Sang & Co. were demolished in resumptions that destroyed earlier Chinatown areas in the Rocks, around Belmore Markets in the Haymarket and in land resumed for the building of Darling Harbour. Within this context rarity is a valuable criterion.

It is important in demonstrating the principal characteristics of a class of cultural or natural places/ environments in the local area (Criterion G)

The place does not meet the threshold for criterion G.

F. Heritage listings

10. Existing heritage listings

If completing this section, mark against each listing whether the item is listed or not. You may want to contact the relevant local council or organisation to check the item's listing status.

Listed	Not Listed	Listing
	✓	Commonwealth Heritage List
	✓	National Heritage List
	✓	Register of the National Estate
	✓	Declared Aboriginal place
	✓	Local environmental plan (LEP) – heritage item (or draft item)
	✓	LEP – heritage conservation area (or draft area)
	✓	NSW government agency Heritage and Conservation Register
	✓	National Trust register
	✓	Aboriginal Heritage Information Management System
	✓	National shipwreck database
	✓	Engineers Australia list

G. Recommended Management

11. Management recommendations

The following recommendations are drawn solely from a consideration of the significance of the place and good heritage practice. Since the historical and social significance of the place is especially important, these recommendations are framed with an understanding that heritage conservation is a social contract, requiring responsibility to be shared by the owners and consent authorities for the mutual benefit of all stakeholders, including the Chinese community. As such, these recommendations are written with consideration of possible future ambitions of the owners, while striving to achieve the best heritage outcome for the place, and with an expectation that the consent authority, in representing the community's interest, will assist/support the owners in managing and conserving the significance of the place, where possible.

OBLIGATIONS ARISING FROM SIGNIFICANCE

The high cultural significance of the place identified in the statement of significance obliges its conservation and good management (Burra Charter Article 2).

In the Burra Charter, significance is embodied in the place, where place means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views. Place also includes fabric, setting, use, associations, meanings, records, related places, and related objects. (Burra Charter Article 1).

The place as an important reference site for major Chinese Australian businesses which pioneered the banana and commercial vegetable growing industries in Australia should be recognised and interpreted at the place.

Its uniform design makes a significant contribution to the streetscape and it is contemporary with the adjacent former municipal market building (now Market City). Together these form part of a significant market townscape which must be conserved.

TOLERANCE FOR CHANGE TO FABRIC, FORM AND LAYOUT

Forming part of a market townscape and as a reference point for the businesses which occupied these historical stores, there is a low tolerance for change to the external form and detailing of 90-100 Hay Street. The façade form and detailing should remain symmetrical so that place continues to read as one building with a shared history. Historically the stores were primarily open plan and would have had limited internal architectural elements or detailing. Little evidence of the historical banana and produce stores survive and therefore there is a greater tolerance for change internally. Note it is unknown if evidence of the functions and operations of these stores exists in nos. 90 and 92 as they were not assessed internally.

FUTURE DEVELOPMENT

Additions and alterations to 90-100 Hay Street are appropriate but must ensure retention of the whole form and original detailing of the exterior of the principal building. Any future development is to be of a sympathetic design. The setback and scale of any vertical additions to the place must be sufficient to maintain the readability of the existing form and scale of the principal building as a building and not just a façade.

All proposed future development is subject to the City of Sydney's processes such as a Heritage Impact Statement and Conservation Management Plan.

INTERPRETATION

To aid interpretation of the place as having a shared history the building should read as one. Therefore, consider repainting the exterior of the place in a single colour or restoring the face brick. Similarly, consider balustrades and awnings of a common design. The significance of the place is best understood as part of the history and development of Chinatown in the Haymarket area, and as such, interpretive strategies for 90-100 Hay Street should be considered within an overall interpretation strategy for Chinatown. We recommend that the City of Sydney and the owners work together in considering additional interpretive strategies for the place such as:

- Setting up a plaque(s) identifying the history and significance of the place.
- Creation of digital archives/websites showcasing the history and significance of Chinatown, identifying 90-100 Hay Street as a place of significance in the area.

A heritage interpretation plan must be provided in the event of major alterations to the building and should be developed in consultation Chinese Australian community, particularly descendants of the families who lived and worked in these buildings.

Further research into the places is also encouraged. There is also high potential for further research into the businesses which operated out 90-100 Hay Street. This research would likely yield a greater understanding of the processes and activities of these businesses and thereby their contributions to the development of the fruit and vegetable industry in Australia. For example, further research could be undertaken into the export of New South Wales produce by Chinese Australian firms such as Wing Sang & Co., of which 90-100 Hay Street is a location marker of this activity. Similarly, research could be undertaken into moveable heritage items that exist off site and contribute to the understanding of the operations and activities of the place.

FUTURE USE

The existing uses of the place are of value because they are business run by Chinese Australians and therefore encouraged. If change of use occurs, appropriate uses include but may not necessarily be limited to: food retail stores, restaurants, offices and accommodation. In the event of a change of use, there is a need to maintain or give opportunity for ongoing connections to the Chinese Australian community.

Because of the heritage significance of this place, prior to any proposed major development including change of use, respectful and purposeful engagement with Chinese Australian community, particularly descendants of the families who lived and worked in these buildings, is recommended.

H. Photograph**12. Principal or main photograph***

Caption*	90-100 Hay Street, Haymarket from corner of Dixon Street and Hay Street
Date of photograph*	March 2024
Name of photographer*	Sioned Lavery
Copyright holder, if known	Hector Abrahams Architects

I. Author details**13. Primary author of this form***

Name	Sioned Lavery Dr Juanita Kwok
Position and organisation, if applicable	Heritage Conservation Strategist, Hector Abrahams Architects Historian, Independent Consultant
Contact phone number	9299 7959
Email address	mailbox@haarchitects.com.au
Date form completed	24/07/2024

14. References used to complete this form*

Author	Title	Date Published	Link
ALI, B. N. K.	Quong Tart and early Chinese businesses in Fiji	2005	
Anderson, Kay, Ien Ang, Andrea Del Bono, Donald McNeill, and Alexandra Wong	Chinatown Unbound: Trans-Asian Urbanism in the Age of China	2019	
ANG, I. & WONG, A.	Zhongshan in Sydney's Chinatown. In: BYRNE, D., ANG, I. & MAR, P. (eds.) The China-Australia Migration Corridor: History and Heritage	2023	
Boileau, Joanna	Chinese Market Gardening in Australia and New Zealand.	2017	
Brown, K	Lee Kee Chong — 李基祥	2020	https://chenquinjackhistory.com/2020/01/26/lee-kee-chong-%E6%9D%8E-%E5%9F%BA-%E7%A5%A5/comment-page-1/
Brown, K	"Chen Quin Jack"		https://chenquinjackhistory.com/
BYRNE, D., ANG, I. & MAR, P.	The China-Australia Migration Corridor: History and Heritage.	2023	
CHOI, C. Y.	Chinese migration and settlement in Australia	1975	
CHRISTIE, M.	The Sydney Markets	1988	
City of Sydney Archives	Assessment Book Phillip Ward	1939-1948.	
City of Sydney Archives	Building Inspectors Card: 100 Hay St, Sydney. Banana ripening rooms (2) grd floor, development, [A-00364659].	12/06/1959 - 04/02/1960	https://archives.cityofsydney.nsw.gov.au/nodes/view/1572457
City of Sydney Archives	Building Inspectors Card: 90 Hay Street. Application to erect additional banana ripening rooms 1st [A-00338781].	23/08/1943 - 05/10/1943	https://archives.cityofsydney.nsw.gov.au/nodes/view/1568535
City of Sydney Archives	Building Inspectors Card: 94 Hay St, Sydney. Banana reopening rooms	22/06/1959 - 30/10/1959	https://archives.cityofsydney.nsw.gov.au/nodes/view/1572834

STATE HERITAGE INVENTORY FORM

	(2), development application [A-00364720]		
City of Sydney Archives	Building Inspectors Card: 96 Hay St Haymarket. Banana ripening room. 1 Card.	15/09/1960 - 26/04/1961	https://archives.cityofsydney.nsw.gov.au/nodes/view/1576757
City of Sydney Archives	Building Survey Card. 90-94 Hay St. Commercial and residence. Plan attached, Kimber lane on one [A-00508810]	01/10/1949	https://archives.cityofsydney.nsw.gov.au/nodes/view/961319
City of Sydney Archives	Development & Building - Building Applications (New) 96 Hay St Haymarket Decorative Facade Tensons Properties Pty Ltd [A-00680286]	19/03/1979 - 31/12/1987	https://archives.cityofsydney.nsw.gov.au/nodes/view/1498093
City of Sydney Archives	Erection and completion of market stores in Hay, Dixon and Harbour Streets Haymarket [A-00455910]	1911	https://archives.cityofsydney.nsw.gov.au/nodes/view/992532
City of Sydney Archives	Print - Wexford Street Resumption Surry Hills, circa 1909 (A-00038580)	c.1909	https://archives.cityofsydney.nsw.gov.au/nodes/view/673376
City of Sydney Archives	Print - Commercial premises in Pitt Street Sydney	c.1909	https://archives.cityofsydney.nsw.gov.au/nodes/view/662912
City of Sydney Archives	"Print – Old Belmore Product Markers, corner of Campbell and Pitt Street Haymarket"	1909	https://archives.cityofsydney.nsw.gov.au/nodes/view/674048
City of Sydney Archives	Sands Directory (A-01136256 – A-01136227)	1903-1932	
Chinese Republic News		3 July 1920	http://nla.gov.au/nla.news-article225205690
Chinese Republic News	生意聲明	31 May 1919	http://nla.gov.au/nla.news-article226018680
Chinese Republic News	承受生意聲明	24 April 1920	http://nla.gov.au/nla.news-article225207694
Chinese Republic News	承買生意聲明	19 August 1922	http://nla.gov.au/nla.news-article225212493
Chinese Republic News	聯合會啓事	14 April 1923	http://nla.gov.au/nla.news-article226001286
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Construction	'Tenders Accepted or Received'	22 September 1948	http://nla.gov.au/nla.news-article222880549

STATE HERITAGE INVENTORY FORM

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Denise Ma	Personal Communication	10 March 2024	
	Dominic Choy.com	Accessed 30 April 2024	https://www.dominicchoy.com/forbes
Douglas Lam	Personal Communication	24 April 2024	
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STATE HERITAGE INVENTORY FORM

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Northern Star	'Advertising'	6 October 1948	http://nla.gov.au/nla.news-article99031397
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State Archives NSW	Register of Firms Index, NRS 12961: Index no. 48. File No 31883, Item No.[2/8548].		
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State Heritage Inventory	"Capitol Theatre including interior"		https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2424088

STATE HERITAGE INVENTORY FORM

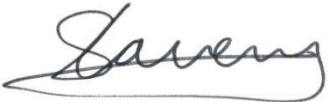
State Heritage Inventory	Chinese Masonic Hall including interior		https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2420970
State Heritage Inventory	"Former Kwong War Chong & Co building, including interiors and contents of 84 Dixon Street"		https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5067050
State Heritage Inventory	"Former Markets Stores Including Part Interior"		https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2424281
State Heritage Inventory	"Shop - "Kwong Sing & Co Emporium"		https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=1600071
State Heritage Inventory	"Store - Wing Hing Long & Co. Store"		https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=1710061
State Heritage Inventory	Terrace Group including interiors, 12-20 Campbell St,		https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2435698
State Heritage Inventory	"Yee Lee's Store (former)"		https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2640233
Sydney Mail	'Shipping Gazette'	23 December 1865	http://nla.gov.au/nla.news-article166662339
The Albury Banner and Wodonga Express	'Fruit Marketing'	10 June 1938	http://nla.gov.au/nla.news-article102341405
The Bathurst Times	'Tobacco Growing in Bathurst'	18 March 1913	http://nla.gov.au/nla.news-article111206367
The Canberra Times	'The Lords of Chinatown'	2 February 1986	http://nla.gov.au/nla.news-article118202202
	The China-Australia Heritage Corridor Project	Accessed 9 March 2024	https://www.heritagecorridor.org.au/
The Daily Telegraph	'The South Polar Expedition'	7 September 1897	http://nla.gov.au/nla.news-article238430107
The Sun	'Advertising'	5 June 1920	http://nla.gov.au/nla.news-article222409306
The Sydney Morning Herald	'Chinese Empire Association'	11 August 1900	http://nla.gov.au/nla.news-article14329715
Truth	'Public Will Slip On Banana Board'	22 March 1936	http://nla.gov.au/nla.news-article169580768
Tung Wah Times	'修橋捐款'	2 March 1907	http://nla.gov.au/nla.news-article246933577
Tung Wah Times	'Advertising'	11 November 1911	http://nla.gov.au/nla.news-article227976468

STATE HERITAGE INVENTORY FORM

Tung Wah Times	'Advertising'	14 December 1912	http://nla.gov.au/nla.news-article227970741
Tung Wah Times	'Advertising'	14 June 1919	http://nla.gov.au/nla.news-article227012797
Tung Wah Times	'Advertising'	1 October 1921	http://nla.gov.au/nla.news-article227658363
Tung Wah Times	'Advertising'	21 November 1925	http://nla.gov.au/nla.news-article227458718
Tung Wah Times		3 March 1928	http://nla.gov.au/nla.news-page24098711
Tung Wah Times	三邑恒善堂啓事	27 February 1932	http://nla.gov.au/nla.news-article227426967
Tung Wah Times	雪梨	26 November 1932	http://nla.gov.au/nla.news-article227434574
Tung Wah Times	飛枝蕉來路將絕	29 April 1933	http://nla.gov.au/nla.news-article227427842
Tweed Daily	'Advertising'	15 May 1920	http://nla.gov.au/nla.news-article191373534
Tweed Daily	'Advertising'	12 July 1930	http://nla.gov.au/nla.news-article192687398
Tweed Daily	'Advertising'	23 August 1941	http://nla.gov.au/nla.news-article192794046
Tweed Daily	'Advertising'	7 November 1942	http://nla.gov.au/nla.news-article192947195
WILLIAMS, M.	Returning Home With Glory: Chinese Villagers around the Pacific, 1849 to 1949	2018	
Williams, Michael	Chinese Settlement in NSW: A Thematic History	1996	http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/chinesehistory.pdf
YONG, C. F.	The New Gold Mountain : the Chinese in Australia, 1901-1921	1977	

15. Signature of author*

To confirm you have approved the final content of the form, giving permission for the information to be used by Heritage NSW and the Heritage Council of NSW.

Name		Date	24/07/2024
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16. Signature of image copyright holder*

To confirm you have approved the final content of the form, giving permission for the images provided to be used by Heritage NSW and the Heritage Council of NSW.

STATE HERITAGE INVENTORY FORM

Name	<i>Lavery</i>	Date	24/07/2024
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J. Additional photographs and images



Caption*	90-100 Hay Street, Haymarket
Date of photograph*	March 2024
Name of photographer*	Sioned Lavery
Copyright holder, if known	Hector Abrahams Architects



Caption*	90 Hay Street, Haymarket
Date of photograph*	March 2024
Name of photographer*	Sioned Lavery
Copyright holder, if known	Hector Abrahams Architects



Caption*	Glass Negative - Hay Street Haymarket, circa 1919
Date of photograph*	c.1919
Name of photographer*	Unknown
Copyright holder, if known	City of Sydney Archives



Caption*	90-94 Hay Street Commercial buildings, Hay Street Haymarket,
Date of photograph*	1979
Name of photographer*	Unknown
Copyright holder, if known	City of Sydney Archives

Caption*	
Date of photograph*	
Name of photographer*	
Copyright holder, if known	

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Caption*	
Date of photograph*	
Name of photographer*	
Copyright holder, if known	

Attachment G

**Hector Abrahams Architects - Draft
Inventory Sheet - 75-55 Ultimo Road**



State Heritage Inventory form

Complete all mandatory fields on the form, as indicated with an asterisk (*).

A. Nominated item

1. Name & type

Name*	Kuo Min Tang building, movable heritage and archival collection
Other or former names	Kuomintang or KMT
Item type (if known)	Built
Item group (if known)	
Item category (if known)	
Area, Group, or Collection Name	

2. Location

If the item does not have a street number, provide land parcel information as well.

If the item has no land parcels, provide coordinates and a map.

For moveable objects enter the principal address where held.

Street address*	75-77 Ultimo Road, Haymarket
Alternate street address	
Local government area*	City of Sydney

Land parcels*	Lot	1	Section (if applicable)		DP	79765
	Lot		Section (if applicable)		DP	

Coordinates	
Latitude	
Longitude	
Datum	

3. Extent of nomination

Provide a map or plan clearly indicating the extent of the curtilage (boundary) of your nomination.



Source of map or plan	Nearmap with HAA overlay
Description of the boundary, if required	

4. Ownership

For organisations / company, please provide both the name of the business and a contact.

Name of owner(s)*	CHINESE NATIONALIST PARTY of AUSTRALIA
Business / organisation name, if applicable	
Address	75-77 Ultimo Road, HAYMARKET NSW 2000
Phone	
Email	
Ownership explanation, if required	

B. Significance

5. Why is it important in NSW?

Refer to the guideline [Assessing heritage significance](#) when completing this section.

Statement of significance*
The building and its archival collection are a key site of Chinese history in NSW and Australia, directly related to the 20th century political history of China and Taiwan, and the social and economic affairs of Chinese Australians during the operation of the white Australia policy. The building at 75-77 Ultimo Road was constructed for and served continuously as the headquarters of the Chinese Nationalist Party of Australasia (Kuo Min Tang or KMT) for over 100 years. It has been the locus of Chinese Nationalist political activity since it was purpose-built in 1921. It was also the publishing office for the Chinese Times newspaper (1925- 1949). Funds raised by members of the Australasian KMT were remitted to support Sun Yat-Sen and the ruling Nationalist government (1927-1949) in China and later for the war effort during the Sino Japanese war. The Australasian KMT was also a transmitter of ideas and technology to China. It led the way in allowing female members to join the Party and it played a role in advocating for the rights of Chinese Australians during the White Australia years. Many prominent Chinese Australians are associated with the KMT Building at 75-77 Ultimo Road, including Peter Yee Wing, Samuel Wong, Mar Leong Wah and Eugene Seeto. The building is also associated with the prominent building company Robert Wall & Sons and architect Francis Ernest Stowe. It is architecturally notable for its fenestration and brick mullions under a single arch spanning to width of the building to read as a single window. Together the elements of the façade including its composition and detailing particular the arch, fenestration, brick mullions, pilasters, parapet and Chinese characters, make a notable contribution to the streetscape. The place was also the centre of cultural life with many social activities for the Chinese Australian community, particularly the Dragon Ball which began in 1938 and was a major event on the social calendar for the Chinese Australian community in Sydney until the early 1970s. The building itself houses what is probably the largest collection of records, documents, publications, photographs and artefacts related to the KMT's history outside of China and Taiwan. It is also demonstrative of a prolific period in the 1920s that saw the establishment of the KMT's overseas headquarters in centres of Chinese settlement, of which the place is a rare purpose-built example which continues to be used today for its original purpose.
Comparisons*
As the Australasian headquarters, the Sydney branch, at 75-77 Ultimo Road, oversaw branches across Australia, New Zealand and the Pacific and therefore this comparative analysis considers the place in this context. This comparative analysis aims to further understand the places historical significance and the integrity of the historic network of KMT's Australasian branches. In addition to other KMT headquarters the comparative analysis also considers places constructed by the builder Robert Wall & Sons and the architect Francis Ernest Stowe. NEW SOUTH WALES Newcastle - By 1927 there was a sub-branch in Newcastle (The Labour Daily, April 19, 1927, p. 8). It is unclear where the Newcastle headquarters were located and if it is extant. Tamworth - By 1927 there was a sub-branch in Tamworth (The Labour Daily, April 19, 1927, p. 8). It is unclear where the Tamworth headquarters were located and if it is extant. Wollongong - By 1927 there was a sub-branch in Wollongong (The Labour Daily, April 19, 1927, p. 8). It is unclear where the Wollongong headquarters were located and if it is extant.

Inverell - By 1927 there was a sub-branch in Inverell (The Labour Daily, April 19, 1927, p. 8). It is unclear where the Inverell headquarters were located and if they are extant.

AUSTRALIA

109 Little Bourke Street, Melbourne - Originally constructed as a warehouse in 1903, it was altered by Walter Burley Griffin for the KMT in 1921 (Victorian Heritage Database report). Like the Sydney headquarters it was opened by Chan On-Yan, a representative of Dr Sun Yat-Sen who was visiting Australia from China (Mei-Fen Kuo and Judith Brett, 2013, p.25). The building is extant, but it has been altered. Though the Melbourne branch of the KMT is still active it is unclear if they still own/use the Bourke Street address. The place is heritage listed.

Corner of Lake and James Street, Perth - The KMTs Perth branch occupied their "new hall at the corner of James and Lake Streets" in 1921 (The West Australian, June 30, 1921, p.7). Currently there are three historical buildings (the fourth corner being a park) on this intersection but it is unclear which one the KMT occupied.

Hindley Street, Adelaide (most likely 171 Hindley Street) - The KMT Adelaide branch occupied this building in 1921 and there was a sign above the awning indicating their occupation of the premises (State Library South Australia, B 3726). It is unclear when they left this address. It is now used as a restaurant. The place is not heritage listed.

Cavenagh Street, Darwin - The KMT's Darwin headquarters were likely located on Cavenagh Street, Darwin (Northern Standard, October 13, 1931, p. 1). This street is highly developed and it is likely the place is no longer extant.

155 Wickham Street, Fortitude Valley, Queensland - King Edward's chambers were constructed in 1905 for Peter Murphy by architects Hall and Dods. It was leased to a series of business until 1922, when the Brisbane branch of the KMT leased the building. It is unclear when the KMT vacated the building. The place is heritage listed for its association with its owner Peter Murphy, the eminent architectural firm Hall and Dods and for demonstrating the commercial development of the area (Brisbane City Council, Local Heritage Places).

INTERNATIONAL

838 Stockton St, San Francisco, CA 94108, United States - Built in 1915, the headquarters of the San Francisco branch of the KMT is extant although it is no longer used by the KMT. The building retains evidence of its former use including the white sun on a blue background and "Dr Sun Yat-Sen memorial hall of San Francisco" written in English above the shop fronts. It is understood the San Francisco branch also has a large archival collection though no further details have been found (in conversation with stakeholders at workshop 5th April 2024). It is unknown if the place is heritage listed.

Rabaul, Papua New Guinea - The original headquarters was constructed in c.1929 (National Library of Australia 2279601). It was likely destroyed during WWII. The KMT hall was rebuilt in Rabaul Chinatown following the town's destruction during WWII ("The Kuo-Min-Tang hall where assemblies are held and administrative problems are solved by town..." Australian War Memorial). It is unclear if the building remains extant.

Solomon Islands - The Solomon Islands branch of the KMT was founded in 1923 under the Rabaul branch. They became an independent branch in 1931. It is unclear if the headquarters were purpose built and if the building is extant. The Chinese characters on the front of the building translates to "Solomans [sic] Branch of the Kuomintang [KMT]." (State Library Victoria, H99.218/24).

Tory Street, Wellington New Zealand - The KMT's Wellington branch opened their new headquarters on Tory Street in 1928 (Waipukurau Press, April 13, 1928, p.8). It is unknown if it was purpose built. The exact location on Tory Street is unknown and it is unclear if it is extant.

217 Hobson Street, Auckland New Zealand - The KMT Auckland branch was located on Hobson Street. The building was demolished in the late 1970s (Auckland Museum, MS 94/14).

59 Av. du Maréchal Foch, Papeete 98714, French Polynesia - The Tahiti branch of the KMT have occupied 59 Av. Du Maréchal Foch from 1924. The building was also used for Chinese and French language lessons. The building was destroyed by a cyclone in the 1980s and rebuilt with a hall. Much of its detailing was not

reconstructed. Now known as the Association of the 'Koo Men Tong', it no longer has political affiliations but hosts social and cultural activities (Koo Men Tong 1 Chinese School, Papeete, Tahiti Heritage). It is unknown if the place is heritage listed.

OTHER POLITICALLY AFFILIATED BUILDINGS IN CHINATOWN, SYDNEY

18 Mary Street Surry Hills - The Chinese Masonic Hall was purpose built in 1911 for the Yee Hing Company. The Yee Hing Company translated its name in 1912 to the Chinese Masonic Society. The Yee Hing Company were an anti-Manchu underground network that strongly supported the republican movement in China and was a predecessor of the KMT. A masonry building with classical elements, the top corners of the façade are also decorated with miniature pagodas. The Chinese Masonic Society continues to occupy the building ('Chinese Masonic Hall, Sydney' The China-Australia Heritage Corridor). It is listed as a local heritage item on the Sydney LEP 2012 (I1571).

OFFICE BUILDINGS CONSTRUCTED BY ROBERT WALL/ROBERT WALL & SONS

Culwulla Chambers (67 Castlereagh Street) - At the time of its construction in 1912 this office block was the tallest building in Australia. Its construction led to the Heights of Building Legislation (1912) which restricted the height of buildings to 150 feet until 1956. Culwulla chambers is 170 feet. It has technical and aesthetic significance for its reinforced concrete construction and Federation free classical style ('Former 'Culwulla Chambers' including interiors,' State Heritage Inventory). Locally listed on the Sydney LEP (I1694).

Usher's Hotel (64-68 Castlereagh Street) - Constructed in 1914 it is representative of a key construction period (1900-1920) and the importance of the hospitality industry in Sydney. It is also associated with the prominent architectural firm Ross & Rowe ('Former Metropolitan "Usher's" Hotel Including Interiors,' State Heritage Inventory). It is listed as a local heritage item on the Sydney LEP 2012 (I1693).

Beanbah Chambers (235 Macquarie Street) - Constructed between 1912-1913, Beanbah Chambers is a rare example of early twentieth century high-rise professional chambers. Highly intact, it also has aesthetic significance for its well resolved interior and exterior detailing including its use of art nouveau detailing. It is listed as a local heritage item on the Sydney LEP 2012 (I1881).

WORKS DESIGNED BY FRANCIS ERNEST STOWE

Ball's Head Coal Loading Depot - Constructed in 1917. It was the "first and longest operating shore-based coal loading facility in Sydney Harbour" and the largest in the southern hemisphere in 1927 ('Balls Head Coal Loader Complex (including Platform Pier and Administrative and Workshop Buildings),' State Heritage Inventory). It is listed on the State Heritage Register (SHR #02051).

63 Victoria St, Ashfield NSW - Opened in 1931 the former Masonic Hospital in Ashfield has classical elements. It was designed to serve masons, their families and dependents, and was apparently the first of its kind in Australia at the time of its opening (Northern Star 1931, p. 14).

Masonic School - Originally the Masonic Orphan School, Baulkham Hills Masonic School opened in 1922 and closed in 1970s. Today the place is owned by the Hills Shire Council and houses the Hills District Historical Society Museum ('William Thompson Masonic School (1924-1974),' Find & Connect).

317 Pacific Highway, North Sydney - The North Sydney Masonic Temple was constructed in 1922 in the Free Classical Style. It demonstrates the prominence of the Free Masons at the time and has aesthetic significance ('Former Masonic Temple,' State Heritage Inventory). It is listed as a local heritage item on the North Sydney LEP 2013 (I0961)

COMPARATIVE ANALYSIS CONCLUSION

Nos. 75-77 Ultimo Road as the KMT's Australasian branch was part of a regional, national and transnational network of KMT branches. The 1920s was a prolific period that saw the opening of many new KMT headquarters of which 75-77 Ultimo Road, Haymarket is an early example. It is a rare example of a purpose built KMT headquarters with many, particularly in other Australian cities, being rented. Although many KMT sites have been lost, some have survived. Of those that have survived, most are no longer used by the KMT, unlike 75-77 Ultimo Road, Haymarket which continues to be owned and occupied by the Sydney branch.

Robert Wall & Sons constructed a number of significant office buildings of which Ultimo Road is somewhat unusual for the composition of its façade under a single arch.

The buildings which Ernest Stowe designed suggest he had a strong association with the Freemasons. Research suggests there was a relationship between the European Freemasons in Australia and the Chinese Masonic Society, however, as both were secret societies, the extent and nature of the relationship is not yet fully known (Fitzgerald, John. 2007, pp.80-99).

C. Description

6. Describe the existing item

Description*	The Sydney branch of the KMT is a five-storey masonry office building at 75-77 Ultimo Road, Haymarket. The front façade is painted brick, though likely to have been originally face brick. The building is painted white, with individual elements painted blue and red. Compositionally the façade is distinctive. The multi-paned glazing reads as a single window united under a single arch spanning the width of the building and divided into bays by brick mullions. The windows are aluminium framed, that replaced the original timber framed windows in the same configuration in the early 1990s. The façade is quite striking with its contrasting painted elements, including white Chinese characters which are fixed against a blue background on the arch and brick panels between the first and second floors, and the building date (1921) and initials K.M.T are also emphasised on the parapet and classical pediment. Two pilasters on either end of the building extend from the awning to the parapet. White downpipes run down their length and are topped with two red decorative tree motifs and flagpoles flying the Australian and Taiwanese flags. A third flagpole above the pediment flies the KMT flag. Together the elements of the façade come together to create a distinctive presentation to Ultimo Road. An awning with pressed metal underside sits above the ground floor shop (featuring a modern shop aluminium and glass façade). To the west of the shop is a doorway and stairwell, lined with timber panelling and a pipe handrail, leading to the first and second floors. The upper floors of the building are all open plan; however, the ground floor and likely the first floor was originally divided by a wall running the length of the building. The first floor is used as offices and there is no evidence of a dividing central wall as indicated on original architectural drawings. The elaborate plaster ceiling with a circular design indicates that this may not have been constructed as intended. Offices have been created with modern glazed and timber partitions, the floor is tiled and there is a glass partition separating this space from the stairwell. The second floor contains a stage, false ceilings and modern timber flooring. The room is decorated in the colours (red, white and blue) and lined with ephemera of the KMT. A staircase located in the south west corner leads to the third floor. It is unclear if the staircase is original. The third floor similarly has a false ceiling and modern timber floor. This level contains a large archival collection displayed in a series of glazed cabinets and open shelves with photographs lining the walls. The artefacts held in this vast collection includes records of KMT activities including donations, historical newspapers, photographs, artwork, telephones and typewriters. A defining feature of this room is the curved windows which sit under the arch of the façade.
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STATE HERITAGE INVENTORY FORM

	Both the second and third levels may have original or early ceilings obscured by the modern suspended ceilings, but was not inspected so cannot be confirmed. The original drawings indicate that all internal floors are timber framed, supported by steel beams, though a detailed inspection was not carried out to confirm this configuration. Similarly, the roof appears to be constructed in this manner, with a slight slope towards the front façade. Though not inspected, another room is located towards the rear. This room was not inspected but appears to have a skillion roof. The rear elevation was unable to be inspected.
Condition of fabric and/or archaeological potential*	The place is in good condition. There is some archaeological potential but it is limited.
Integrity / intactness*	Overall, the exterior form of the place is intact although the window frames are not original nor is the painted brick finish. The plan arrangement is largely intact although there have been some changes. False ceilings have been added and floorboards are non-original. The ground floor is a modern retail fitout.
Modification dates	
When was the last time you inspected the item?	April 2024
Current use	Retail (ground floor) and KMT Sydney branch headquarters (first and second floor).
Original or former use/s	Retail and KMT Australasian branch headquarters
Any additional comments	

D. History**7. Origins and historical evolution**

Years of construction*	Start		End	c.1921
Designer or architect*	Francis Ernest Stowe			
Maker or builder*	Robert Wall & Sons			
Historical outline*	CONTEXTUAL BACKGROUND Chinese migrants who came to Australia for the gold rushes, came largely from counties in the Pearl River Delta region of Canton, and they maintained strong ties to their villages (Williams, M. 2018). People tied by native place, languages and kinship established associations to support and sponsor others from the same place or of the same surname. Most groups had their own district associations and also formed associations not based on native place or lineage, but on mutual co-operation and in			

many cases, with the aim of political reform in China. The Yee Hing mutual aid brotherhood societies, which were active on gold fields from the earliest days, espoused the political aim of overthrowing the Ching dynasty in China. The China Empire Reform Association (CERA), on the other hand, advocated modernising China but maintaining the Emperor system, and in later years advocated constitutional monarchy. Their competing ideas were circulated through newspapers, such as the Chinese Australian Herald, The Tung Wah Times and the Chinese Times.

Chinese migrants to Australia were actively engaged in fomenting and funding political change in China. Funds remitted and the ideas transmitted to China by overseas Chinese, including Chinese Australians, were crucial both to the success of the 1911 revolution which overthrew the Manchu Ching Dynasty and established a Chinese republic, and to the success of the Nationalist Party in gaining power in China. The Chinese Nationalist Party of Australasia headquarters at 75-77 Ultimo Road, Haymarket is a part of this history.

A forerunner to the Chinese Nationalist Party in Australia was the Yee Hing which had branches across rural NSW and Australia. When the Yee Hing changed its name to the Chinese Masonic Society and opened the Chinese Masonic Hall at 18 Mary Street, Surry Hills in 1912, a newspaper report named delegates who attended from Braidwood, Condobolin, Wagga Wagga, Wyalong, Temora, Nyngan, Newcastle, Wellington, Walgett, Hay, Parkes, Albury, Tumut, Tingha, Narrabri, Goulburn, Gunnedah, Wollongong, Lismore in NSW and from Tasmania, Bendigo, Rockhampton, Thursday Island, Brisbane, Melbourne, Wangaratta and Auckland ("TSUN FORE," The Sun, 1912, p. 1). The Chinese Masonic Hall, which is listed on the City of Sydney Local Environment Plan (2012), is highly significant for its role in the revolutionary movement which preceded the establishment of the Chinese Nationalist Party of Australasia (NSW State Heritage Inventory, Chinese Masonic Hall including interior, item no. I1571).

THE CHINESE NATIONALIST PARTY OF AUSTRALASIA BUILDING AT 75-77 ULTIMO ROAD, HAYMARKET

Until it was resumed for the Municipal Markets in 1908, 75-77 Ultimo Road was Engine Street, named after the 'engine' of the Victoria Steam Mills. After the resumption, the section from Thomas Street to George Street was incorporated into Ultimo Road. In 1908, Sydney Municipal Council resumed terrace houses, mills and workshops spread over four acres bounded by Ultimo Road and Thomas, Hay, Quay and Engine Streets to make way for Municipal Markets. These developments were reported in the Chinese Australian Herald in March 1909, with the comment that numerous Chinese firms were expected to move in light of the market's relocation (Guang yi hua bao = The Chinese Australian Herald, 1909). From 1910, Chinese firms which had previously been centred around Campbell and Pitt Streets, Haymarket in proximity to the Belmore Markets, began to open stores in Hay, Dixon, Quay, Harbour Streets and Ultimo Road close to the new Municipal Markets.

THE CHINESE NATIONALIST PARTY OF AUSTRALASIA AND THE ESTABLISHMENT OF THE HEADQUARTERS AT 75-77 ULTIMO ROAD, HAYMARKET

	The Chinese Nationalist Party of Australasia or the Australian Kuo Min Tang (KMT) was established when the Young China League was founded in Melbourne in 1910 to support the revolutionary aims of Sun Yat-sen, the leader of the Chinese Nationalist Party (Kuo, M & Brett, J, 2013, p.ix). After the 1911 Revolution in China overthrew the Ching dynasty, a branch of the Young China League was established in Sydney, with the Presidency occupied by head of the Chinese Masonic Society, James Chuey (Yong, C. F. 1977, p. 141). In April 1916, the Chinese Nationalist League was founded and George Kwok Bew of Wing Sang & Co. Fruit Merchants elected as the first President (Yong, C. F., 1977, p. 141). A temporary office was established at 211 Thomas Street, next to the store of Tiy Sang & Co., whose proprietors were Nationalist League treasurer, Peter Yee Wing and Vice-President, Samuel Wong (KUO, M.-F. & BRETT, J. 2013, p.11). Over the next few years, representatives from the Nationalist League travelled across Australian and the Pacific to raise funds for a permanent building, establishing branches in Brisbane, Bowen, Cairns, Mackay, Townsville, Burdekin and Atherton in Queensland; in Newcastle, Darwin, Adelaide and Perth and in Auckland, Fiji, Rabaul, Kokapo, Kavieng, Madang and the Solomon Islands (Yong, C. F 1977, pp.150-153). In 1917, George Bew went to Shanghai in 1917 as manager of the new Wing On Department store, where he developed a close relationship with Sun Yat-sen and other Nationalist leaders (Kuo, M.-F. & Brett, J. 2013, p.16). In August 1921, the Chinese Nationalist League established its legal identity by registering as an association under the Companies Act in NSW. Its registered title was Chinese Nationalist Party of Australasia (Kuo, M.-F. & Brett, J. 2013, 11, p.30). Its Chinese name was the Kuo Min Tang. £10,997 was raised by donations from Nationalist Party members in Australasia to purchase land and build a headquarters for the Chinese Nationalist Party of Australasia at 75-77 Ultimo Road, Haymarket (Kuo, M.-F. & Brett, J. 2013, p.22). Plans for a five-storey building were drawn up by architect Francis Ernest Stowe of 20 Loftus Street Sydney on 23 August 1921. Stowe, born in Ireland in 1867, emigrated as a child to Australia with his family. He trained and worked as both an architect and civil engineer, being appointed the Grand Architect of the Grand Lodge in 1922 (Australian Institute of Architects, 2015). Stowe designed a counterweight tramway system for Darling Street Wharf, Ball's Head Coal Loading Depot and a number of Masonic buildings including the Temple in North Sydney, Baulkham Hills Masonic School and a Masonic Hospital in Ashfield. The latter four are extant but it is unclear what remains of the Darling Street Wharf tram system. One of his more interesting designs was a contender for the Sydney Harbour Bridge which had three crossings that intersected at an Anzac memorial on Me-Mel - Goat Island. In addition to his architectural and engineering work, Stowe also established the Sydney Marine Engineer College in 1902, founded the Stowe Electrical Company and published a number of booklets and pamphlets on scientific topics. He was also an early mentor to Florence Taylor (née Parsons) (Australian Institute of Architects, 2015). He died in 1936 (The Sydney Morning Herald, 21 July 1936, 6). Stowes original 1921 plans for 75-77 Ultimo Road indicates that the building was intended to be used as a series of spaces across the four floors of the building, that could be used separately or together. The retail premises at 77 Ultimo Road (identified as Shop No. One located on the
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eastern side of the building) was designed to be used over two levels (ground and first floor) with a timber stair in the south-eastern corner. The shop at 75 Ultimo Road (identified as Shop No. Two on the western side of the building) was on the ground floor only. The level above Shop No. Two was designed as a separate tenancy, separated from the upper level of Shop No. One by a timber partition. The drawings indicate that the stairs to the upper levels were intended to have adjacent flights on the western side of the building; these were not constructed as planned, as the stairs to the upper levels are in a series of flights lining the western boundary. The original drawings also indicate that all internal floors are timber framed, supported by steel beams but it is unclear if this is the case.

In September 1921, a City building application was made by contractors Robert Wall & Sons, for the erection of a building for the Chinese Nationalist Party at 75-77 Ultimo Road, Haymarket (The Daily Telegraph, 27 September 1921, p.7). Robert Wall, according to his obituary in The Daily Telegraph, was at 87 the "World's Oldest Builder" and one of the best known in the state of NSW. Robert Wall & Sons had previously constructed a number of important Sydney buildings including: Culwulla Chambers (67 Castlereagh Street), Usher's Hotel (64-68 Castlereagh Streets) and Beanbah Chambers (235 Macquarie Street). Other buildings which are no longer extant include: South British Insurance Co. (corner of O'Connell and Hunter Streets), and the Government Savings Bank on Moore Street (now Martin Place) (The Daily Telegraph, 2 December 1925, p. 5).

The choice of Robert Wall & Sons as builders of the Australasian KMT Headquarters may have been owing to the firm's reputation as master builders, or have related to the fact that Robert Wall Senior was the father-in-law of William Henry Donald, adviser to Nationalist party leader Sun Yat-sen, and later to Chang Hsueh-liang and Chiang Kai-shek. Born in Lithgow, NSW in 1875, Donald began his career as a journalist in Australia before moving to Hong Kong where he became Managing Director of the China Mail. He married Robert Wall's daughter Mary Wall, in Hong Kong in 1904, though the couple separated sometime around 1920 (Winston G. Lewis, 1981).

The foundation stone of the building, was laid on the 12th November 1921, by Chan On Yan, sent from China as a personal representative of Sun Yat-sen. It can still be seen at the entrance of the building. After travelling around Australia and the Pacific, Chan On Yan returned to Sydney to launch the building in April 1922 (Kuo, M.-F. & Brett, J. 2013, p. 25)

Membership of the Party was open to women and female members were exempted from the membership fee. Women were particularly prominent in the Darwin branch of the KMT, though less so in the Sydney branch (Kuo, M.-F. & Brett, J. 2013, 23-24 and Martinez, J. 2015). By 1922 it was reported that there were 23 branches and 5289 members of the Chinese Nationalist Party in Australasia and the South Pacific (Yong, 1977, p.153). As Sun Yat-sen's native district was in Heung Shan, members from Heung Shan dominated the Sydney branch of the KMT.

President of the Australasian KMT from 1919-1930 was Charles (Peter) Yee Wing. According to a biography by his grandson, Tony Wing, Charles Yee Wing, born 1862 or 1866, became involved in Tiy Sang & Co. which traded in bananas and by 1893, he was Managing Director of the firm. He married Susan Kezia Beck in 1906 and they had at least 12 children. He established the Australasian KMT's Canton Liaison Office and was one of the founders

of the China-Australia Mail Steamship Line (Kuo, M.-F. & Brett, J. 2013, pp.9-10.). C.F. Yong argues this shipping line, established to break up the Japanese shipping monopoly and extend the Sino-Australian import and export trade, "expressed the unity and co-operation achieved for the first time by Chinese in Australia over a single issue of common interest." (Yong, 1977, p.97). Like many of the leaders of the KMT in Australia, Yee Wing was a Christian. As Yong remarks, "It is striking that nearly all the top leaders of the Chinese Nationalist Party in Victoria and New South Wales in the years 1910-1930 were associated with churches" (Yong 1977, p. 206). This might be attributed as much to the influence of the Christian wives of the leaders as to the work of Chinese missionaries in particular, the Church of England minister Soo Hoo Ten and the Presbyterian Minister John Young Wai and his wife, who were actively proselytising and performing charitable work amongst the Chinese population in the Haymarket (Ruth Teale, 1976 and Adrian Chan 1990). Yee Wing returned to China after the death of his wife Susan in 1938, and died there sometime in 1942 (Kuo, M.-F. & Brett, J. 2013, pp.9-10).

TENANTS OF THE BUILDING

After the new building opened, various rabbit merchants and grill rooms tenanted the ground floor of 77 Ultimo Road until 1923, when L.A. Pogonowski, who had occupied the site in 1913 prior to the KMT Building's construction, returned to occupy the ground floor of the new building. Pogonowski evidently had a good long-standing relationship with Samuel Wong and Peter Yee Wing, the proprietors of Tiy Sang & Co. on Thomas Street. Sometime in January or February 1911, Tiy Sang & Co. complained to the Town Clerk about damage to their premises caused by flooding (City of Sydney Archives, A-00247772). When nothing was done, L.A. Pogonowski then took up the case, seeking action on stormwater damage to his store, the neighbouring store of Tiy Sang & Co. and two other businesses. The Town Clerk replied that the Council would not accept liability (City of Sydney Archives, A-00246270). From 1925 until 1927, L.A. Pogonowski Talk Machines occupied the ground floors of both 75 and 77 Ultimo Road. Presumably after the death or retirement of Mr Pogonowski, Mrs C. Pogonowski continued the business at 75-77 Ultimo Road until 1929 (Sands Directory 1913-1929.). The Pogonowski store can be seen in an early photograph of the Australasian KMT Building.

From 1922, 75-77 Ultimo Road was the registered office for the Chinese Times newspaper. The Chinese Times was a revolutionary newspaper first published in Melbourne, (1902-1915), where it played an important role in shaping and mobilising support for the revolution in China and later opposing the increasingly despotic government of Yuan Shikai, the Provisional President of the Republic of China (KUO, M. F. 2013, 184-9, pp.222-5 and Yong, 1977, pp.145-148). In 1922, the Chinese Times began publishing in Sydney and continued publication until 1949 with financial support from the Chinese KMT (Kuo, M.-F. & Brett, J. 2013, pp.78-9).

Between 1932 and 1977, the ground floor of 75 Ultimo Road was leased to Arthur Lowe who ran a tobacconist shop there for 45 years. In an interview with Rosetta Sung in 1984, Arthur Lowe said he was born in Enfield in 1903 to Willie Bow Suew and Rosetta Helen McDonald, of Scottish descent (Sung, R. 1984). When his mother died, when Arthur was only eight months old, his father took him back to his village in Chungshan to be cared for by his first wife. Arthur returned to Australia with his father

when he was thirteen, returning once more to China with his father around 1920 at his father's insistence that he find a Chinese wife. Arthur married his Chinese wife, Liu Cheng Su Tseng in a Christian ceremony, but returned to Australia leaving his wife and children behind, as immigration restrictions prohibited Chinese women from entering Australia. Arthur bought a greengrocer business in Neutral Bay, before opening his tobacconist business on the ground floor of 75 Ultimo Road. With the help of the Chinese Consul, Arthur managed to bring his wife and three children to Australia in 1934 (NAA: SP42/1 C1938/8992). The couple subsequently had another five children. Arthur said of the KMT:

"Father was a member, all members. I not one of the original members but early one. Tongmenhui, meaning gathering together society, a club. Always involved in fundraising for Kuo Min Tang. Collect lot of money and send to China, now Formosa (Taiwan) and before send to Canton or Nanking." (Sung, R. 1984)

THE OPERATION OF THE AUSTRALASIAN KMT AT 75-77 ULTIMO ROAD

The operation of the Australasian KMT at 75-77 Ultimo Road over the years has been researched and written about by Judith Brett and Mei-Fen Kuo, and by John Fitzgerald, utilising the Australasian KMT archives housed at 75-77 Ultimo Road. In 1924, representatives from the Sydney branch attended the first National Assembly in Canton and in the following year, the Australasian KMT held its first Australasian Convention. A memorial ceremony was held for Sun Yat-sen who had died in March 1925, which recognised him as the father of the modern Chinese nation and the symbolic head of the KMT. The Convention strengthened connections between branches in Australia, New Zealand and the Pacific, sending money to enable representatives from branches in the Pacific to attend (Meeting with members of the Standing Committee of the KMT, 26 February 2024). The Convention established a Canton Liaison Office, which helped returning Chinese Australians to settle back in China. It also established branches for seamen working in the South Pacific, boosting membership and providing a conduit for connecting branches in the region (Kuo, M.-F. & Brett, J. 2013, p.46.). By 1927, "around one in six registered Australasian party members were able seamen and ship's engineers." (Fitzgerald, J. 2007).

After Sun Yat-sen's death, Chiang Kai-shek succeeded Sun Yat-Sen as leader of the KMT. The Australian government, which had hitherto been suspicious of the KMT's communist sympathies, recognised the Chinese National Government in Nanking after Chiang Kai-Shek became leader.

Chiang launched an international Party Purification Movement in 1926 to purge Communists and their sympathisers from the Party. At the second Australasian Convention in Sydney in 1927, held to endorse Chiang Kai-Shek's command, Samuel Wong, Vice-President of the Australasian KMT, objected to the Party Purification Movement and Chiang's leadership. Wong was expelled along with five other members (Fitzgerald, J. 2007, pp.138-9.).

In 1929, Australian KMT delegates went to Nanjing to attend a national congress where they appealed to the Chinese government to seek the removal of discrimination against Chinese in Australia. They received little support in China, and Kuo and Brett assess that the main goals given to the Australasian KMT were the strengthening of its loyalty to the Chinese

KMT and the winning of sympathy for the new government amongst the Australian public (Kuo, M.-F. & Brett, J. 2013, pp.61-62.).

THE WAR YEARS

In 1931, the Australasian KMT comprised of the headquarters at 75-77 Ultimo Road, seven branches and thirty-five sub-branches, each with an Executive Committee, an Advisory Committee and a Standing Committee (Kuo, M.-F. & Brett, J. 2013, pp.66-69.).

When the Japanese army invaded Manchuria in 1931, Chinese Australian community leaders in Sydney from across the political spectrum, including William Gock Young, William Liu and Mar Leong Wah, combined to establish the Society of Chinese Residents in Australia to coordinate support for China. They met regularly at 75-77 Ultimo Road, collected funds, organised events and remitted funds to China for the war effort.

The Chinese Australian community was divided over the visit of General Tsai Ting-Kai to Australia in 1934. Tsai had earned hero status after the 19th Route Army he commanded fought against the Japanese invasion of Shanghai in 1931, but he was subsequently exiled after the failure of the rebellion he led against Chiang Kai-Shek's government. The Australasian KMT failed to prevent Tsai Ting Kai's visit to Australia, and Tsai was given a hero's welcome when he arrived. The Australasian KMT expelled members who attended the welcome ceremony or met with him (Kuo, M.-F. & Brett, J. 2013, p.96.).

According to Kuo and Brett's examination of management records, in the 1930s, the Sydney KMT and the Society of Chinese Residents in Australia "sought connections with Australian journalists, writers and scholars to promote the recognition of the Chinese Australians claim to citizenship and to enhance their status accordingly" (Kuo, M.-F. & Brett, J. 2013, pp. 69-73). However, the efforts of the Australasian KMT to lobby the Australian government to rethink the prejudicial treatment of Chinese Australians were met with little consideration.

At the Fifth Convention of the Australasian KMT, Mar Leong Wah was elected as one of the three members of the Standing Committee (Kuo, M.-F. & Brett, J. 2013, p.73.). Mar Leong Wah (Harry Mar) had arrived in Sydney in 1921 to work in the Wing Sang & Co. business founded by his Ma/Mar clansmen from Sha Chung, and became manager of Wing Sang & Co. at 58 Hay Street (Kuo, M.-F. & Brett, J. 2013, pp.77-78.). In the photo of Wing Sang & Co. employees, Mar Leong Wah is standing on the far right.

In the 1930s, under Mar and David Young Narme's leadership, the Australasian KMT established music, social and sporting groups to raise funds for the war effort in China. As Kuo and Brett write, "the KMT Hall was no longer just a place for solemn political ceremonies, but had become a community gathering place" (Kuo, M.-F. & Brett, J. 2013, 105).

The KMT Hall was the venue for a Chinese language school established in the mid-1920s (Mei-Fen Kuo, personal communication, 1 May 2024). A newsreel shot in 1934 shows Mar Leong Wah teaching a class of boys and girls to read and write Chinese characters. The class then stands up and sings the national anthem of the Republic of China, San Min Chui Yi, the Three Principles of the People. The newsreel shows how the Hall was furnished in the 1930s. Carved wood panelling can be seen at the back of the stage. There is a clear view of the elaborately carved wooden chairs

used by the children and their wooden desks. Behind the children there is a Chinese ceramic on a wooden stand. There are Chinese calligraphy hangings and framed pictures on the wall (Cinesound Movietone Productions, National Film and Sound Archive of Australia 1934).

In July 1938, David Young Narme and his New Zealand-born wife organised the first Dragon Ball, held at the Trocadero. In 1941, a debutante ritual was introduced to the Ball. Debutantes and their male partners were expected to attend several weeks of rehearsals, usually held at the KMT Hall at 75-77 Ultimo Road" (Gassin, G. 2021, p.543). The Dragon Ball became the big annual event of the Sydney Chinese social calendar.

As Grace Gassin, who researched the Dragon Ball for her PhD has written, the Dragon Ball not only gave debutantes their moment to shine, but it highlighted the contribution of Chinese Australian women as organisers, fund-raisers and dressmakers. Gassin spoke to women involved with the Dragon Ball from the 1940's-70s, including Cheryl Cumines, from one of the oldest Chinese Australian families. Cumines, who is currently President of the Chinese Heritage Association of Australia, told Gassin, "There were all of these Australian-born Chinese women who were from these really old families... there was that sense of community that went back a long, long way" (Gassin, G. 2021, p.539).

After the defeat of the Nationalist Government by the Chinese Communist Party in 1949, the Nationalists retreated to Taiwan, from where they ruled as the Republic of China. During the time that the Australian government recognised the KMT Government in Taiwan as the legitimate government of China, Dragon Balls were an annual event. On 21 December 1972, the Whitlam government established diplomatic relations with the Peoples Republic of China. According to Gassin, recognition of the PRC government "made it difficult for organisers to sustain the high-level diplomatic and political affiliations so vital to the success of earlier balls" (Gassin, G. 2021, p.547-8). Gassin's interviewees also pointed to changing norms around gender relations as another factor in the demise of the Dragon Ball in the early 1970s. The Dragon Ball remains one of the best-remembered historical events associated with Sydney's Chinese community (Gassin, G. 2021, p.533.).

THE POST-WAR YEARS

When WWII ended in 1945, the Australasian KMT raised funds to aid in China's reconstruction, but there were also local problems to assist with. By 1945 there were about 1,300 Chinese seamen and evacuees from the Pacific Islands stranded in Australia. Samuel Wong, who had rejoined the Australasian KMT and been appointed to its committee, proposed a plan for the relief of the refugees which resulted in the establishment of the Chinese Youth League. As Kuo and Brett write, "At this time, the Sydney KMT was fulfilling two distinct functions. At the Australasian Headquarters branch it worked closely with Chinese government officials; and as the local branch it was active in helping Chinese seamen and Chinese refugees from the Pacific Islands (Kuo, M.-F. & Brett, J. 2013, pp.116-118.).

Amongst the Chinese seamen and refugees who came to Australia during the war years was Eugene Seeto, who was evacuated to Sydney from Papua New Guinea with his family in 1934. In 1945, Seeto joined the Australasian KMT (Kuo, M.-F. & Brett, J. 2013, p.118.). The family of Chinese community leader King Fong also arrived from Fiji during the war

	years, establishing the Say Tin Fong grocery store and boarding house in Dixon Street. Kuo and Brett write that by 1947, when the Australasian KMT held the Sixth Convention, declining membership and loss of properties during the war had left the Sydney branch alone with a debt of £4475. In spite of the debt, those attending the convention balked at selling 75-77 Ultimo Road and confirmed the decision of the Fifth Convention that no one had the right to do so. Instead, two properties owned by the Australasian KMT in Canton were sold (Kuo, M.-F. & Brett, J. 2013, p.130.). Records show that the defeat of the KMT government by the Chinese Communist Party and their withdrawal to Taiwan was accompanied by “an avalanche of membership loss” in the Australasian KMT. “Many Chinese Australians were anxious about their families in the now communist controlled China, and did not want to be known for an association with the KMT” (Kuo, M.-F. & Brett, J. 2013, p.132). Deeply in debt, the Australasian KMT decided to rent out not only the ground floor of 75-77 Ultimo Road but also the second and third floor of the building leaving only the fourth floor with the Australia-China Times newspaper that had been started up in 1955 (Kuo, M.-F. & Brett, J. 2013, p.133). At the Eighth Regional Convention held in Sydney in 1958, Eugene Seeto, David Sang and Charles Chan were elected to the Executive, replacing David Young Narme and Mar Leong Wah who had been in charge of the headquarters branch for more than 20 years (Kuo, M.-F. & Brett, J. 2013, p.149). The new executive brought structural and financial reforms as well as renovation of the building. A Double Tenth celebration (commemorating the success of the uprising on October 10, which led to the downfall of the Ching dynasty) was held in the newly renovated hall at 75-77 Ultimo Road. The hall became the venue for popular film nights (Kuo, M.-F. & Brett, J. 2013, p.150). The NSW Chinese Sport Association had free use of the third floor of 75-77 Ultimo Road to provide room for reading, table tennis, social dancing and movie showing. Douglas Lam, who arrived in Sydney from his village in Loong Tu, via Hong Kong, used to go to the reading room upstairs at the 75-77 Ultimo Road Building in the early to mid-1960s to browse Cantonese newspapers. Lam recalls, “There was an auditorium with a mobile projector showing Cantonese movies on Sunday nights to homesick people like myself” (Douglas Lam, personal communication, 24 April 2024). In December 1961, an application was made to the City to carry out alterations and use the second and third floors for the purpose of a commercial photographic and art studio (City of Sydney Archives, A-00123670). In 1964, a restructure by the KMT’s Central Committee reduced the Australasian KMT to the Australian KMT, though it retained its regional organisational name and a role in co-ordinating regional conventions (Kuo, M.-F. & Brett, J. 2013, pp.158-159). Throughout the years, the Australasian KMT has played an important role in maintaining and fostering connections between Australia, Hong Kong and Taiwan. To encourage young Chinese Australians and Chinese New Zealanders to maintain their Chinese cultural heritage, the Australasian KMT helped facilitate trips to Taiwan. The first of these “Taiwan tours” was led by Tung Koon community leader Lai Kum Hung and by Maud Chin in 1979 (Lance Lai interviewed by Christopher Cheng). The Australasian KMT also established the Chinese Cultural Centre in 1979, to offer public services to
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	the older Chinese communities and to the newly arriving Indo-Chinese refugee communities (Kuo, M.-F. & Brett, J. 2013, p.171.). In the 1990s, a Chinese school was opened at 75-77 Ultimo Road for new migrants from Hong Kong and Taiwan (Mei-Fen Kuo, personal communication, 1 May 2024). In 1972, Eugene Seeto started to preserve the Australasian KMT's archives and historical objects, making the building at 75-77 Ultimo Road the home of the archives of the Australasian KMT (Kuo, M.-F. & Brett, J. 2013, p.169). In 2006, an invitation extended to Henry Chan of the Chinese Australian Historical Society to examine the Archives, led to a project to identify, catalogue and preserve the historical archives of the Australasian KMT. A three-year grant from the Australia Research Council allowed a research team from La Trobe University to analyse and open up the Archives to academic and community researchers. One of the outcomes of this project was the book, <i>Unlocking the History of the Australasian Kuomintang</i>, which is the source for much of the content of this report. Another outcome was an exhibition of historical images of KMT and Australasian Chinese, held at 75-77 Ultimo Road from 10-16 December 2011. In 2013 another exhibition supported by the History Council of NSW was held on site. Currently, members of Sydney meet regularly to discuss management and plan activities which the KMT facilitates for members and the Chinese Australian community. The KMT also tries to channel Australian government policies and to communicate policies to members and the broader Chinese-speaking community. Non-members can apply to visit the building but staff numbers are stretched by requests. The building belongs to KMT members. The Chinese Ginsengs & Herbs Co. which has occupied the ground floor of 75 Ultimo Road for decades is a legacy business in the area. The museum on the third floor of the KMT Building has a historically significant collection of documents and artefacts relating to its history, including typeset blocks for printing newspapers published by the Australasian KMT, original copies of the Chinese Times/The Australia-China Times, calligraphic dedications, records of meetings and membership, a range of film projectors and radios and a unique hand-painted scroll depicting Sun Yat-Sen's funeral procession. A significant item in the collection is a donations book which lists donations made by members of the Australasian KMT to raise funds for the building at KMT 75-77 Ultimo Road. The book is open at a page listing donations from members in Rabaul, New Guinea and provides demographic information about the donors, such as age and district of origin. This information would be invaluable if it were rendered accessible for family history and other research (Translation and comment on the Donations Book provided by translator, Ely Finch). Historians of the Kuomintang, Mei-Fen Kuo and Judith Brett regard the collection as having "major historic significance for the Chinese Australian community and for the broader Australian community as a whole (Kuo, M.-F. & Brett, J. 2013, p.45)."
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8. Historical themes represented

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Themes indicate the broad historical context in which an item is significant. Themes help to identify related or comparative items contributing to the same theme.

Refer to the document [NSW Historical Themes](#) if completing this section.

Relevant National / Australian themes	2 Peopling Australia 3 Developing local, regional and national economies 6 Educating 7 Governing 8 Developing Australia's cultural life 9 Marking the phases of life
Relevant NSW / State themes	Migration Communication Events Education Defence Government and administration Leisure Social institutions Persons

E. Criteria for heritage significance

9. Assessment under Heritage Council criteria

It is important in the course or pattern of the cultural or natural history of the local area (Criterion A)
The building at no. 75-77 Ultimo Road, Haymarket was purpose built in 1921 for the Sydney branch of the Chinese Nationalist Party (its Chinese name being Kuo Min Tang or KMT). It continues to be the home of the Sydney branch of the party and an invaluable archival collection of the party's activities outside China. For a significant period of its history, it was the party's Australasian headquarters and the location of the Chinese Times newspaper. It demonstrates three historical processes: the political processes of the Kuo Min Tang (KMT), the social processes of the KMT and the operation of the Chinese Times. Political processes of the Kuo Min Tang The Kuo Min Tang (KMT) was globally a major political party in the 20th century and 75-77 Ultimo Road was the headquarters of the KMT in Australasia for over 100 years. It has been the locus of the Chinese Nationalist Party political activity since it was built in 1921. Throughout the 1920s Australasian branches of the KMT were establishing their headquarters and the construction of the headquarters of the Sydney branch in 1921 is an early example of this activity. The Sydney branch was purpose built and funded by donations from members across Australasia. The establishment of global branches, purpose built and leased, is testament to the power and influence of the Chinese nationalist movement in the 20th century. The network of branches across Australia is representative of the contribution of Chinese Australians to the political revolution in China and the important part that the Australasian KMT played in a global network of Party branches. The location of an Australasian headquarters in Sydney is demonstrative of the mobility and inter-connectedness of the Chinese communities across Australia and the Pacific through trade, communications and political affiliations which intersected in Sydney.

As the Australasian headquarters between 1922 and 1964, the Sydney branch is not only locally but also state, nationally and transnationally significant, as it oversaw branches in rural Australia and in capital cities, in New Zealand and in the South Pacific Islands. The Sydney office was the hub of KMT activity in the region and the site of a number of Australasian conventions over the years. Funds raised by members were remitted to support Sun Yat-Sen and then Chiang Kai-Shek Nationalist government which ruled China from 1927-1949.

The Chinese Nationalist Party of Australasia not only contributed crucial funding for the Nationalist cause and for the war effort during the Sino-Japanese War, but it was also a transmitter of ideas and technology to China. It was progressive in comparison to the KMT in China, leading the way in allowing female members to join the Party and it played a role in advocating for the rights of Chinese Australians during the White Australia years. The third floor of the building which is set up as a museum of KMT history contains a number of artefacts which show how technology was adopted and adapted over the years to share communications with China and other branches in Australia, New Zealand and the Pacific. These artefacts include cinematic projectors, audio tape records, old Gestetner machines, typewriters and printing and typographical equipment.

The building itself houses a large collection of records, documents, publications, photographs and artefacts related the history of the KMT's overseas activities.

The building is evidence of the keen interest in political reform in China maintained by Chinese Australians and how this carried over into their lives in Australia.

Social processes of the Kuo Min Tang

Nos. 75-77 Ultimo Road was also the centre of many social activities and fundraisers for the Chinese Australian community of Sydney, particularly the annual Dragon Ball which began in 1938 and remained the major event on the social calendar for the Chinese Australian community until the early 1970s. It was also a place for people new to Sydney to connect through social activities.

Operation of the *Chinese Times*

Nos. 75-77 Ultimo Road was the publishing office for the Chinese Times newspaper (1925-1949) which was an organ of the Australasian KMT.

It has a strong or special association with the life or works of a person, or group of persons of importance in the cultural or natural history of the local area (Criterion B)

The building at no. 75-77 Ultimo Road, Haymarket is associated with the Australasian KMT who have owned and occupied the purpose-built building for over 100 years.

Prominent individuals from the Chinese Australian community affiliated with the KMT at 75-77 Ultimo Road include:

- Charles (Peter) Yee Wing, the merchant and managing director of Tiy Sang & Co., who served as president of the KMT from 1919-1930. He helped establish the Australasian KMT Canton Liaison Office and was a co-founder of the China-Australia Mail Steamship Line.
- Samuel Wong, the merchant of Tiy Sang & Co. who was Vice President of the Australasian KMT. His membership was revoked for objecting to Chiang Kai-Shek's leadership and the Communist purges of the Party, but in 1945 he re-joined, the party and proposed a plan for the relief of the refugees which resulted in the establishment of the Chinese Youth League.
- Mar Leong Wah, merchant and manager of Wing Sang & Co., was leader of the KMT for over 20 years and a founding member of the Society of Chinese Residents in Australia supporting Chinese resistance during the Sino Japanese War.
- Eugene Seeto, a wartime refugee who came to Australia and was later elected to the executive of the Australasian KMT. Seeto instigated the preservation of the KMT's historical collection.

The place is also associated with Robert Wall & Sons, a significant building company in the 19th and 20th centuries in Sydney who built 75-77 Ultimo Road and a number of other significant buildings such as Culwulla Chambers.

75-77 Ultimo Road is associated with the architect Francis Ernest Stowe. A notable architect and engineer of the late 19th and early 20th centuries, Stowe was a prominent Freemason who was the Grand Architect of the Grand Lodge. Besides designing 75-77 Ultimo Road, he designed a number of masonic buildings, as well as the Ball's Head Coal Loading Depot. He also founded the Sydney Marine Engineer College where students such as Florence Taylor attended.

It is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement the local area (Criterion C)

Architecturally, 75-77 Ultimo Road, Haymarket is an early example of an office building in Sydney. It is of some architectural interest for its unusual composition where the fenestration is arranged under a single arch and reads as a single window.

The composition and detailing including arch, fenestration, brick mullions, pilasters, parapet and Chinese Characters make a notable contribution to the streetscape and demonstrates aesthetic characteristics associated with Haymarket's redevelopment in the early 20th century.

It has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons (Criterion D)

The building at 75-77 Ultimo Road, Haymarket has a strong association with the Australasian KMT and its members who have occupied the place for over 100 years. The place continues to be actively used and is the hub of the KMTs political activity in Sydney.

As a community hub where political, social and educational activities were located, 75-77 Ultimo Road continues to be highly valued by the Chinese Australian community as one of Chinatown's major political venues, and represents the political and social lives of the Chinese Australian community in Chinatown during the 20th century. As the headquarters of a network of branches across Australasia, it also represents the political activities of the Chinese in NSW.

It has potential to yield information that will contribute to an understanding of the cultural or natural history of the local area (Criterion E)

The building at 75-77 Ultimo Road is home to what is probably the largest collection of documents on the activities of the overseas KMT branches outside of China and Taiwan. The collection is an invaluable record of administrative records, publications and photographs not only of the Sydney branch but of those throughout Australia, New Zealand and the Pacific Islands. The archival collection has extensive interpretive value for not only the Sydney branches but those across Australasia including those in regional NSW. The collection has great potential in furthering our understanding of the history of the KMT and the Chinese Australian community in NSW and beyond. The collection was crucial in the development of the Mei-Fen Kuo and Judith Kuo and Brett's book *Unlocking the History of the Australasian Kuo Min Tang 1911-2013*, though it is unclear to what extent the collection has been analysed.

There is also further research potential in the activities of the KMT across Australasia, such as the establishment of other headquarters and their links to 75-77 Ultimo Road.

It possesses uncommon, rare or endangered aspects of the cultural or natural history of the local area (Criterion F)

The movable heritage and archival collection of the Sydney branch of the KMT, housed at nos. 75-77 Ultimo Road, Haymarket is likely a rare collection on the activities of the KMT's overseas branches. It is also likely the largest of its kind outside of China and Taiwan.

Rarity is a valuable criterion in the context of the Chinese in Australia as there is a history of resumptions and even later development demolishing places associated with the early Chinese settlement in Australia. Building nos. 75-77 Ultimo Road is a particularly significant building. Nos. 75-77 Ultimo Road is a rare surviving example of early Chinese Australian commissioned buildings and it is a rare example of a building purpose built for the KMT.

It is important in demonstrating the principal characteristics of a class of cultural or natural places/ environments in the local area (Criterion G)

The building at 75-77 Ultimo Road does not meet the threshold for criterion G.

F. Heritage listings

10. Existing heritage listings

If completing this section, mark against each listing whether the item is listed or not. You may want to contact the relevant local council or organisation to check the item's listing status.

Listed	Not Listed	Listing
	✓	Commonwealth Heritage List
	✓	National Heritage List
	✓	Register of the National Estate
	✓	Declared Aboriginal place
	✓	Local environmental plan (LEP) – heritage item (or draft item)
	✓	LEP – heritage conservation area (or draft area)
	✓	NSW government agency Heritage and Conservation Register
	✓	National Trust register
	✓	Aboriginal Heritage Information Management System
	✓	National shipwreck database
	✓	Engineers Australia list

G. Recommended Management

11. Management recommendations

OBLIGATIONS ARISING FROM SIGNIFICANCE

The high cultural significance of the place identified in the statement of significance obliges its conservation and good management (Burra Charter Article 2). The significance is embodied in the place. Place means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views. Place also includes fabric, setting, use, associations, meanings, records, related places, and related objects. (Burra Charter Article 1).

The significance of 75-77 Ultimo Road is primarily identified the on-going use of the place as the headquarters of the KMT's Sydney branch for over 100 years, in the collection which it houses, and its historical use as the headquarters of the Australasian KMT. Consideration of these three values informs the management recommendations for the place. The significance of the archival collection requires that it be appropriately cared for and that public access to the collection is facilitated. The ongoing connection of the place to the Australasian KMT and the Chinese Australian community should be continued through use and ownership.

TOLERANCE FOR CHANGE

The façade of the building strongly conveys its association with the KMT and is of some architectural interest. There is limited tolerance for change to the building's façade with a need to preserve the buildings form and KMT associated details. There is greater tolerance for change internally where there is limited original fabric. Appropriate interventions may include a lift and alterations to the layout. The open plan layout of the second and third floors is indicative of historical uses, namely a hall which held many social and political events. As such, any changes to the layout must ensure that the historical open plan remains interpretable.

CONSERVATION OF FABRIC

The archival collection should be assessed for conservation to assist with ensuring and facilitating appropriate care of its objects. There is limited original building finishes and details at the place. Missing elements which could be reconstructed and/or reinstated, if desired, are the timber window frames and original ceilings could be revealed if existing. 8.4. Interpretation The archival collection has high interpretative value requiring public access to be enabled. In the past, the Australasian KMT has held open days and is amenable to doing so in future, dependent on the availability of staff or volunteers and funding.

Public access to the collection could also be facilitated through digitalisation of the collection. The significance of the place is not independent of the history and development of Chinatown in the Haymarket area, and as such, interpretive strategies for 75-77 Ultimo Road should be considered within an overall interpretation strategy for Chinatown.

It is recommended that additional interpretive strategies for the place consider:

- Setting up a plaque(s) at street level to communicate the site's history and significance.
- Creation of digital archives/websites showcasing the history and significance of Chinatown, identifying 75-77 Ultimo Road as a place of significance in the area.

A heritage interpretation plan must be provided in the event of major alterations to the building.

FUTURE USE

Much of the building's significance lies with its direct relationship with the KMT and associated archival and movable heritage collection. It is recommended that future use of the building maintain these ties and continues to ensure the retention of significant internal and external features and appropriate conservation of its collection in accordance with relevant planning controls. Other appropriate uses include retail, offices or a museum space.

H. Photograph

12. Principal or main photograph*



Caption*	75-77 Ultimo Road. Haymarket
Date of photograph*	2024
Name of photographer*	Sioned Lavery
Copyright holder, if known	Hector Abrahams Architects

I. Author details**13. Primary author of this form***

Name	Sioned Lavery and Dr Juanita Kwok
Position and organisation, if applicable	Heritage Conservation Strategist, Hector Abrahams Architects Historian, Independent Consultant
Contact phone number	92997959
Email address	mailbox@haarchitects.com.au
Date form completed	23/07/2024

14. References used to complete this form*

Author	Title	Date Published	Link
Williams, m	Returning home with glory: chinese villagers around the pacific, 1849 to 1949	2018	
The sun	"tsun fore."	30 january 1912	http://nla.gov.au/nla.news-article222004834
Nsw state heritage inventory,	Chinese masonic hall including interior,	Accessed 3 may 2024.	https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2420970
Guang yi hua bao = The Chinese Australian Herald	'決議改建街市'	13 March 1909	http://nla.gov.au/nla.news-article168080171
Kuo, mei-fen & brett, judith	Unlocking the history of the australasian kuo min tang, 1911-2013	2013	
Yong, c. F	The new gold mountain : the chinese in australia, 1901-1921	1977	
Australian Institute of Architects	NSW Bibliographical information: Lt Col Francis Ernest Stowe	2015	
The sydney morning herald	Obituary mr f. E. Stowe	21 july 1936	https://trove.nla.gov.au/newspaper/article/17253756
Margaret dobson	John lamb lyon and francis ernest stowe	1992	
The daily telegraph	'City building applications'	21 feb 2024	http://nla.gov.au/nla.news-article239701774
The daily telegraph	Mr. Robert wall	2 december 1925	http://nla.gov.au/nla.news-article245061670

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Winston G. Lewis	Donald, William Henry	1981	https://adb.anu.edu.au/biography/donald-william-henry-5992/text10229
Martinez, j	Chinese politics in darwin: interconnections between the wah on society and the kuo min tang and the kuo min tang	2015	
Ruth teale	Ten, george soo hoo (1848–1934)	1976	https://adb.anu.edu.au/biography/ten-george-soo-hoo-4699/text7785
Adrian chan	Young wai, john (1847–1930)	1990	https://adb.anu.edu.au/biography/young-wai-john-9222/text16295
City of Sydney Archives [A-00247772]	Tiy Sang & Co complained to the TC about damage to their premises caused by flooding. The Water & (29/01/1912 - 27/02/1912)	Accessed 01 Mar 2024	https://archives.cityofsydney.nsw.gov.au/nodes/view/866237
City of Sydney Archives [A-00246270]	L A Pogonowski, 77 Engine St re stormwater damage, including to Tiy Sang & Co; Pennell & Co; Morton (29/02/1912 - 15/05/1912)	Accessed 01 Mar 2024	https://archives.cityofsydney.nsw.gov.au/nodes/view/879399
City of Sydney Archives	Sands Directory 1913-1929.		
Kuo, m. F.	Making chinese australia : urban elites, newspapers and the formation of chinese australian identity	2013	
Sung, rosetta	Interview 18, 1984, arthur, b. 1903, rosetta sung transcripts, state library of nsw, mlmss 5619	1984-1989.	
Naa	Sp42/1 c1938/8992.		
	Meeting with members of the Standing Committee of the KMT	26 February 2024	
Fitzgerald, j.	Big white lie: chinese australians in white australia	2007	
Mei-Fen Kuo	Personal communication	1 May 2024.	
Produced by Cinesound Movietone Productions, National Film and Sound Archive of Australia No.201409	Chinese Kiddies Get International Spirit: Scholars Learn Language of Fathers in Sydney School	1934	
Gassin, grace	All eyes on you: debutantes' explorations of chinese australian	2021	

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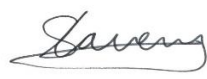
	womanhood at the dragon festival ball		
Douglas Lam	Personal communication	24 April 2024	
City of Sydney Archives [A-00123670]	75/77 Ultimo Road A. Holland & Associates. To use 2nd & 3rd floors for purpose of a commercial (18/12/1961 - 22/01/1962)	Accessed 29 Feb 2024	https://archives.cityofsydney.nsw.gov.au/nodes/view/748633
	Lance Lai interviewed by Christopher Cheng for the Australians with Chinese heritage oral history projec		//nla.gov.au/nla.obj-3183559394/listen/1-2933~1-2947
Victorian Heritage Database report	'Chinese Nationalist Club (Kuomintang)'		https://vhd.heritagecouncil.vic.gov.au/places/65205/download-report
Walter Burley Griffin Society	'Kuomintang Club Building, 109 Little Bourke Street, Melbourne'		https://www.griffinsociety.org/griffin_gallery/kuomintang-club-building-109-little-bourke-street-melbourne/
The West Australian	"Kuo Min Tang: Chinese Nationalist Party, A Perth Dinner and Meeting"	30 June 1921	https://trove.nla.gov.au/newspaper/article/27967814?searchTerm=Chinese%20Nationalist%20Party%20Perth
The Advertiser	"Little-Known Adelaide: Chinese Headquarters"	29 June 1935	https://trove.nla.gov.au/newspaper/article/40055712?searchTerm=Chinese%20Nationalist%20Party%20Adelaide
State Library South Australia	'Hindley Street Adelaide [B 3726] Photograph'		https://collections.slsa.sa.gov.au/resource/B+3726
Northern Standard	"20th Anniversary of Chinese Republic: Celebration in Darwin"	13 October 1931	https://trove.nla.gov.au/newspaper/article/48051059?searchTerm=Chinese%20Nationalist%20Party%20Darwin
Brisbane City Council, Local Heritage Places	'King Edward Chambers'		https://heritage.brisbane.qld.gov.au/heritage-places/721
	Stakeholder workshop	5 April 2024	
National Library of Australia	"Kuo Min Tang, Chinese Nationalist Party 1929 [Picture]" 2279601		https://catalogue.nla.gov.au/catalog/2279601
Australian War Memorial	"The Kuo-Min-Tang hall where assemblies are held and administrative problems are solved by town..."		https://www.awm.gov.au/collection/C206665
State Library Victoria	"Wooden building with verandah and sign above reading-Kuo Min Tang/Chinese Nationalist Party"		https://find.slv.vic.gov.au/discovery/fulldisplay?docid=alma9917856023607636&context=L&vid=61SLV_INST:SLV&lang=en&search_s

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			cope=slv_local&adaptor=Local%20Search%20Engine&tab=searchProfile&query=any,contains,H99.218%2F24&offset=0
Waipukurau Press	"The Garden of Eden: Situated in Central Asia"	13 April 1928	https://paperspast.natlib.govt.nz/newspapers/WPRESS19280413.2.62?end_date=31-12-1928&items_per_page=10&query=kuo-min-tang+Wellington&snippet=true&start_date=01-01-1928
Auckland Museum	'Kuomintang (Chinese Nationalist Party). Auckland Branch – Memorabilia, 1917-1952'		https://www.aucklandmuseum.com/collections-research/collections/record/am_library-manuscriptsandarchives-576?p=10&c=ecrm%3AE84_Information_Carrier&prdt=%5B1917%5D&dept=manuscripts%20and%20archives&ordinal=0
Museum of New Zealand Te Papa Tongarewa A.019754	'Man Standing in Thomson St, Suva, Fiji' A.019754		https://collections.tepapa.govt.nz/object/1062618#open-iiifViewer
Tahiti Heritage	'Koo Men Tong 1 Chinese School, Papeete'		https://www.tahitiheritage.pf/ecole-chinoise-koo-men-tong/
The China-Australia Heritage Corridor	'Chinese Masonic Hall, Sydney'		https://www.heritagecorridor.org.au/places/chinese-masonic-hall-sydney
State Heritage Inventory	'Former 'Culwulla Chambers' including interiors'		https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2423739
State Heritage Inventory	'Former Metropolitan "Usher's" Hotel Including Interiors'		https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2423738
State Heritage Inventory	'Balls Head Coal Loader Complex (including Platform Pier and Administrative and Workshop Buildings)'		https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5056208
State Heritage Inventory	'Former Masonic Temple'		https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2180897
Northern Star	'New Masonic Hospital at Ashfield, Sydney,'	20 June 1931	https://trove.nla.gov.au/newspaper/article/94246966?searchTerm=Masonic%20Hospital%20Ashfield
Find and Connect	'William Thompson Masonic School (1924-1974)'		https://www.findandconnect.gov.au/guide/nsw/NE00394

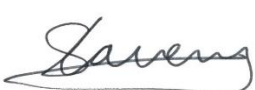
15. Signature of author*

To confirm you have approved the final content of the form, giving permission for the information to be used by Heritage NSW and the Heritage Council of NSW.

Name		Date	23/07/2024
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16. Signature of image copyright holder*

To confirm you have approved the final content of the form, giving permission for the images provided to be used by Heritage NSW and the Heritage Council of NSW.

Name		Date	23/07/2024
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J. Additional photographs and images

Caption*	Third floor with KMT collection
Date of photograph*	2024

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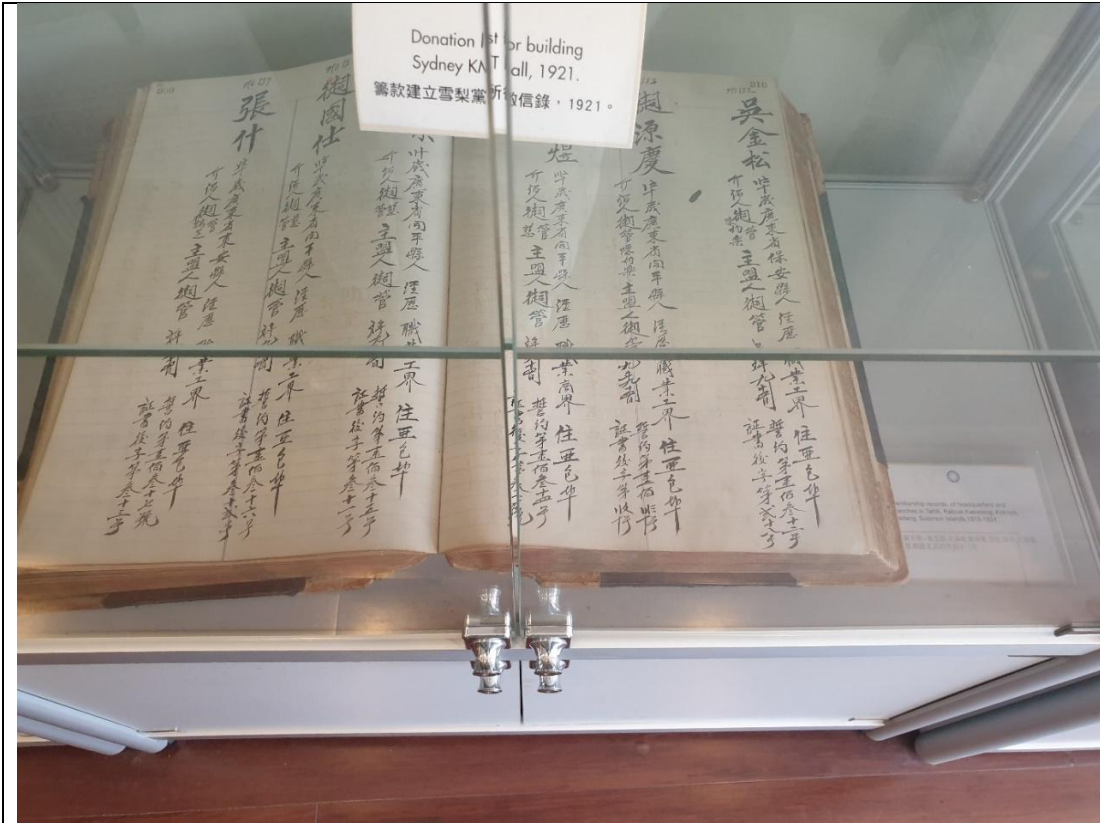
Name of photographer*	Sioned Lavery
Copyright holder, if known	Hector Abrahams



Caption*	Inside the KMT building
Date of photograph*	2024
Name of photographer*	Sioned Lavery
Copyright holder, if known	Hector Abrahams Architects



Caption*	Plaque at front of KMT building
Date of photograph*	2024
Name of photographer*	Sioned Lavery
Copyright holder, if known	Hector Abrahams Architects



Caption*	Donations list for building Sydney KMT Hall, 1921. On display at KMT building
Date of photograph*	2024
Name of photographer*	Dr Juanita Kwok
Copyright holder, if known	Dr Juanita Kwok

Caption*	
Date of photograph*	
Name of photographer*	
Copyright holder, if known	

Caption*	
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Date of photograph*	
Name of photographer*	
Copyright holder, if known	

Item 7.

Post Exhibition - Planning Proposal - Dwelling Retention - Sydney Local Environmental Plan 2012 Amendment

File No: X101840

Summary

The City of Sydney's long term housing target under Sustainable Sydney 2030-2050: Continuing the Vision is for 156,000 private dwellings in the City by 2036. In addition to the City's target, in May 2024 the NSW Government issued 5-year private dwelling completion targets to councils, requiring 18,900 dwellings be provided in the City between 1 July 2024 to 30 June 2029.

Development applications in the local area have resulted in the redevelopment of existing apartment buildings, particularly in the eastern suburbs, that have or will, result in a net loss of dwellings in those buildings. This occurs through consolidation of 2 or more apartments, or in some cases the conversion of an entire apartment building into a single dwelling. The resulting housing is larger and significantly more expensive to rent or buy than the existing dwellings. Ultimately, the loss of smaller, older and relatively low-cost housing stock from the local area presents a challenge for maintaining community diversity by pricing many people out of the local housing market.

The City has proposed changes to its planning controls to support housing diversity and affordability by discouraging the replacement of smaller apartments with fewer larger apartments when a site is redeveloped. This is critical to maintaining the City's housing supply, ensuring dwellings are increased and not reduced.

The City's Planning Proposal - Dwelling Retention (the planning proposal) proposes to amend Sydney Local Environmental Plan 2012 (the LEP) to introduce a maximum dwelling reduction rate of 15% in any redevelopment of multi-unit residential or mixed-use buildings. The 15% maximum dwelling reduction rate allows some flexibility for redevelopment, to ensure it can occur where it is appropriate or necessary.

On 7 December and 11 December 2023, the Central Sydney Planning Committee and Council respectively endorsed the planning proposal to be submitted to the Minister for Planning and Public Spaces with a request for gateway determination and to be placed on public exhibition.

A gateway determination was issued in April 2024 and the planning proposal was amended in accordance with its conditions before it was publicly exhibited from 11 July 2024 to 23 August 2024 (32 days). A total of 390 submissions have been received.

About 64% of submissions supported the proposal or supported the proposal with some changes being suggested to further reduce the loss of dwellings. These submissions generally offered support for the objective and intended outcomes of the proposal and consider it to be an appropriate response to the housing crisis.

About 23% of submissions opposed the proposal, predominantly citing concerns about the impacts on development viability, the lack of flexibility and the potential limitations it would place on redeveloping older buildings. They requested exemptions, particularly for seniors housing, and suggested increasing building height and floor space ratios to incentivise the retention of the same number of dwellings in any redevelopment.

The remaining submissions (13%) either did not express a position or supported a modified version of the proposal which enabled greater dwelling loss.

Following consideration of submissions, no amendment to the planning proposal, as publicly exhibited, is proposed.

It is recommended that Council approve the planning proposal, shown at Attachment B, to be sent to the Department of Planning, Housing and Infrastructure with a request to make the changes to the LEP.

Recommendation

It is resolved that:

- (A) Council note the issues raised during the public exhibition of Planning Proposal - Dwelling Retention as provided in the Summary of Submissions, shown at Attachment A to the subject report;
- (B) Council approve the Planning Proposal - Dwelling Retention, as amended following public exhibition, shown at Attachment B to the subject report, to be sent to the Department of Planning, Housing and Infrastructure 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 minor amendments to the Planning Proposal - Dwelling Retention to correct any minor errors prior to finalisation by the Department of Planning, Housing and Infrastructure.

Attachments

- | | |
|----------------------|--|
| Attachment A. | Summary of Submissions |
| Attachment B. | Planning Proposal - Dwelling Retention (post exhibition amendments in red) |
| Attachment C. | Resolutions of Council and the Central Sydney Planning Committee |
| Attachment D. | Gateway Determination - Dated 5 April 2024 |

Background

1. Sustainable Sydney 2030-2050: Continuing the Vision incorporates the housing target in the City of Sydney Local Housing Strategy: Housing for All that by 2036 there will be 156,000 private dwellings in the City of Sydney (the 'City'). In addition to the City's target, in May 2024 the NSW Government issued 5-year private dwelling completion targets to councils, requiring 18,900 dwellings be provided in the City between 1 July 2024 and 30 June 2029.
2. While the City generally expects to meet its housing targets, given its current development pipeline, the loss of dwellings resulting from redevelopment of existing apartment dwellings, particularly in suburbs such as Potts Point, Rushcutters Bay, and Elizabeth Bay, is making it more difficult to grow our housing supply and provide the diversity of housing needed for the community. Most of this dwelling loss is the result of demolition/redevelopment of existing apartment buildings with relatively affordable studios and one-bedroom apartments, which are being effectively consolidated to provide larger luxury apartments. There are also examples of small but entire apartment building being converted into a single dwelling.
3. The housing resulting from redevelopment is generally larger and more expensive to rent or buy. Ultimately, the net loss of smaller and relatively low-cost housing stock from the local area presents a challenge for maintaining community diversity by pricing many people out of the local housing market.
4. Since 2018, a loss of at least 91 dwellings from the City's housing supply has occurred because of this type of redevelopment, and there are a further 6 development applications currently under consideration (as at October 2024) that, if approved, could result in the further loss of 132 existing dwellings.
5. As this type of redevelopment is permitted under planning controls, it is difficult for the City to successfully refuse development applications on the grounds that it reduces the number of dwellings in our LGA.
6. On 7 December and 11 December 2023, the Central Sydney Planning Committee (CSPC) and Council respectively approved Planning Proposal - Dwelling Retention (the planning proposal) to be submitted to the Minister for Planning and Public Spaces with a request for gateway determination and to be placed on public exhibition. The Council and CSPC resolutions are provided at Attachment C.
7. The planning proposal seeks to amend Sydney Local Environmental Plan 2012 (the LEP) to:
 - (a) introduce a new development standard into the LEP, limiting the reduction of dwellings in any redevelopment of a residential or mixed-use building to 15% (rounded to the nearest whole number). For example, if a block of 22 units is redeveloped, the minimum number of units required in the new development is 19. The 15% maximum dwelling reduction rates allows some flexibility for redevelopment, to ensure it can occur where it is appropriate or necessary, while also acting to prevent significant loss of current dwelling numbers.
 - (b) include a 'savings provision' that exempts development applications (DAs) or concept DAs made but not finally determined, as well as DAs lodged after these amendments come into effect that relate to a concept DA approved before the commencement of these amendments.

- (c) include a subclause that exempts any residential floor space that is to be converted to a non-residential use. This is to provide flexibility for the ongoing provision of services and businesses, particularly in mixed-use and local centre zones, and to avoid those zones transforming into residential-only precincts over time.

The proposal has been updated to meet gateway conditions prior to public exhibition

8. The Department of Planning, Housing and Infrastructure (Department) issued a gateway determination for the planning proposal on 5 April 2024, provided at Attachment D. It determined the City will not be the local plan-making authority and set a timeframe for the LEP amendment to be completed by 28 March 2025.
9. The Department also required some changes to the planning proposal prior to it being publicly exhibited, specifically inclusion of:
 - (a) a provision for savings and transitional arrangements for applications lodged prior to the provision coming into effect
 - (b) further explanation of how the 15% rate of maximum dwelling reduction was identified rather than another rate and how it is the most appropriate standard to achieve the proposal objectives
 - (c) multiple worked examples to demonstrate its application in various scenarios and development types
 - (d) further explanation on how the proposed provision allows a mix of dwelling sizes for a range of households can be achieved, and
 - (e) discussion of how the proposed provision will apply to zones predominately characterised by employment or mixed-use.
10. The City amended the planning proposal in accordance with the gateway determination prior to public exhibition.

The City exhibited the planning proposal and received 390 submissions

11. The planning proposal was placed on public exhibition from 11 July 2024 to 23 August 2024. Over 30,500 letters were sent to property owners in Pyrmont, Ultimo, Potts Point, Woolloomooloo, Elizabeth Bay, Rushcutters Bay, Kings Cross and Darlinghurst. These areas were issued letters because they have the highest concentration of units closest to the city centre and/or currently experience the most dwelling loss.
12. Other public consultation included:
 - (a) the Sydney Your Say webpage with a copy of the planning proposal and other key information about the consultation
 - (b) inclusion in the Sydney Your Say e-newsletters in July and August 2024 which was sent to 6,650 subscribers

- (c) directly notifying 23 community groups and five key development industry stakeholders by email
 - (d) posting directly on the City's Instagram, LinkedIn and Facebook pages including a video promoting the consultation
 - (e) advertising on Instagram, LinkedIn and Facebook with a combined reach of 90,000 people, and
 - (f) advertising on 36 QMS community panels throughout the City.
13. The City has received a total of 390 submissions to the planning proposal, including:
- (a) 374 from individuals
 - (b) 7 from industry
 - (c) 4 from community groups
 - (d) 4 from building management bodies, and
 - (e) one from a government agency.
14. A detailed summary of submissions and responses to matters raised is provided at Attachment A. The numbers of submissions in support of, or in objection to the proposal are as follows:
- (a) 186 (48%) of submissions support the proposal without changes
 - (b) 61 (16%) of submissions support the proposal, but with greater restrictions
 - (c) 12 (3%) of submissions support the proposal, but with reduced restrictions
 - (d) 91 (23%) of submissions oppose the proposal, and
 - (e) 40 (10%) of submissions provided comment but did not have a clear position.
15. Following consideration of submissions, no change to the publicly exhibited planning proposal is recommended.
16. A detailed response to the key issues arising from the submissions is provided below.

Support for the planning proposal

17. Two hundred and forty seven (64%) submissions supported the proposal or supported the proposal with some numeric changes (such as reducing the 15%). These submissions generally offered support for the objective and intended outcomes of the proposal and consider it to be an appropriate response to the housing crisis.
18. Key reasons for support included how the proposal would benefit key workers, students, and long-term residents, while preserving the dynamic atmosphere of neighbourhoods, with Potts Point frequently mentioned. Many submissions also emphasised that the loss of housing diversity poses a threat to this balance. Retaining dwellings is seen as essential for maintaining affordability and diversity, which are distinctive features of the area. The proposed control is viewed as crucial for achieving the planning proposal's goals.
19. Support for the planning proposal was closely tied to concerns about the housing affordability crisis, with 42 submissions specifically referencing this issue. Housing was widely regarded as a fundamental right. Submissions emphasised that development reducing housing stock exacerbates the crisis and displaces long-term residents. Many viewed this as part of a broader debate on whether the city should serve only the wealthy or remain inclusive for all.
20. **Response:** The reasons provided in support of the planning proposal are noted. It is noted the objective in the detailed drafting appended to the planning proposal has been further refined to provide clarity that the clause is intended to ensure redevelopment does not lead to a significant reduction in dwelling numbers.

Opposition to the planning proposal

21. Thirty-one individuals, 3 industry and one submission from a community group raised concerns the proposal would have a negative impact on development feasibility.
22. **Response:** The planning proposal supports housing diversity and affordability by discouraging the replacement of smaller apartments with fewer large apartments. Limiting the loss of smaller, lower cost apartments, in favour of larger, higher value apartments, may have some impact on the relative profit that can be achieved in any redevelopment. Notwithstanding the above, it does not mean that redevelopment is unfeasible.
23. The planning proposal provides adequate flexibility to allow for redevelopment. While opportunities and constraints differ across sites, redevelopment will be most attractive where there is potential for unrealised capacity in existing planning controls to be used to provide larger apartments. Where buildings are already close to or exceed existing built form controls, further intensification of built form on the site is limited in general, but this is not due to this planning proposal.
24. Thirty-three submissions from individuals and 2 submissions from industry groups raised concerns the proposal requires the retention of apartments that no longer meet contemporary design requirements.

25. **Response:** The proposal does not require the retention of existing apartments, only that the new development does not significantly reduce the number of apartments. A new development under the proposed controls will be expected to meet current amenity standards.
26. The same submissions raised similar concerns that the proposal requires the retention of apartments that require significant investment in upkeep or repairs, which is an unfair financial burden on current owners and strata corporations who should be free to redevelop their buildings.
27. **Response:** The planning proposal does not require the retention of existing apartments. It provides flexibility to ensure owners can refurbish, maintain or redevelop their properties. The intention and effect of the planning proposal is only to ensure that this does not lead to a significant reduction in dwelling numbers.
28. Twenty-nine individual, 3 industry and one submission from a building management body raised concerns the proposal limit the future supply apartments for families, seniors and group households.
29. **Response:** The planning proposal provides adequate flexibility to ensure that any redevelopment can provide some larger apartments as part of its overall dwelling size mix. Sydney Development Control Plan 2012 (DCP) requires 10% of apartments to have 3 or more bedrooms and soon to be exhibited controls proposed increasing this 20%. Testing of the proposed controls demonstrated that the current and draft dwelling mix controls can be achieved.
30. Seventeen submissions from individuals and one from industry raised concerns the proposal will unduly interfere with the market, going against consumer demand.
31. **Response:** The proposal addresses a negative effect of the market, being the loss of dwellings and loss of smaller more affordable dwellings, which contribute to housing diversity. New larger dwellings favoured by the market can still be developed under the proposed controls.
32. Five individual and one submission from a building management body raised concerns the proposal would have a negative impact on innovation and design flexibility.
33. **Response:** The planning proposal does not restrict innovation and design flexibility.

Requested changes to the planning proposal

34. Around 58 submissions from individuals and one from a community group called for amendments to the planning proposal, seeking stricter limits on housing loss, including reducing the maximum 15% loss standard, while others recommended stricter limits in specific zones or geographic areas.
35. **Response:** Lower rates of dwelling loss are not supported. The tipping point analysis undertaken in the planning proposal demonstrates that the proposed maximum 15% reduction rate best balances the need to ensure that buildings are not completely prevented from redevelopment with the intention to protect the stock of smaller dwellings. This ensures any redevelopment will be able to meet contemporary design standards, such as those set out in the NSW Government's Apartment Design Guide, and also achieve minimum requirements for larger apartments as proposed in the draft Sydney DCP amendment.

36. Eight submissions from individuals, one each from a community group and a building management body, called for the removal of the draft savings and transitional provisions from the proposal.
37. **Response:** The removal of the transitional provisions is not possible as it would be in contradiction of the gateway determination by the Department that specifically requested that the City update the planning proposal prior to exhibition to include provisions for savings and transitional arrangements for applications lodged before the new provisions come into effect. The City does have the power to make the LEP amendment as it must go back to the Department.
38. A submission from Pymont Action opposes the proposal's allowance for the conversion of residential buildings to non-residential buildings, with reference to a specific site affected by the Pymont Peninsula Strategy.
39. **Response:** The conversion of the residential building to a non-residential building can already occur under the mixed-use zoning of the site. The planning proposal only excludes the proposed requirement to limit the loss of residential dwellings when the building is redeveloped for residential dwellings.
40. Some submissions called for a relaxation of the draft control, particularly from those opposing the planning proposal. Twenty-two submissions from individuals requested changes to permit additional housing loss, with some advocating for the provision to address 'net-bedroom loss' rather than 'net-dwelling loss.' submissions from individuals, one submission from a community group and one submission from an industry group sought exemptions for older buildings, smaller developments, buildings that do not meet modern design standards, or those with lower than average apartment sizes.
41. **Response:** The proposed maximum 15% rate of dwelling loss is considered the most balanced solution. It meets the objectives and intended outcomes of the planning proposal while allowing for sufficient development flexibility and the ability to meet other controls for a mix of dwelling types. A detailed justification is provided within the planning proposal.

Renewal challenges for older apartment buildings

42. Submissions were received from and on behalf of residents in existing residential flat buildings on the impacts of the proposal on owners considering a collective sale of their building to a developer. Those opposed to the planning proposal, highlighted the financial impact that it may have due to reduced developer interest in their buildings. Those supporting the planning proposal prefer not to collectively sell their buildings and would like owners to prioritise maintenance and upkeep instead of seeking or being forced into collective sales.
43. **Response:** The planning proposal aims to protect against the significant loss of dwellings and help maintain a diversity of dwellings. It still enables buildings to be redeveloped. The sharing of value between owners and developers when buildings are redeveloped is a matter for those parties.

44. Eight submissions were received from individuals, one from industry and one from a building management body requesting an exemption for seniors housing development. A senior housing operator is currently considering the option of purchasing and redeveloping a residential flat building at 51-59 Roslyn Gardens, Elizabeth Bay (the Tor Building), for seniors housing. They argue that retirement living, aged care, and over-55s housing require more space for mobility, carers and communal areas. The submissions propose an amendment to exempt seniors housing developments would require that the building is owned and controlled by one entity and operated by a single managing agent, ensuring these exemptions cannot be used for private market dwellings.
45. **Response:** The planning proposal does not prevent the redevelopment of residential flat buildings or shop-top housing for seniors housing, as long as the loss of dwellings does not exceed 15%. Introducing an exemption for seniors housing would be inconsistent with the objectives of this proposal, as it could lead to significant dwelling loss through redevelopment for residential purposes. While there are acknowledged strategic and social benefits in providing certain forms of seniors housing, these can still be achieved should the planning proposal be implemented. The proposal's aim is to maintain housing diversity and availability, and exempting seniors housing would undermine that objective.
46. A specific concern was raised that Council might consider heritage listing of the Tor Building and that this may further impact on its redevelopment potential.
47. **Response:** The City is currently undertaking a heritage assessment of post war residential flat buildings in the Potts Point area. The City has met with owners of the Tor Building about the assessment. A planning proposal for any future heritage listings is planned to be reported to Council in the near future. Owners will be notified if the building is proposed to be listed and will have further opportunity to provide feedback.

Requests for other measures to make housing more affordable

48. Submissions requested changes to planning controls in the City's planning framework as well as other measures at a local, state and federal government level to respond to the ongoing housing crisis. This includes 44 submissions from individuals, five submissions from industry groups and one from a building management body specifically requesting increased density within the City's planning controls.
49. **Response:** These submissions are noted but are outside the scope of this planning proposal. The City has a number of current and recently completed planning proposals to boost housing supply. This includes adding incentives for build-to-rent housing in Central Sydney, adjustments to floor space and height limits to encourage affordable housing in the Botany Road Corridor and North Alexandria and capacity for another 4,000 homes under the Pyrmont Peninsula Review. In addition, the City makes significant contributions to the delivery of affordable housing for lower income earners in the local area. This includes using its planning levers to levy contributions and provide incentives, selling land to community housing providers below cost, and providing grants to increase the amount of affordable housing in the City. The response to submissions table provides more information on the City's response to housing issues.

Consistency with gateway determination

50. Two industry submissions raised concerns that the planning proposal is inconsistent with the gateway determination issued by the Department. They say the planning proposal lacks a clear evidence base, includes insufficient justification for the 15% standard and fails to explore alternative options. Additionally, the submissions argued the proposal is misaligned with Council's draft 20% minimum requirement for 3-bedroom units and did not account for scenarios with already low average apartment sizes or provide detailed worked examples.
51. **Response:** The changes made to the planning proposal prior to public exhibition thoroughly address the requirements of the gateway determination. The changes include:
- (a) A comprehensive explanation of how the 15% maximum dwelling reduction rate was recommended. This included further detailed analysis on alternative maximum dwelling reduction rates to test the sensitivity of the proposed dwelling standard. The analysis showed future redevelopment of buildings could still be achieved while maintaining compliance with current minimum dwelling size requirements, as well as draft Sydney DCP requirements to provide 3-bedroom apartments in any new development. The testing included 5%, 10% and 15% options. It found:
 - (i) the 5% and 10% maximum dwelling reduction rate was demonstrated as too low as it was unable to achieve the required dwelling mix while ensuring that 20% of the units were 3-bedroom apartments; and
 - (ii) the 15% maximum dwelling reduction rate successfully balanced both objectives, aligning with dwelling size and mix requirements while minimising the loss of apartments.
 - (b) Dwelling reduction rates beyond 15% would meet dwelling size and mix requirements, but it is considered that they would result in an increasingly unacceptable negative housing supply, undermining the proposal's intended outcomes.
52. Multiple worked examples to illustrate how the maximum dwelling reduction rate applies across various development scenarios, including buildings with mixed residential and non-residential uses are included in the planning proposal.

Consistency with the Housing SEPP

53. Two industry submissions are concerned about the planning proposal's alignment with the Housing SEPP. They argue that the proposal does not adequately consider its interface with provisions in the Housing SEPP for the retention of existing affordable rental housing. Additionally, the proposal's limited reference to the Housing SEPP and its inflexibility are seen as inconsistent with the Housing SEPP aims to promote housing diversity and prevent the loss of affordable housing.

54. **Response:** There are very limited instances where both the retention of existing affordable rental housing provisions in the Housing SEPP and the dwelling retention controls would apply, specifically on buildings held in single title that are not strata or company title. In such cases, there is no conflict as the Housing SEPP focuses on retaining affordable rental housing, while the planning proposal addresses overall housing supply, irrespective of affordability. The gateway determination confirms the planning proposal's consistency with the Housing SEPP, as demonstrated in the determination report prepared by the Department.
55. The submissions were also concerned that the dwelling retention control could reduce opportunities for using the in-fill affordable housing provisions in the Housing SEPP, which allows up to 30% additional floor space and height if 10% to 15% of apartments are used for affordable housing for 15 years. The submissions suggest development be exempt from the proposed dwelling retention requirements should the Housing SEPP's infill provisions be applied to the development.
56. **Response:** The planning proposal does not impede the use of the in-fill affordable housing provision in the SEPP. Rather, this provision can assist developers in maintaining existing dwelling numbers while offering more flexibility in redevelopment.

Concerns about the engagement process

57. Nineteen submissions from individuals and 2 submissions from industry groups raised concerns about the engagement process, stating there has not been enough industry engagement. One submission from an individual raised that developers' employees were lodging submissions without disclosing their interests and that a pro-forma in support of the proposal was also being circulated. It was implied that these strategies would interfere with the transparency of the engagement process.
58. **Response:** The planning proposal was exhibited in line with the gateway determination requirements. It was accessible on the City of Sydney website, in accordance with the City's Community Engagement Strategy and Participation Plan 2023. The opportunity to make submissions was open to all. The City has reviewed all submissions and addressed the relevant issues.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

59. 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. This planning policy is aligned with the following strategic directions and objectives:
- (a) Direction 1 - Responsible governance and stewardship - this planning proposal will ensure the City of Sydney's planning framework reflects current policies and strategies and delivers on balancing the needs of a global city.
 - (b) Direction 5 - A city for walking, cycling and public transport - this planning proposal will protect existing housing in the City that is well connected and encouraged the use of public transport and walking and cycling.
 - (c) Direction 6 - An equitable and inclusive city - this planning proposal maintains the diversity of housing available in the City of Sydney, ensuring a range of different housing types that to meet the needs of a diverse community.

- (d) Direction 7 - Resilient and diverse communities - this planning proposal includes provisions to support and strengthen our community and maintain its diversity.
- (e) Direction 9 - A transformed and innovative economy - this planning proposal supports Central Sydney as a global business centre by supporting the retention of housing for a diverse workforce close to the city centre.
- (f) Direction 10 - Housing for all - this planning proposal directly responds to the current housing crisis. It ensures that housing supply is not being reduced by redevelopment and maintains the limited availability of smaller, relatively low cost, dwellings to meet the needs of a diverse community and workforce.

Relevant Legislation

- 60. Environmental Planning and Assessment Act 1979.
- 61. Environmental Planning and Assessment Regulation 2021.

Critical Dates / Time Frames

- 62. The gateway determination requires the planning proposal be made by 28 March 2025.
- 63. The amendment to the Sydney Local Environmental Plan 2012 will come into effect when published on the NSW Legislation website.

GRAHAM JAHN AM

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Gibran Khouri, Specialist Planner

Kristina Argiropoulos, Cadet Planner

Attachment A

Summary of Submissions

Introduction

This submissions table provides a summary of the 390 submissions received during the public exhibition period of Planning Proposal – Sydney Local Environmental Plan 2012 – Dwelling Retention.

Submissions were received from a range of stakeholders including residents, community groups, industry peak bodies, planning consultants representing landowners, strata schemes and a state agency. Over 66% of submissions stated overall support for the planning proposal. The community groups, industry, government agencies and owners' corporations or company title who made submissions are listed below.

Individuals (374)	
Community groups (4)	
Pymont Action (2 submissions)	Glebe Society
2011 Residents' Association	Potts Point Preservation Group
Industry (7)	
National Trust of Australia	Planning & Co
Australia Institute of Architects	Thirdi Group
Renato D'Ettore Architects	Time & Place
Keyton	
Government agencies (1)	
Sydney Water	
Building management bodies (4)	
Strata Plan No 31174, 137-147 Forbes Street, Woolloomooloo	Strata Plan No 2130, 51-59 Roslyn Gardens, Elizabeth Bay
Chair of the Board of Directors, The Gateway Pty Limited, 3 Wylde Street, Potts Point	Board of Directors, 17 Wylde Street, Potts Point

Submission Position	Number	Proportion (%)
Support – no changes	186	48
Support – with greater restrictions	61	16
Support – with less restrictions	12	3
Oppose	91	23
Comment (do not support or oppose)	40	10
Total	390	100

Summary of submission	Response
Support and opposition to planning proposal	
1) Reasons for support	
a) Support for 15% control <i>Submissions from 5 individuals</i> A balanced, logical, principled and fair response to addressing the community's housing issues. b) Support for objective and intended outcomes <i>Submissions from 116 individuals</i> The proposal supports key workers, students and long-term locals, and the dynamic atmosphere of neighborhoods with Potts Point area frequently mentioned. Loss of housing diversity is seen as a threat to this balance. <i>Submissions from 2 community groups</i> Supported by Pymont Action. Potts Point Preservation Group notes that retaining dwellings is crucial for maintaining affordability and diversity, which are unique features of the area. <i>Submission from an industry group</i> Australian Institute of Architects outlines how the proposed control will help achieve the planning proposal's goals. It ensures that development aligns with infrastructure, improves access to essential services for lower-income residents, and supports living near workplaces, which reduces car use and promotes healthier lifestyles. Additionally, it stabilises housing supply and costs, fosters community stability, and supports the local economy by sustaining demand for retail and services. <i>Submission from a building management body</i> Supported by board of directors for 17 Wylde Street. c) Supported as a response to housing crisis <i>Submissions from 42 individuals</i> Housing is regarded as a fundamental right for everyone, especially vulnerable populations. Development reducing housing stock further contributes to the crisis and displaces long-term residents. This issue is part of a larger discussion about whether the city should cater solely to the wealthy or strive to remain inclusive for all.	a) Response Support for the proposal is noted. b) Response Support for the proposal is noted. c) Response Support for the proposal is noted.

Summary of submission	Response
<i>Submission from 2 community groups</i> Pymont Action and Potts Point Preservation groups highlight the ongoing housing crisis in Australia. <i>Submission from a building management body</i> The board of directors at 17 Wylde Street Potts Point support the proposal as it would protect housing stock during a housing crisis. d) Loss of housing impacting local economy <i>Submissions from 7 individuals</i> Loss of dwellings is harming the local economy in Potts Point area with decreased foot traffic, lower business patronage. Demographic change with fewer, wealthier residents is diminishing demand for services and public transport. <i>Submission from a building management body</i> The board of directors at 17 Wylde Street Potts Point are concerned about the impact of recent development on vibrancy, social and cultural characteristics of the area. e) Embodied carbon impacts of redevelopment <i>Submissions from 3 individuals</i> Replacing buildings long before their end of life has an embodied carbon impact. <i>Submission from an industry group</i> National Trust notes that in many instances, the 'greenest' building is the one that already exists. f) Encourages investment in maintenance <i>Submission from an individual</i> The proposal encourages owners to invest in maintenance and upgrades in favour of selling to developers in future. g) Reduced heritage impacts <i>Submission from an individual</i> The proposal could preserve the unique and diverse heritage architecture of an area.	d) Response Support for the proposal is noted. e) Response Support for the proposal is noted. f) Response Support for the proposal is noted. g) Response Support for the proposal is noted.
2) Reasons for opposition	
a) General opposition <i>Submissions from 11 individuals</i> The planning proposal is overly restrictive, reactive and flawed. Development complying	a) Response The planning proposal protects against the loss of dwelling numbers and allows redevelopment to occur. It ensures that existing supply is not

Summary of submission	Response
with the control will still produce unaffordable housing, won't achieve its intended outcome for the retention of dwellings and won't increase housing supply. b) Impact on development feasibility <i>Submissions from 35 individuals</i> The planning proposal, in limiting the number of larger apartments that can be provided, will decrease development feasibility. This is owing to the high demand for larger apartments, particularly in and around Potts Point, that underpins strong feasibility. The control will cause a stagnation in development in the City of Sydney (the City), with investment shifting elsewhere. <i>Submission from a community group</i> Pymont Action express similar concerns about feasibility impacts and the flow-on effects. <i>Submissions from 3 industry groups</i> Thirdi Group, Keyton and Planning & Co also have similar concerns. Planning & Co adds feasibility is restricted further where existing buildings already exceed the floor space ratio (FSR) and height of building (HOB) controls. c) Opposed to retaining buildings with superseded design standards or where investment in repairs is required <i>Submissions from 33 individuals</i> These submissions relate to two separate issues: • buildings in deteriorating condition – e.g. waterproofing issues, requiring window replacement, asbestos removal. • buildings built to superseded design standards – e.g. no balconies, low ceiling height and size less than 35sqm. They are opposed to the controls because it will mean these types of buildings won't be redeveloped. These buildings are considered inconsistent with modern building requirements, have lower amenity, can be unsafe, may have limited accessibility, and poor environmental standards. This results in poor amenity for residents and exposure to health and safety	lost in favour of larger and more expensive housing. Action: None required. b) Response The planning proposal supports housing diversity and affordability by discouraging the replacement of smaller apartments with fewer large apartments. Limiting the loss of smaller, lower cost apartments, in favour of larger, higher value apartments, may have some impact on the relative profit that can be achieved in any redevelopment. Notwithstanding the above, it does not mean that redevelopment is unfeasible. The planning proposal provides adequate flexibility to allow for redevelopment. While opportunities and constraints differ across sites, redevelopment will be most attractive where there is potential for unrealised capacity in existing planning controls to be used to provide larger apartments. Where buildings are already close to or exceed existing built form controls, further intensification of the site is limited in general, but this is not due to this planning proposal. Action: None required. c) Response The proposal does not require the retention of existing apartments, only that the new development does not significantly reduce the number of apartments. A new development under the proposed controls will be expected to meet current amenity standards. It provides flexibility to ensure owners can refurbish, maintain or redevelop their properties. The intention and effect of the planning proposal is only to ensure that this does not lead to a significant reduction in dwelling numbers. Action: None required.

Summary of submission	Response
risks where a building is in deteriorating condition. Owners may not be able to fund repairs, leading to further deterioration and reducing property values further, with re-sales becoming difficult. This situation is seen as contrary to objective (h) of the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act) "to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants." <i>Submissions from 3 industry groups</i> Thirdi Group and Time & Place raise the same concerns. Planning & Co claim the planning proposal fails to consider these circumstances, and that poorer amenity may make these older dwellings relatively more affordable, but that affordable housing should not be 'worse housing'. d) Impact on larger apartments for families, seniors and group households <i>Submissions from 29 individuals</i> The proposal will limit new supply of larger apartments and does not account for the growing demand for larger apartments in Potts Point. This negatively impacts families including intergenerational households, empty nesters seeking to downsize and group households, potentially displacing long-term residents. The impact on population hasn't been explored. Larger apartments often enable rent-sharing, making housing more affordable than sole occupancy units. <i>Submissions from a building management body</i> The owner's corporation at 137-147 Forbes Street, Woolloomooloo share these concerns. <i>Submissions from 3 industry groups</i> Planning & Co share these concerns. Time & Place specifically refer to a significant undersupply of larger apartments in the Potts Point area, with data from the Australian Bureau of Statistics to support this claim. They cite, lower than average numbers of 3- and 4-bedroom apartments compared to the rest of the state, largely due to the high-density nature of the area.	d) Response The planning proposal provides adequate flexibility to ensure that any redevelopment can provide some larger apartments as part of its overall dwelling size mix. Sydney Development Control Plan 2012 (DCP) requires 10 per cent of apartments to have 3 or more bedrooms and soon to be exhibited controls proposed increasing this 20 per cent. Testing of the proposed controls demonstrated that the current and draft dwelling mix controls can be achieved. Action: None required.

Summary of submission	Response
Keyton state that the proposal will negatively impact the delivery and ability to address the current shortage of seniors housing in the City, particularly to their larger space requirements. e) Opposed to market intervention by government <i>Submissions from 17 individuals</i> The proposal unnecessarily interferes in the housing market removing flexibility to respond to market demand and undermines property owners' rights. Fewer rules are believed to enhance housing supply and stimulate economic growth, allowing the market to dictate development needs. <i>Submission from an industry group</i> Time & Place refers to this proposed change as a very direct market intervention that could have serious, unintended consequences. f) Negative impact on innovation and design flexibility <i>Submissions from 5 individuals</i> Proposal limits developers' ability to have flexibility and innovation in redeveloping residential buildings. <i>Submission from a building management body</i> Submission from the owner's corporation for 137-147 Forbes Street, Woolloomooloo share these concerns. g) Reduced developer contributions for council <i>Submissions from 3 individuals</i> The proposed control would reduce opportunities for redevelopment, reducing the amount of 7.11 developer contributions that the Council receives. <i>Submission from an industry group</i> Thirdi shares these concerns. h) Proposal does not prevent displacement <i>Submission from an individual</i> Even if housing is retained through development because of this control, there will still be a displacement of existing residents and some loss of housing.	e) Response The proposal addresses the effect of the market, being the loss of dwellings and loss of smaller more affordable dwellings, which contribute to housing diversity. New larger dwellings favoured by the market can still be developed under the proposed controls. Action: None required. f) Response The planning proposal ensures a balance between innovation and the need to retain housing stock, without unduly restricting creative design solutions. Action: None required. g) Response The concern the planning proposal would limit the City's receipt of developer contributions is noted, however, minimising the loss of housing supply through the redevelopment of existing dwellings the City's primary concern. Action: None required. h) Response This planning proposal effectively reduces the loss of housing supply. However, it is acknowledged it cannot prevent evictions or displacement during redevelopment or for other reasons. Action: None required

Summary of submission	Response
i) Loss of housing minimal compared as a percentage of overall housing stock <i>Submission from an individual</i> The reduction of units by 15% is prohibitive and may only address current short-term problems. The loss of only 65 dwellings since 2018 and proposed reduction of 143 dwellings is minimal and does not justify the proposed restrictions.	i) Response The City has been tasked by the NSW Government to grow supply and meet a local housing target of 18,900 dwellings over the next 5 years. While the reduction in numbers may seem small, any loss in supply is to the detriment of housing supply for the community. Moreover, as a percentage of overall housing stock, their impact is amplified by their concentration in relatively affordable apartments in the Potts Point area. Action: None required.
j) New housing and infrastructure elsewhere <i>Submissions from 2 individuals</i> New metro lines and housing uplift close to these stations means more people will have quick access to the Sydney CBD. This reduces the urgency of retaining dwellings in the City. The planning proposal does not consider this.	j) Response Even with the changes described, it does not diminish the importance of this planning proposal in supporting housing supply in the City. Action: None required.
k) Benefits of gentrification <i>Submissions from 2 individuals</i> Gentrification could deliver positive change by revitalising the area with new developments creating a safer, family friendlier area. Retaining more affordable housing in the Kings Cross/Potts Point area exacerbates issues like drugs, crime and homelessness.	k) Response There is no evidence that retaining housing in the Potts Point area will worsen crime, drugs, or homelessness. Dwelling retention is crucial for diversity, relative affordability, and proximity of workers to lower-paid jobs. Action: None required.
l) Need to balance housing affordability goals with supporting new development <i>Submission from an industry group</i> Thirdi Group do not support restricting development to maintain housing affordability. Development plays a crucial role in economic growth, employment and livability.	l) Response It is agreed development plays a crucial role in economic growth, employment and livability. The stated objective of the planning proposal is to minimise the loss of housing diversity and supply through the redevelopment of existing dwellings. Supporting housing affordability is stated objective of the planning proposal, given the current housing crisis. The planning proposal provides adequate flexibility to facilitate development and does not restrict development from occurring. There are other developments that can occur on these sites, including redevelopment that does not reduce housing and/or refurbishments. Action: None required.

Summary of submission	Response
m) Interface with Housing SEPP <i>Submissions from 2 industry groups</i> Planning & Co raises concern that the planning proposal does not adequately consider its interface with <i>State Environmental Planning Policy (Housing) 2021</i> (Housing SEPP) Chapter 2, Part 3. The SEPP already imposes conditions to reduce the loss of affordable housing, and not just the retention of existing dwellings, which are not affordable dwellings. Further, the SEPP part allows a consent authority to impose an affordable housing condition requiring a monetary contribution on development that reduces affordable housing. Victorian developer Time & Place goes further to state that the planning proposal is inconsistent with the Housing SEPP for the following reasons: • The planning proposal makes limited reference to the Housing SEPP and the Department's Gateway Determination Report flags the general issue of older buildings not being able to be consistent with the amenity provisions in the Housing SEPP. • The inflexible nature of the proposed control in the planning proposal is inconsistent with the affordable housing provisions and overall aims in the Housing SEPP to promote diversity and mitigate the loss of affordable housing. • A flow-on impact of less development due to the proposed dwelling control is that there will be fewer opportunities for the recently introduced in-fill affordable housing provision under the Housing SEPP. This provision in the Housing SEPP allows for 30% additional FSR if 15% of apartments are provided as affordable housing for 15 years. It requests that the Department should exempt the application of the dwelling retention control where the in-fill affordable housing provision of the Housing SEPP is applied.	m) Response With regards to the interface with the retention of existing affordable rental housing provisions in the Housing SEPP, there are very limited instances where both the SEPP and the dwelling retention controls would apply, specifically on buildings held in single title that are not strata or company sub-divided. In such cases, there is no conflict as the Housing SEPP focuses on retaining affordable rental housing, while the planning proposal addresses overall housing supply, irrespective of affordability. The gateway determination confirms the planning proposal's consistency with the Housing SEPP, as demonstrated in the determination report prepared by the Department. The Gateway Determination is satisfied by the Planning Proposal's consideration of Housing SEPP 2021, and the accompanying determination report clearly demonstrates this to be the case. The Department's Gateway Determination Report states that "<i>the planning proposal is consistent with the SEPP as it considers the need to provide apartments with good amenity for future residents that meet the Apartment Design Guide.</i>" The planning proposal supports the objectives of the Housing SEPP "enabling the development of diverse housing types" and "mitigating the loss of existing affordable rental housing." This is also addressed in the Justification section (pp.15) of the Planning Proposal. Concerns about the impact on development feasibility as a result of this planning proposal was addressed in Section 2(b). In addition, where redevelopment of a residential flat building is proposed, a proponent can utilise the in-fill affordable housing provision under the Housing SEPP which enables additional FSR and height where 10%-15% of the development is provided as affordable housing for 15 years. The planning proposal does not impede the use of the infill affordable housing provision in the Housing SEPP. The use of this provision can help to provide a developer with additional FSR in any redevelopment and assist in maintaining the number of existing dwellings. Action: None required.

Summary of submission	Response
n) Inconsistent with the conditions of the Gateway Determination due to lack of justification <i>Submissions from 2 industry groups</i> Planning & Co is concerned that the tipping point analysis in the planning proposal is based on a small sample and does not sufficiently justify the 15% standard or its potential impacts. It does not demonstrate that a diverse mix of dwelling sizes can be achieved and the Gateway determination, by requesting more analysis, validates these concerns. Time & Place states that the proposal is inconsistent with the conditions of the gateway determination for the following reasons: • no clear evidence base and analysis explaining how the proposed control was chosen • does not explore options or alternatives that could have been applied to balance a wide range of views • misaligned with Council's draft 20% minimum requirement for 3 bedroom units • does not analyse scenarios where average apartment size in existing building is already very low • absence of detailed 'worked examples' and the implications of these.	n) Response The changes made to the planning proposal prior to public exhibition thoroughly address the requirements of the gateway determination specifically: • A comprehensive explanation of how the 15% maximum dwelling reduction rate was determined (Gateway requirement 1(a)(i)). This included further detailed tipping point analysis that explores a range of alternative maximum dwelling reduction rates to test the sensitivity of the proposed dwelling standard. The aim of the tipping point analysis is to ensure future redevelopment of buildings could still be achieved while maintaining compliance with current minimum dwelling size requirements, as well as draft Sydney DCP requirements to provide 3-bedroom apartments in any new development. The testing included 5%, 10% and 15% options. It found the 5% and 10% maximum dwelling reduction rate was demonstrated as too low as it was unable to achieve the required dwelling mix while ensuring that 20% of the units were 3-bedroom apartments; and the 15% maximum dwelling reduction rate successfully balanced both objectives, aligning with dwelling size and mix requirements while minimising the loss of apartments. Dwelling reduction rates beyond 15% would meet dwelling size and mix requirements, but it is considered that they would result in an increasingly unacceptable reduction on housing supply, undermining the proposal's intended outcomes. This explanation is provided on pages 7-8 of the planning proposal. • Discussion regarding how the proposal ensures a diverse mix of dwelling sizes for various household types and its application to employment and mixed-use zones (Gateway requirement 1(a)(ii) and (iii)) is provided on pages 7, 9 and 10 of the planning proposal. The planning proposal also addressed the requirement (1)(b) and (1)(c) of the Gateway determination to update Section 9.1 Ministerial Direction 4.2 – Coastal Management and to include a transitional provision, respectively. Action: None required.

Summary of submission	Response
o) Inconsistent with objects of the Environmental Planning and Assessment Act 1979 <i>Submission from an industry group</i> Planning & Co argues that the proposal is inconsistent with the objects of the EP&A Act, specifically: • To promote the orderly and economic use and development of land (at s 1.3(c)) as it restricts development of uses that are legally permitted within a zone such as single dwellings. • To promote the delivery and maintenance of affordable housing (at s 1.3(d)) as it may prevent the replacement of aging, low-amenity housing with affordable rental options if the redevelopment reduces existing dwelling numbers by more than 15%. • To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants (at s 1.3(h)) as the proposal restricts the redevelopment of a site to meet modern building standards.	o) Response The planning proposal balances opportunity to redevelop while preserving existing housing. It aligns with the Act by integrating environmental and economic considerations, supporting orderly land use while allowing redevelopment that respects the objectives of land use zones. The planning proposal does not restrict dwelling houses, which remains a use permitted with consent and it also does not prevent the combining of two dwellings into one. It also does not prevent broader redevelopment from occurring, where there is a reduction in dwellings provided that no more than 15% of dwellings are lost. The planning proposal does not restrict the provision of affordable housing and development may still use the infill affordable housing provisions in the Housing SEPP. The proposal does not restrict the redevelopment of a site. Action: None required.
Requested changes to planning proposal	
3) Requested changes to further restrict loss of dwellings	
a) Reduction in the allowable percentage loss <i>Submissions from 57 individuals</i> 57 submissions request stricter limits on dwelling loss. Specifically: • 22 request no loss of dwellings; • 6 request an unspecified lower percentage; • 5 suggest a maximum loss of 10%; • 5 request an increase in dwellings; • 1 requests a 5% maximum; and • 1 requests no loss, but allows up to 10% on a case-by-case basis. The remaining submissions request an alternative stronger approach. This includes having no reduction in certain zones or for buildings with larger units. One submission argues that because there is additional FSR available from the Housing SEPP in-fill affordable housing incentives means there should be no reason to justify any dwelling loss.	a) Response: The City notes the requests to introduce stricter limits for dwelling loss. As explained in the planning proposal, the proposed 15% reduction rate is based on finding a reduction rate that best balances the need to ensure that buildings are not completely prevented from redevelopment with the intention to protect the stock of smaller dwellings.. Further restrictions on dwelling loss is not supported, as redevelopment must meet current amenity and spatial requirements, including larger apartments and modern layouts. The 15% maximum dwelling reduction rate is preferred over lower percentages, such as 5% or 10%, because these lower rates were found to be too restrictive. They would not allow for the necessary dwelling mix, particularly the proposed minimum 20% provision of 3-bedroom units. The 15% rate strikes the right balance, enabling redevelopment to occur while

Summary of submission	Response
<i>Submission from a community group</i> Pymont Action requests no loss at all, even the merging of two apartments into one. b) Apply control to non-residential uses <i>Submission from an individual</i> The conversion of residential buildings to office should be banned. <i>Submission from a community group</i> Pymont Action oppose conversion of residential buildings to non-residential buildings as it reduces the supply of housing and undermines the objectives of this planning proposal. They request amendments to prevent any dwelling loss when residential is converted to non-residential. c) Opposed to Council not being nominated as plan-making authority <i>Submissions from 7 individuals</i> Local council is better suited to handle local housing issues. Council has the planning expertise and a stronger understanding of community concerns. <i>Submission from a community group</i> Potts Point Preservation Group share this view. <i>Submissions from 2 building management bodies</i> The board of directors at 17 Wylde Street and 3 Wylde Street, Potts Point share this view. d) Remove savings and traditional provisions <i>Submissions from 8 individuals</i> The savings provisions may encourage developers to fast-track proposals before the new rules take effect. There has been a surge in applications to demolish older buildings to bypass the proposal. To prevent this, the proposal should apply to already lodged development applications (DAs). <i>Submission from a community group</i> Potts Point Preservation Group share this view. <i>Submission from a building management body</i>	maintaining housing diversity and ensuring compliance with current standards. Action: None required. b) Response The conversion of the residential building to a non-residential building can already occur under the mixed-use zoning of the site. The planning proposal only excludes the proposed requirement to limit the loss of dwellings when the building is redeveloped for residential purposes. Reference was made in the submission to a specific matter that relates to the Pymont Peninsula Strategy. This will be on public exhibition from 1 October 2024 to 13 November 2024 providing opportunity to comment. This matter is not relevant to this planning proposal. Action: None required c) Response These concerns are noted, however the Act empowers the Minister to make an LEP, and delegation to a state government representative, or to a Council, is at their discretion. In this instance, the authority has not been delegated to Council and it is not within the powers of Council to alter this decision. Action: None required d) Response The Department required as part of their Gateway Determination that the City update the planning proposal prior to exhibition to include a provision for savings and transitional arrangements for applications lodged prior to the provision coming into effect. Action: None required

Summary of submission	Response
The board of directors at 3 Wylde Street, Potts Point share this view. e) Requests post-exhibition report back to Council in October <i>Submissions from 3 individuals</i> The planning proposal is requested to be reported to Council in October to ensure quick implementation of changes. <i>Submission from a building management body</i> Board of directors at 3 Wylde Street, Potts Point share this view. f) Mandate net increase in dwellings for upzoned land <i>Submission from an individual</i> If the state government's 'low and mid-rise housing reform' is implemented, the City should include a clause in its LEP requiring any new development in these areas to result in a net increase in dwellings. g) Apply additional restrictions on larger units <i>Submission from an individual</i> Limits on 3 bedroom apartments in the postcode 2011 should apply and a minimum net increase in dwellings (e.g. 125%) instead of the maximum loss of 15%. This is because the current control is insufficient for the 2011 postcode. The City needs to recover lost housing, increase demand near infrastructure, re-introduce affordable housing and a mixed population and contribute to unmet housing needs. <i>Submission from a community group</i> Pymont Action requests measures to keep a mix of apartments to maintain affordability. This includes requiring one bedroom and 2 bedroom apartments to only have one bathroom.	e) Response Planning proposals are reported back to Council following public exhibition as soon as possible. A significant number of submissions were received about this planning proposal that required due consideration and response. Action: None required f) Response At this stage, there is no indication of the timing and final form of the 'low and mid-rise housing reform.' Planning responses to these reforms will be considered once it is in place. Action: None required g) Response The City does not support the restriction on providing larger apartments as they are also needed for larger households in the local area. Limiting the number of bathrooms is not supported as it's unlikely to influence housing supply and diversity. Action: None required
4) Requested changes to allow exceptions to the rule and/or to allow for greater loss of dwellings	
a) Change provision to 'net-bedroom loss' rather than 'net-dwelling loss' <i>Submissions from 22 individuals</i> Instead of a net dwelling loss, replace this with 'net bedroom loss.' This would mitigate the	a) Response The proposal to shift from 'net-dwelling loss' to 'net-bedroom loss' has been considered. However, since the lost units are generally smaller, this change would likely diminish

Summary of submission	Response
impact of reduced dwelling numbers by potentially maintaining or increasing the total bedroom count. Larger units can house more people, provide accommodation for families and extended groups and support co-living arrangements compared with studios. b) Requests for exemptions and variations <i>Submissions from 19 individuals</i> Request exemptions from or variations to the proposed maximum dwelling loss of 15% contained in the planning proposal as summarised below: <i>Older buildings</i> • exempt buildings older than 50 years. • further reduction to meet modern standard. • reduction to meet broader objectives - housing diversity, sustainable development, safety and accessibility. • increase FSR, HOB, reduce parking to support no loss of dwellings in redevelopment while for newer buildings have a no net loss provision (0%). <i>Allow greater than 15% loss</i> • 20% • 25% • 'more than 15%' • only restrict merging of apartment buildings into one dwelling. <i>Exempt smaller developments</i> • only apply to more than 20 units • only apply to more than 6 units • allow merging of 2 units. • Allow incremental merging of apartments. <i>Other exemptions where existing building:</i> • already exceeds the current FSR and HOB controls; • are non-compliant with the current Apartment Design Guide and Building Code of Australia (BCA); or • has an average apartment size too low to facilitate a minimum of 20% 3-bedroom apartments in a redevelopment. • provides contributions to an affordable housing fund if it isn't feasible to retain dwellings.	housing choice by forcing smaller households into share households. Recent redevelopments typically result in new, less affordable apartments for group households, meaning the net loss of dwellings persists and doesn't solve affordability concerns or housing needs for smaller households. Action: None required b) Response The planning proposal allows the merging of two apartments into one. It also allows the incremental merging of units within the rule. For example, if in a block of 7 units, two apartments on the top floor were merged and a subsequent DA was submitted to merge the two ground floor units, the proposed dwelling retention control would not prevent this. In relation to older buildings, the age of buildings is unrelated to the supply and diversity of housing. The exemptions proposed contradict the objectives and intended outcomes. In relation to allowances for greater than 15% loss, the planning proposal used a tipping point analysis, to consider the lowest rate that can be applied while also meeting the objectives of a minimum 20% 3-bedroom apartments in the new development and meeting modern apartment size standards. Unlike the 15% rate which is justified by the planning proposal, rates higher than 15% are not supported as they allow an even higher rate of housing loss. The planning proposal has already considered that some existing residential buildings have smaller units than current standards, while others meet or exceed existing FSR or HOB, limiting redevelopment opportunities. The 15% loss rate is seen as the best balance to minimise housing loss while still allowing redevelopment, based on testing across six scenarios that considered these issues. There is also no evidence in recent dwelling loss examples where the existing building already met or exceeded the FSR or HOB control. The Housing SEPP facilitates contributions for the loss of affordable rental housing, but only in very limited scenarios and it does not apply to strata or company title residential flat buildings.

Summary of submission	Response
<i>Submission from a community group</i> The Glebe Society requests an amended limit of dwelling loss to 2 or 15%, whichever is the greater. This could be limited to apply only where it is the owner's principal residence. They also request an exemption for heritage items and contributory items where the development would reinstate its original layout. Their rationale is that many buildings that are originally dwelling houses have been unsympathetically divided into separate units, often as substandard accommodation. It should be noted that this does not necessarily mean the loss of all the flats in an old house and instead focus on reinstating principal parts of the original plan. <i>Submission from an industry group</i> Time & Place requested an exception clause for applications that include in-fill affordable housing in accordance with Part 2, Division 1 of the Housing SEPP 2021. It was also requested that where an existing residential flat building is subject to redevelopment, through significant investment well in advance of the proposed policy, the subject site is excluded from its application. c) Exclude seniors housing <i>Submissions from 8 individuals</i> Request exemption for retirement living, aged care and over-55s living as aged care needs more space for mobility, carers, and communal areas. <i>Submission from a building management body</i> A submission on behalf of the owners of 51-59 Roslyn Gardens Elizabeth Bay requests an amendment to the draft clause to exempt seniors housing if the building will not be subdivided into separate strata lots; and will be owned and controlled by one entity; and will be operated by one managing agent, who provides on-site management. They are concerned that the Planning Proposal may preclude seniors housing development as a redevelopment for seniors housing would reduce the number of dwellings at 51-59 Roslyn Gardens by more than 15% (noting the small	This is not an option that can be applied to dwelling loss of this nature. The proposal does not prevent merging two apartments through consecutive DAs, as suggested by the Glebe Society. The option of losing 2 or 15% is not supported as an owner with 3 adjacent apartments are able merge them with two DAs. However, merging more than two units is not expected to be common, and the provision applies regardless of single or multiple ownership. Action: None required c) Response The planning proposal does not prevent the redevelopment of residential flat buildings or shop-top housing for seniors housing, as long as the loss of dwellings does not exceed 15%. Introducing an exemption for seniors housing would be inconsistent with the objectives of this proposal, as it could lead to significant dwelling loss through redevelopment for residential purposes. While there are acknowledged strategic and social benefits in providing seniors housing, these benefits can still be achieved should the planning proposal be implemented. The proposal's aim is to maintain housing diversity and availability, and exempting seniors housing would undermine that objective. Also refer to 4(d) Concerns about lack of flexibility with Clause 4.6.

Summary of submission	Response
existing unit sizes in the building which cannot meet the accessibility standards required to meet the needs of older and disabled people with mobility restrictions and the need to provide communal facilities for a managed seniors housing community). It also explains that their proposed amendment won't have unintended consequences as it cannot be applied to strata subdivided private dwellings and instead, promotes the development of managed seniors housing buildings that are owned and controlled by one entity and operated by one manager. This will ensure that only non-private dwellings are promoted and that the provision cannot be utilised to provide private dwellings built by market housing developers. Submission provided a strategic justification for this change identifying consistencies with local and state strategic plans. <i>Submission from an industry group</i> Keyton request an amendment to the draft clause to exempt seniors housing, similar to the request made by the owners of 51-59 Roslyn Gardens Elizabeth Bay.	Action: No change required
d) Concerns about lack of flexibility with Clause 4.6 <i>Submission from an individual</i> The use of exceptional circumstances via only a Clause 4.6 variation is onerous, and a greater flexibility is required to allow for scenarios that must be contained in the drafting of the new Local Provision in Part 6 of the Sydney Local Environmental Plan 2012 (Sydney LEP). <i>Submissions from 2 industry groups</i> Planning & Co is concerned that the clause objective negates the use of Clause 4.6 as any loss of housing would ultimately be inconsistent with the objectives of the clause. It is also concerned that it would make consideration of environmental and economic impacts under s4.15 of the EP&A Act secondary considerations compared to the social impacts. It recommends that amendments to the Sydney LEP should balance considerations of the environmental and economic impacts of	d) Response Clause 4.6 provides flexibility on a case-by-case basis and is not solely dependent on proposed dwelling numbers. It does not prioritise social impacts over environmental or economic considerations, all of which remain essential consideration under s4.15 of the Environmental Planning and Assessment Act 1979. There are scenarios where Clause 4.6 would be applicable. For instance, if a building exceeds the 15% dwelling loss threshold but requires redevelopment due to deterioration, Clause 4.6 offers the necessary flexibility, provided the proponent can justify the variation. The clause is intended to allow justified exceptions, not restrict its application. Action: No change required

Summary of submission	Response
development or restrictions on development per the EP&A Act. Time & Place share similar concerns, believing that Clause 4.6 will be rarely used, providing limited flexibility, due to the focus on the quantitative impact on dwelling numbers. e) Savings provisions are inadequate and unclear <i>Submission from an industry group</i> Time & Place are concerned that the savings provisions proposed will not safeguard Concept DAs, where the detailed design DA stage has not yet commenced. Requests refinement to ensure that applications and subsequent applications will not be the subject of this policy.	e) Response The draft savings provision in the planning proposal applies to subsequent DAs, following the initial concept DAs for the site. Action: No change required
5) Other	
a) Contiguous development provisions <i>Submission from an individual</i> Suggests development subject to this clause could be required to be contiguous or within a specified distance, such as "not more than 200 meters apart," to ensure effective implementation of the control. b) Monitoring and review of controls <i>Submission from an industry group</i> Australian Institute of Architects seeks effective monitoring, review and enforcement of the control once in force. This is crucial for transparency, public trust and making sure the controls continue to meet their objectives.	a) Response This is not supported as it places unnecessary restrictions on the flexibility of development sites and could hinder the efficient use of land. The primary objective of the planning proposal is to manage dwelling retention on a site-by-site basis, and introducing a distance requirement could inadvertently limit opportunities for appropriate redevelopment while adding unnecessary complexity to the assessment process. Action: No change required b) Response The City monitors and reviews all planning controls regularly to ensure they are functioning effectively. This will also apply to the dwelling retention controls should they be implemented. Action: No change required
Renewal challenges for older apartment buildings	
6) Impacts of proposed control on existing owners who would like to sell their building	
a) Negative impact on apartment values <i>Submissions from 2 individuals</i> Submissions say the planning proposal will have a negative impact on apartment values. This is most significant for buildings that require significant levies to meet safety and compliance standards.	a) Response The objective and intended outcomes of this planning proposal are to maintain housing diversity and availability by minimising the loss of housing supply.

Summary of submission	Response
<i>Submission from a building management body</i> The Owners Corporation at 137-147 Forbes Street, Woolloomooloo are concerned the control will artificially lower apartment values due to its impact on feasibility. b) Reduced willingness to invest and maintain existing apartment buildings <i>Submissions from 37 individuals</i> Owners show reduced willingness to invest in maintaining and upgrading older buildings due to cost-prohibitive repairs. This reluctance results in further deterioration, as seen in avoided fire safety audits, neglected property maintenance inquiries, and postponed repairs. Despite ongoing maintenance, these buildings often require comprehensive redevelopment. Maintenance costs for owners are becoming even more challenging as building regulations become stricter, requiring upgrades and retrofitting to buildings to address issues such as fire safety. <i>Submission from a building management body</i> The Owners Corporation at 137-147 Forbes Street, Woolloomooloo are concerned that the negative impacts on property values will reduce willingness of landlords to invest in and maintain units. <i>Submission from a community organisation</i> Pymont Action is concerned that the proposal will lead to buildings becoming increasingly run down and eventually unfit for any occupancy due to lack of renewal. <i>Submission from an industry group</i> Planning & Co highlights that remedial works to make older buildings compliant with current National Construction Code requirements is increasingly unfeasible. c) Owners unable to afford the levies to maintain/repair buildings <i>Submissions from 8 individuals</i> The proposed planning changes fail to address the economic realities of maintaining or renewing aging buildings, leaving many owners	The value of a dwelling is affected by many factors including building condition, financial state of owners corporations and amount invested in the maintenance and upgrade of buildings over time. Also refer to 2(b) Impact on development feasibility. Action: No change required. b) Response The planning proposal provides adequate flexibility to facilitate the redevelopment of a building where it reaches the end of its economic life. Also refer to response to 2(b) Impact on development feasibility and 6(a) Negative impact on apartment values. Action: No change required c) Response Decisions regarding maintenance levies, repairs, or potential sales are long-term responsibilities of individual owners.

Summary of submission	Response
in difficult financial situations. Owners of older strata buildings face a financial burden, especially with funding essential maintenance and repairs. Many buildings nearing the end of their life see owners unable to afford high levies, leading to disrepair and forced sales. Buildings designed under outdated regulations face substantial upgrade costs that owners cannot afford, risking becoming uninhabitable or uninsurable. <i>Submission from an industry group</i> Time & Place shares similar concerns, stating that the planning proposal will financially burden owners' corporations. They are concerned that this will create pockets of inequality and segregation. d) Maintenance costs increase housing costs <i>Submission from an individual</i> The cost of repairs and maintenance of existing buildings impacts the rental market and housing affordability as these costs are passed onto tenants.	Also refer to response to 2(b) Impact on development feasibility and 6(a) Negative impact on apartment values and 6(b) Reduced willingness to invest and maintain existing apartment buildings. Action: No change required. d) Response The planning proposal does not affect maintenance costs. Action: No change required.
7) Role of proposed control in reducing impacts on apartment owners who do not want to sell	
a) Security of tenure for owners/tenants <i>Submissions from 21 individuals</i> Developer interest in residential flat buildings has created housing insecurity for owners and tenants as the Strata Schemes Development Act 2015 allows a building to be sold for redevelopment if 75% of owners agree. While facilitating site acquisition, it is not resulting in the creation of more housing, leading to market failure and further exacerbating Sydney's housing affordability crisis. The acquisition process adds considerable financial strain due to legal costs and mental health strain on residents due to the uncertainty and conflict between owners. It is having a disproportionate impact on older residents who tend to be asset rich but cash poor, who if forced to sell, are unable to afford to stay within the community or alternatively, cannot afford the rising levies for building repairs. Displacement risks social isolation and loss of community connections. The current	a) Response The planning proposal is not intended to stop acquisition or renewal and redevelopment of strata schemes. Strata renewal is permitted under NSW Government legislation. Action: No change required

Summary of submission	Response
shortage of aged care accommodation and affordable housing exacerbates this issue. <i>Submission from a community group</i> 2011 Resident Association focuses on the current trend of displacement as a result of redevelopment and the impact on, long-term, low-income and older residents, with a lack of options to stay within the same area. It highlights that this is a vulnerable stage of a person's life, and familiar surroundings are important for their wellbeing. b) Inflated estimated costs for building repairs <i>Submissions from 3 individuals</i> There are concerns that the estimated cost of bringing existing buildings up to standard are being exaggerated to justify selling to developers, and to justify its eventual redevelopment. Request for Council to advocate for solutions to issues around repair deficiencies and bias towards encouraging collective sale of buildings. c) Strata governance issues <i>Submissions from 5 individuals</i> Strata managers have allowed older buildings to deteriorate despite legal responsibilities to keep buildings to standard. There are concerns that this has occurred to encourage owners to sell to developers for redevelopment. The risk that this is due to a conflict of interest between developers, strata managers and real estate agents should be examined. There are broader concerns about governance issues within strata schemes, with accusations of developers using misleading tactics and pressure to reach required sales percentages. The current system allows individuals to exploit the laws, bullying owners into selling their homes, even when they don't want to, which underscores the need for reform.	b) Response The submissions raising these concerns are noted, however fall outside of the scope of this planning proposal to address. Action: No change required. c) Response Strata governance issues, including the potential conflicts of interest among strata managers, developers, and real estate agents, fall under the jurisdiction of the state government. Also see response to 7(a) Security of tenure for owners/tenants. Action: No change required.

Summary of submission	Response
8) Impact of proposal on redevelopment of 51-59 Roslyn Gardens, Elizabeth Bay “ToR building”	
a) Impact of proposal on redevelopment of 51-59 Roslyn Gardens, Elizabeth Bay “ToR building” <i>Submissions from 13 individuals and a building management body</i> Three submissions support the planning proposal as it stands, while the other 11 (including the Owners Corporation) either oppose it or request an exemption for their site to allow redevelopment for seniors housing. The Owners Corporation submission for "The Tor," a 10-storey, 70-unit building from 1966, notes that the building is at the end of its design life. Owners face two options: a collective sale for redevelopment or retaining ownership and funding a refurbishment. The submissions note that an adjacent seniors living provider is considering buying the site, but the proposed planning changes would block redevelopment for retirement living. There are also concerned that Council might consider heritage listing the site. Some are concerned that redevelopment is a less viable option if the planning proposal comes into effect, leaving refurbishment as the only option. Despite significant repairs since 2010, further structural and safety upgrades are needed, costing an estimated \$7.5 to \$8 million. This requires a special levy of over \$100,000 per unit, and residents may need to vacate for 12 to 24 months during the work. The reasons that owners do not support refurbishment include the existing design's inability to meet modern apartment standards, such as size, balconies, solar access, ventilation, and energy efficiency. Owners also cite poor construction, lack of outdoor space, small apartment sizes, and high maintenance demands due to the building's deteriorating condition and inefficient use of space. There would also be a need for significant levies, with some unable to secure financing due to lending restrictions for smaller apartments. Repairs would require the building to be vacated for up to two years, forcing owners who can't afford the levies to sell at a	a) Response Exemption of the ToR building from the proposed planning controls, if implemented, is not supported. The planning proposal provides adequate flexibility for the redevelopment of the site. The City is currently undertaking a heritage assessment of post war residential flat buildings in the Potts Point area. The City has met with owners of the Tor Building about the assessment. A planning proposal for any future heritage listings is planned to be reported to Council later in 2024. Owners will be notified if the building is proposed to be listed and will have further opportunity to provide feedback. Also see response to 4(c) Exclude seniors housing/non-private dwellings and response to Renewable challenges for older apartment buildings. Action: No change required.

Summary of submission	Response
discount. Those who can afford it would raise rents to cover costs, while renters would need to move out. In contrast, three submissions support the planning proposal and do not wish to sell the building. They are frustrated by the owners corporation's refusal to invest in repairs and fear being forced to sell, which would leave them unable to afford to stay in the area.	
9) Other issues or suggestions	
a) Clause for Remedial Works Incentive <i>Submission from an individual</i> A remedial works incentive clause should form part of the planning proposal to make it more financially appealing to renovate the existing building than selling to a developer. The FSR and height of HOB would be allowed to exceed existing controls if it is strictly for the purpose of remediating buildings that are not structurally sound and/or to achieve compliance with the BCA. It would not require increased parking but it would need to retain the existing number of dwellings.	a) Response The planning system is not able to equitably fund maintenance works for all building owners. Action: No change required.
Request for other measures to make housing more affordable	
10) Request to amend the City's planning controls to incentivise development	
a) Increased density <i>Submissions from 44 individuals</i> Asks Council to explore FSR and HOB controls to boost housing supply and prevent dwelling loss through redevelopment. Suggestions include: • focus on CBD, Woolloomooloo, Potts Point • requiring development of buildings with five or more units to increase housing by at least 20% • minimum 25% increase in dwellings in the 2011 postcode by allowing extra height on existing buildings and limiting larger and more expensive units. <i>Submission from a building management body</i> The owners corporation at 137-147 Forbes Street, Woolloomooloo requests that Council allow a higher percentage of studio apartments in a development to increase the total number of units, achieving the desired density without compromising the liveability and quality of larger apartments.	a) Response: The City has sufficient zoned capacity to meet long term housing targets and is rezoning Pyrmont and providing increased floor space for build to rent housing in Central Sydney. The planning proposal will make sure that the loss of existing dwellings does not make it more difficult to achieve the targets. Incentives are not supported as they are better used to encourage better performance and outcomes rather guard against poor outcomes. Action: No change required.

Summary of submission	Response
<i>Submissions from 5 industry groups</i> Thirdi suggests exploring opportunities to allow higher FSR controls on strategically located residential sites to facilitate the creation of diverse and affordable housing options. Increasing the FSR can help preserve existing homes while also enabling new development. Planning & Co propose that the City could prepare a scheme similar to the Heritage Floorspace scheme, which offers financial incentives for retaining dwellings. They also suggest considering HOB or FSR incentives to allow the retention of dwelling numbers. The Australian Institute of Architects emphasises the importance of balancing the retention of smaller units with the economic viability of redevelopment projects. They advocate for exploring potential incentives such as density bonuses or expedited approval processes for developments that maintain or increase the number of smaller, affordable units. This approach is seen as a way to engage developers more effectively and align with the policy's social objectives. Time & Place suggested that the focus should shift away from dwelling numbers towards development incentives to encourage the delivery of housing and policy initiatives to encourage affordable housing. Keyton requests higher FSR and HOB controls, informed by economic and building envelope analysis so that dwelling retention can be achieved while also allowing for feasible and compliant redevelopment.	
b) Reduce costs of development <i>Submissions from 2 individuals</i> Suggestions include reducing regulations on ventilation, solar access, and deep soil, and simplifying energy efficiency requirements to lower development costs and improve housing affordability. <i>Submission from an industry group</i> Renato D'Ettore Architects are concerned that there is a lack of housing supply due to inflation, overregulation of the DA and complying development process, the cost of	b) Response Residential feasibility is currently affected by macro issues such as construction, labour and financing costs, rather than the planning framework. The City's planning controls and state government planning requirements, such as the Apartment Design Guide, provide minimum requirements to ensure development meets amenity standards, is socially and environmentally sustainable and responsive to their context. The City does not support reducing amenity standards that set basic

Summary of submission	Response
construction, the cost and land and real estate, the lack of incentives in the LEP/DCP planning framework and the lack of tax settings to encourage the construction of more housing supply. <i>Submission from a community group</i> Pymont Action suggests that housing costs could be reduced through streamlining development processes. c) Support change of use to residential <i>Submissions from 8 individuals</i> Support for change of use for carparks to residential to improve housing supply with 2 submissions making specific reference to a site in Pymont. Refurbished warehouses could be converted to larger apartments. Council should incentivise commercial office buildings being converted to residential. Examples include wharves at Walsh Bay and Pymont. Submissions also request the removal of affordable housing levies for change of use from commercial to residential. d) Remove heritage controls <i>Submissions from 2 individuals</i> Request for heritage controls to be removed from Sydney LEP and DCPs. e) Encourage student housing <i>Submission from an individual</i> Universities should be encouraged to build more affordable student accommodation for their students to keep them out of the domestic rental market. f) Encourage boarding houses <i>Submission from an individual</i> Council should introduce incentives for boarding houses and other home-shared schemes.	requirements for healthy and comfortable homes. Action: No change required. c) Response There are no impediments in the planning controls to these changes of use, rather it is the practical implications on the built form that prove to make this form of conversion challenging for developers. Affordable housing levies are one of the most successful measures on delivering affordable housing in Sydney. No change to the levies is recommended. Action: No change required. d) Response Submissions about heritage controls are noted however are beyond the scope of the planning proposal to address. Action: No change required. e) Response Submissions about the provision of student housing (co-living development) are noted however are outside the scope of this planning proposal. A significant amount of student housing development are in the City's development pipeline and expected to be delivered over the next 5 years. Action: No change required. f) Response Submissions about the provision of more boarding houses being provided in the City are noted however are outside the scope of this planning proposal. The City is currently undertaking a separate investigation into the loss of boarding houses. In July 2024, Council resolved to implement a series of actions to protect and retain structurally sound boarding

Summary of submission	Response
g) Remove minimum apartment sizes <i>Submissions from 4 individuals</i> Minimum apartment sizes should be removed to reduce barriers to development. h) Incentivise larger apartments <i>Submissions from 5 individuals</i> Council should introduce incentives to support the development of larger apartments. i) Controls to support retrofitted additions to flat buildings <i>Submission from an individual</i> Council should be encouraging an emerging construction method, known as airspace development which allows additional development above a building without disturbing existing occupants. There should be exceptions to height, floor space and other controls so that owners are able to fund building upgrades through additions to their buildings. An owner's corporation considered retrofitting a penthouse but did not proceed due to uncertainty about Council's support of this method. <i>Submission from community group</i> Pymont Action suggests the above strategy to prevent disruption and displacement of owners/tenants.	houses, ensuring that their capacity is not reduced during redevelopment. Action: No change required. g) Response Submissions seeking the removal of minimum apartment sizes in planning controls are noted however are outside the scope of this planning proposal. The minimum dwelling sizes are established in the state government's Apartment Design Guide. Action: No change required. h) Response Refer to response to 2(d) Impact on larger apartments for families, seniors and group households. Action: No change required. i) Response Owners interested in preliminary concepts can seek pre-DA advice from the City to better understand potential outcomes and requirements for this development type. Planning controls do not expressly prevent the addition of penthouses on existing buildings provided they comply with existing planning controls including FSR and height. Action: No change required.
11) Request for state government level planning related changes to improve affordability	
a) Concerns about Housing SEPP <i>Submission from an individual</i> The affordable housing covenant should last longer than 15 years. <i>Submission from a community group</i> The Potts Point Preservation Group are concerned that a recent amendment to the Housing SEPP provides up to 30% uplift in FSR in exchange for a minimum 15% of gross floor	a) Response Submissions about concerns about the Housing SEPP are noted however are outside the scope of this planning proposal. The recently introduced provisions of the Housing SEPP are governed by the state government. The City shares concerns regarding these provisions, particularly the limited 15-year timeframe for which the affordable housing covenant applies. Many stakeholders, including community groups and owners' corporations, have

Summary of submission	Response
area (GFA) allocated to affordable housing. However, the additional density is producing negative amenity impacts and the covenant only applies for 15 years and then the units can be sold. <i>Submission from a building management body</i> The Board of Directors for 17 Wylde Street are concerned that a new Housing SEPP amendment provides floor space uplift of 15% GFA if allocated to affordable housing. However, the covenant only applies for 15 years making it an ineffective method to address housing affordability b) Impact on boarding houses <i>Submissions from 2 individuals</i> Request for greater measures to protect local boarding houses, particularly in Paddington. It was suggested that the proposal will result in empty unmaintained boarding houses. <i>Submission from a community group</i> Pymont Action request existing boarding houses must be retained if not structurally unsound and capacity should not be reduced when redeveloped. c) Request a change to short-term rental accommodation rules <i>Submissions from 11 individuals</i> Submissions requested the introduction of new legislation and controls to limit short-term rentals like AirBnB through measures like levies or restrictions on the numbers of day units can be rented out and fines for non-compliance. Submissions discussed concerns that short-term rentals are reducing housing stock, negatively impacting the availability of housing that is affordable for young professionals and working families. The increase in short-term rentals has led to disturbances and security concerns.	expressed that this timeframe may be inadequate for addressing long-term housing affordability issues. The potential for increased density in exchange for affordable housing must also be carefully evaluated to ensure it does not negatively impact amenity. The Council will continue to advocate for more sustainable and effective measures that result in affordable housing that is provided in perpetuity. Action: No change required. b) Response The planning proposal affects residential flat buildings and shop-top housing. It does not affect boarding houses and will not result in empty and unmaintained boarding houses. The City is currently undertaking a separate review focused on the loss of boarding houses. In July 2024, Council resolved to implement a range of actions to address this issue, ensuring that existing boarding houses are retained where structurally sound and that their capacity is not reduced during redevelopment. Further information on this initiative can be found in the Council meeting resolution here. Action: No change required. c) Response Submissions about concerns about the regulation of short-term rental accommodation (STRA), such as AirBnBs' are noted however are outside the scope of this planning proposal. The NSW Government is undertaking a review of STRA regulation and the City is awaiting the outcomes of the review. The City's recent study into STRA found that STRA is not currently a driver of housing affordability issues but it could exacerbate problems if STRA returns to pre-covid settings To find out more about our submission and the state government's review: https://www.cityofsydney.nsw.gov.au/city-of-sydney-submissions/discussion-paper-short-long-term-rental-accommodation To read about the findings of our study: https://www.cityofsydney.nsw.gov.au/research-reports/short-term-rental-accommodation-review Action: No change required.

Summary of submission	Response
12) Other measures to improve affordability	
a) Solutions to address vacant dwellings <i>Submissions from 4 individuals</i> Submissions suggested solutions to address the issue of vacant dwellings. Two submissions requested for council and state government to tax landlords on vacant properties. It was noted that commercial properties on Oxford St have empty accommodation above street level. Another submission suggested that council should focus efforts on completed but unoccupied dwellings particularly in the Green Square area. It was also suggested that Council undertake an audit of all long-term unoccupied premises. b) Overseas buyer restrictions <i>Submission from an individual</i> One submission requested restrictions on overseas buyers. c) Fees for net dwelling loss <i>Submission from an individual</i> Submission suggested that projects that amalgamate sites and result in a net dwelling loss should attract higher fees and rates. d) Support for displaced residents <i>Submission from a community group</i> The 2011 Residents' Association request that developers should be responsible for providing alternative local accommodation for displaced residents or ensure residents are rehoused in new developments at affordable rates. This approach would promote diversity, equity and the provision of affordable housing. The Association also suggested that developers be required to allocate a portion of revenue to re-housing residents. e) Maintain social and affordable housing <i>Submissions from 12 individuals</i> There should be an increase in the supply of public, social and affordable housing and there should be greater investment in upgrades and maintenance. Suggestion that council should develop and maintain ownership of affordable and community housing units.	a) Response Submissions about how the issue of vacant dwellings might be addressed are noted however are outside the scope of this planning proposal. Action: No change required. b) Response The submissions about restrictions on overseas buyers is noted however is outside the scope of this planning proposal and is a matter for the federal government. Action: No change required. c) Response It is preferred that dwelling loss is managed through prevention rather than seeking contributions to mitigate dwelling loss. Action: No change required. d) Response The submission is noted however is outside the scope of this planning proposal. In certain circumstances where a residential flat building is in single ownership and is proposed for redevelopment and involves the loss of affordable rental housing, the Housing SEPP may require developers to pay a financial contribution and demonstrate that it has provided assistance for displaced residents, such as additional notice periods for vacating, financial assistance for moving and assistance in finding alternative accommodation. e) Response The City provides substantial support to promote the delivery of affordable housing in the local area. To date the City has collected about \$400 million in levies and provided about \$24 million in discounted land and about \$10 million in grants.

Summary of submission	Response
Suggestion that there should be an increase of 1-bedroom units in public housing to allow residents to downsize. Council should acquire affected boarding houses and residential flat buildings to maintain supply of affordable rents. <i>Submission from an industry group</i> Planning & Co suggested that affordable housing contributions under Chapter 2, Part 3 of the Housing SEPP for reduction in affordable rental housing should be used to fund building upgrades or the retention of low-or-poor quality buildings. <i>Submission from community group</i> Pymont Action requests a prohibition on the sale of social and affordable housing.	As at July 2023, the City has 1,464 built affordable housing units in the local area, 565 dwellings in the development pipeline and over 1,100 dwellings that we expect to be built in the future. The City's contribution scheme, which covers all of the local area, is projected to deliver up to 1,950 additional affordable dwellings to 2036 (some already accounted for in the above figures). All together, the known built, pipeline, expected and projected affordable housing dwellings equal around 5,100 affordable rental dwellings and affordable diverse dwellings to 2036. The state government administers contributions under the Housing SEPP for reduction in affordable rental housing. Social housing is provided by the state government, who are responsible for its management over time. Action: None required.
f) Reforms to bank lending restrictions on smaller apartments less than 40sqm <i>Submissions from 7 individuals</i> Community submissions both for and against the planning proposal raised issue with current bank lending restrictions for smaller apartments which are having a range of impacts. One submission requested that the City of Sydney work with the state government to direct financial institutions to remove lending restrictions.	f) Response The submissions about restrictions on lending are noted however are outside the scope of this planning proposal, and local government, to address. Action: No change required.
g) Built-to-rent housing <i>Submission from an individual</i> Request for greater investment in build-to-rent housing and changing dwellings from an investment class to a citizen right.	g) Response The submission about investing in build-to-rent development is noted however is outside the scope of this planning proposal, and local government, to address. The City recently endorsed changes to SLEP 2012 to introduce incentive controls for build-to-rent (BTR) housing in the Sydney CBD. This information can be found here. Action: No change required.

Summary of submission	Response
h) Tax incentives <i>Submission from an individual</i> Suggestion that tax and other forms of incentives should be introduced to encourage developers to provide more housing than they demolish. All new developments should incorporate a percentage of affordable or social housing. i) Premium amenities in luxury apartments <i>Submission from an individual</i> Premium amenities and facilities in strata schemes are contributing to affordability issues and recommend that these should be reduced to lower the cost per metre of new housing. j) Rent caps <i>Submission from an individual</i> Suggestion to introduce rent caps. k) Alternative housing solutions <i>Submissions from 2 individuals</i> Compact housing solutions should be encouraged. Small portable houses should be introduced for homeless people on disused land.	h) Response The submission about taxation and financial incentives is noted however is outside the scope of this planning proposal, and local government, to address. Action: No change required. i) Response The planning proposal does not seek to control layout, design and amenities provided in residential flat buildings and only seeks to limit the loss of housing. Action: No change required. j) Response The submission about rent caps is noted however is outside the scope of this planning proposal, and local government, to address. Action: No change required. k) Response The submission about providing small portable housing for people who are homeless is noted however is outside the scope of this planning proposal to address. Action: No change required.
Miscellaneous	
13) Council and Court processes	
a) Land and Environment Court <i>Submissions from 7 individuals</i> There is a risk that developers will be able to bypass the proposal by challenging decisions in the Land and Environment court. Alternatively, it was suggested that this proposal will help strengthen Council's case to refuse applications. <i>Submission from a building management body</i> The owner's corporation for 17 Wylde Street, Potts Point raised concerns that DA determinations in the Land and Environment Court favour developers. b) Concerns with engagement process <i>Submissions from 19 individuals</i> Some individuals who oppose the planning proposal are concerned it is rapidly progressing without independent analysis or industry consultation. They are concerned that residents	a) Response If the proposed planning changes are implemented, developers will need to demonstrate compliance with the new dwelling retention controls, just as they must with FSR and HOB controls. While developers may still challenge decisions in the Land and Environment Court, the clear dwelling retention requirements will strengthen Council's ability to defend its decisions and refuse non-compliant proposals in line with the updated planning framework. Action: None required b) Response The planning proposal was exhibited for 32 working days. This is consistent with the requirements of the Gateway determination issued by the Department.

Summary of submission	Response
have been encouraged to submit pro-forma submissions. Some submissions say the engagement process is inconsistent with the City's Community Engagement Strategy and Community Participation Plan 2024. A submission in support of the planning proposal raised that developers' employees were lodging submissions to complain about the proposal without disclosing their interests. <i>Submissions from 2 industry groups</i> Time & Place have concerns about the lack of development industry engagement and the fact that the proposal is in response to a Councilor notice of motion. The Australian Institute of Architects advocated for a robust public engagement process that is reinforced by detailed analysis and transparently integrates community and stakeholder feedback into the decision-making process.	The planning proposal was made available on the City of Sydney website, in accordance with the City's Community Engagement Strategy and Participation Plan 2023. When a planning proposal is publicly exhibited, all individuals, interest groups and industry representatives are free to make submissions. Employees of a company are free to also make submissions as individuals, just as residents are free to make use of a pro-forma that has been referred to them. The City is required to accept and consider submissions that are made to them about a planning proposal. In preparing a response to submissions, all effort is made by the City to accurately represent from where submissions have been received and what they say. The City's consideration of submissions focuses on qualitative issues, not on the quantity of support or opposition. Each submission is assessed equally to ensure a thorough review. Action: None required.
14) Heritage and amenity	
a) Amenity Impacts <i>Submissions from 7 individuals</i> Concern about the amenity impacts of new developments in general. There is specific concerns about redevelopment increasing the building envelopes, particular in the 2011 postcode area. b) Construction impacts <i>Submissions from 4 individuals</i> Concerns about construction impacts on neighbouring residents during redevelopments, particularly structural risks caused by deep excavation. c) Heritage <i>Submissions from 15 individuals</i> Concerns that new developments are inconsistent with local architectural heritage and diversity. Recommend buildings in Potts Point area be retained and refurbished instead of demolition. Additional heritage protections are	a) Response The amenity impact of development is managed through the Sydney LEP and Sydney DCP 2012 which include controls for setbacks and overshadowing to ensure impacts such as wind and daylight are appropriately managed. The planning proposal does not impact on consideration of amenity issues in the DA process. Action: None required. b) Response Construction impacts are managed at the DA stage to minimise negative impacts for neighboring properties. Action: None required. c) Response The City recently commissioned a heritage study of post-war residential flat buildings in the Potts Point, Elizabeth Bay and Rushcutters Bay areas. In addition, the City has recently revised the statements of significance and physical

Summary of submission	Response
required for buildings in the Potts Point area, specifically Art Deco and Modernist buildings. One submission commented that the proposal does not go far enough to protect heritage. One submission provided an article documenting the history and contributions of European migrant architects in the Potts Point/Elizabeth Bay areas <i>Submissions from 2 industry groups</i> The Potts Point Preservation Group are concerned Council and state government are not recognising 20th century architecture, particularly inter-war Art Deco and post-war modernist apartment buildings. City should explore measures to protect heritage by increasing the number of contributory art deco and post-war buildings, reduce demolition and create a single heritage conservation area for 2011 postcode area. The National Trust is concerned that dwelling loss proposals in Potts Point undermine the cultural significance and social value of the area due to the reduced diversity of residents and people participating in the local economy and community. <i>Submission from a building management body</i> The owner's corporation for 17 Wylde Street, Potts Point is concerned the proposal does not protect heritage, community, social and cultural characteristics. d) Traffic and Parking <i>Submissions from 6 individuals</i> There are differing views on the amount of onsite parking in developments.	descriptions for the Elizabeth and Rushcutters Bays and Potts Point areas to ensure they adequately acknowledge the importance of post-war architecture in the area. This planning proposal is to ensure that housing supply is not reduced by redevelopment and that diverse housing options are maintained. The planning proposal does not impact on consideration of heritage issues in the DA process. Action: None required d) Response The Sydney LEP 2012 sets maximum car parking provisions which will continue to apply. The planning proposal does not impact on parking rates as set out in the Sydney LEP. Action: None required.
15)Other	
a) Opposed to population growth <i>Submissions from 2 individuals</i> Unsustainable population growth and immigration is causing the housing crisis.	a) Response The submission is noted. However, population levels and immigrations levels are beyond the scope of the planning proposal to address. Action: None required.

Summary of submission	Response
b) Opposed to low-rent housing (boarding houses and public housing) <i>Submissions from 2 individuals</i> Support for allowing loss of boarding houses and reducing the concentration of social and affordable housing in the city.	b) Response The planning proposal is not intended to facilitate the loss of boarding houses. The City encourage the increase of social and affordable housing in the local area, and the retention of low cost rental accommodation, such as boarding houses, to ensure there is a range of housing choice to support a diverse community. Action: None required.
c) Terrace housing <i>Submissions from 2 individuals</i> Request to return to Paddington-style terraces with narrow streets rather than strata development. Planning restrictions on terraces restrict housing capacity.	c) Response The submission is noted however it is beyond the scope of the planning proposal to address. The planning proposal applies to existing residential flat building or an existing mixed-used development. Action: None required.
d) Focus on functional efficiencies <i>Submission from an individual</i> The functional efficiencies and quality of apartments needs to be improved including double glazed windows, internal courtyards and insulation.	d) Response The submission is noted however it is beyond the scope of the planning proposal to address. These standards are set by the state government in the Apartment Design Guide. Action: None required.
e) Concern council is anti-development <i>Submission from an individual</i> Council is opposed to density and supports developer and NIMBY interests.	e) Response The City supports the delivery of high quality density in the local area where it is adequately supported by infrastructure. The planning proposal will prevent the loss of housing stock. Action: None required.
f) Housing diversity <i>Submission from an individual</i> Questions the meaning of 'housing diversity' in the context of cultural considerations and acceptable living standards for all.	f) Response The reference to "retaining diversity" in the context of the planning proposal is a reference to the need to maintain a mix of housing types in the local area to accommodate a diverse population. The planning proposal acts to retain smaller and relatively low cost apartments, while also ensuring some larger apartments can be provided as part of refurbishment / redevelopment, so that the City can continue to accommodate different housing needs for students, key workers, young households etc. Action: None required.
g) Impact of state government housing reforms on heritage <i>Submission from an individual</i> The National Trust of Australia raised concerns that development pressures in centrally located areas, exacerbated by the implementation of	g) Response The timing and final form of the state housing reforms are not yet known, and Council will monitor and respond when they become available. Council prepared a detailed submission in response to the reforms in April 2024.

Summary of submission	Response
state government housing reforms will affect heritage sites. h) Infrastructure issues <i>Submissions from 4 individuals</i> There has been an increase in dwelling density without the necessary supporting infrastructure. Request for more trams and active transport infrastructure. i) Councillor powers <i>Submission from a community group</i> Potts Point Preservation Society are concerned that City Councillors 'powers' are being eroded and that their access to senior staff has been reduced and they are now limited to just 5 questions per week and any contact with senior staff is only permitted after request to, and approval by, the General Manager. j) Quality and safety of mid-high-rise buildings <i>Submission from an individual</i> Council's electrification plans will increase the use of firepits and liquefied petroleum gas appliances which council does not have current safety regulations for. k) Request for planning changes in Burwood <i>Submission from an individual</i> Query about general controls in Burwood LGA.	Notwithstanding the above, the planning proposal does not impact on consideration of heritage issues in the DA process. Action: None required. h) Response The City of Sydney is well-served by existing infrastructure including transport such as trains, light rail, bus and Metro and by existing utilities. The City supports the development of active transport through projects delivering pedestrianisation. It is outside the scope of this planning proposal to deliver further transport infrastructure. Action: None required. i) Response The submission is noted however it is beyond the scope of the planning proposal to address. Action: None required. j) Response The submission is noted however it is beyond the scope of the planning proposal to address. In December 2023, Council resolved to insert provisions for indoor air quality for new residential development into the draft DCP to go on public exhibition. There is currently an investigation of these provisions being undertaken where these issues, including safety will be thoroughly considered. Action: None required. k) Response Relates to outside of City of Sydney LGA. Action: None required.
16) Questions and clarifications	
a) Concern that owners will need to pay for social housing <i>Submission from an individual</i> Concerns that residents would be required to pay for social housing occupants. b) Clarification of controls <i>Submissions from 6 individuals</i> Clarification required on;	a) Response The planning proposal does not introduce additional requirements for social housing or require residents to finance social housing. Action: None required. b) Response The following responses are provided:

Summary of submission	Response
• Calculation rounding of controls • Application of proposal to boarding houses being converted to apartments • Where the policy applies in the city • Whether this applies to any legal entity or business, in addition to an 'individual'. • Whether developers can merge adjacent apartments to develop a single luxury apartment. <i>Submission from a community group</i> The 2011 Residents' Association questioned: • If developers would be able to exchange or 'buy back' the 15% through an exchange for other additions like extra parking or green space. • If the 15% was fixed or negotiable. c) Other requests beyond the scope of the proposal <i>Submissions from 3 individuals</i> Suggestions include: • No residential units on main roads • Retain International House at the University of Sydney. • Specify minimum apartment sizes. d) Request for guidelines for strata committees <i>Submission from an individual</i> Request for guidelines on how multiple DAs in the same building for dwelling loss will be handled.	• The calculation of percentage rounds to the nearest whole number below .5 or .5 and above. • The proposal does not apply to boarding houses, it applies to existing residential flat buildings and an existing mixed-use building. • The planning proposal applies across all parts of the local government area. • The planning proposal applies to all types of development owners, including but not limited to individuals, legal entities and businesses. • The proposal provision does not prevent the merging of adjacent buildings. • The 15% cap on dwelling loss is fixed and is would not be available to 'buy back'. Action: None required. c) Response The submission is noted however it is beyond the scope of the planning proposal to address. It is noted minimum apartment sizes are specified through the Apartment Design Guide. Action: None required. d) Response These guidelines are not required. The planning proposal allows for multiple DAs to merge apartments within the same building. The past loss of dwellings in a building are not considered when a new DA is proposed i.e. to merge 2 apartments into 1. Action: None required.

Attachment B

**Planning Proposal – Dwelling Retention
(post exhibition amendments in red)**

Planning Proposal – Dwelling Retention



Contents

Executive summary	<u>34</u>
Objectives and intended outcomes	<u>45</u>
Explanation of provisions	<u>56</u>
Justification	<u>101</u>
<u>1</u>	
Community consultation	<u>212</u>
<u>2</u>	
Project timeline	<u>222</u>
<u>3</u>	
Appendix	<u>232</u>
<u>4</u>	

Executive summary

The City of Sydney Local Housing Strategy adopted in February 2020 anticipates an additional 56,000 dwellings to be built by 2036. The housing affordability challenges being experienced across Australia is placing increased pressure on local government to find ways to increase housing supply. It is anticipated that housing targets will be increased further as part of reviews of the Greater Cities Commission's strategic plans.

The City of Sydney (the City) has seen some reduction of dwellings due to the redevelopment of existing residential flat buildings, particularly towards the eastern suburbs. This occurs through the consolidation of two apartments into one, replacement of residential flat buildings with a single dwelling house or the speculative redevelopment of a large residential flat building containing smaller apartments into a development containing significantly fewer, larger apartments. This is leading to a reduction in the diversity of housing in parts of the local government area.

A review of dwelling loss was initiated in response to Council resolution on 18 September 2023. The resolution acknowledged that despite housing supply issues, there have been reports that developers are redeveloping multi-dwelling apartment buildings that have traditionally been affordable due to their age and size to make way for fewer apartments. It also noted that Waverley and Woollahra Councils are currently experiencing similar issues and are considering new planning controls to respond to this issue. The resolution requires the City to investigate preparing a planning proposal to protect against the net reduction of dwellings on a development site.

Over six years, ~~since~~ Since the start of 2018, there have been ~~25~~ **29** development applications (DAs) in the City approved by either Council or the Land and Environment Court, resulting in the loss of ~~65~~ **91** dwellings (as at ~~May~~ **October** 2024). They vary in nature and scale with:

- ~~17~~ **18** DAs merging two apartments into one;
- one DA merging three apartments into one;
- ~~two~~ **3** DAs consolidating residential flat buildings into dwelling houses; and
- ~~four~~ **7** DAs redeveloping residential flat buildings, reducing the number of dwellings.

Currently (as at ~~May~~ **October** 2024), there are ~~6~~ **eight** development applications under assessment, ~~or subject to Land and Environment Court appeal~~ that propose a reduction of a total of ~~143~~ **132** dwellings. Notably these all involve large-scale redevelopment of residential flat buildings of between ~~15~~ **7** and 80 apartments and continue to be concentrated in the City's east.

In response to this ongoing loss of dwellings and diversity of housing supply, this planning proposal introduces a new development standard to be inserted into the Sydney Local Environmental Plan 2012 (LEP) that limits the reduction in the number of dwellings through redevelopment of buildings that contain dwellings. This is to ensure that development does not significantly reduce the diversity of dwellings available particularly for smaller and more affordable apartment sizes.

Objectives and intended outcomes

The objective of this planning proposal is to amend Sydney LEP 2012 to minimise the loss of housing diversity through the redevelopment of existing dwellings. It will be applied across the City by introducing a 'Local Provision' in Part 6 of Sydney Local Environmental Plan 2012. The intended outcomes are to:

- Support housing diversity and affordability by discouraging the replacement of smaller apartments with fewer large apartments.
- Maintain and grow housing supply in the City, and
- Maintain residential densities close to amenities and public transport.

Explanation of provisions

The proposed provision:

- Is a new 'Local Provision' in Part 6 of Sydney LEP 2012 that applies across the entire City of Sydney LGA
- Applies to both development applications and applications to modify development consent, for alterations and additions or demolition of a residential flat building or a mixed use building that contains three or more dwellings.
- Has an objective that seeks to minimise the loss of dwelling diversity resulting from the consolidation of existing dwellings or the demolition of existing dwellings for the construction of new dwellings.
- Does not allow the consent authority to approve development which results in a reduction in the number of dwellings unless that reduction does not exceed the greater of one dwelling or 15 per cent of dwellings in the existing development.
- Does not apply to the conversion of residential floor space to a non-residential floor space. However, the provision is to apply to any residential floor space that will continue to be used for residential purposes in the development.
- Clause 4.6 will apply to this clause.

Savings and transitional provisions are proposed to be introduced by applying a new subclause in Clause 1.8A of Sydney LEP 2012 to the proposed provision. The subclause is to replicate Clause 1.8A(5), but apply to this new local provision. The effect of the subclause is to ensure this local provision would not apply to:

- development applications or concept development applications made but not finally determined and;
- development applications lodged after these amendments come into effect, that relate to a concept development application approved before the commencement of these amendments.

The drafting instructions to amend the Sydney LEP 2012 are provided as an appendix to this planning proposal.

A detailed explanation of provisions is also provided as an appendix to this planning proposal.

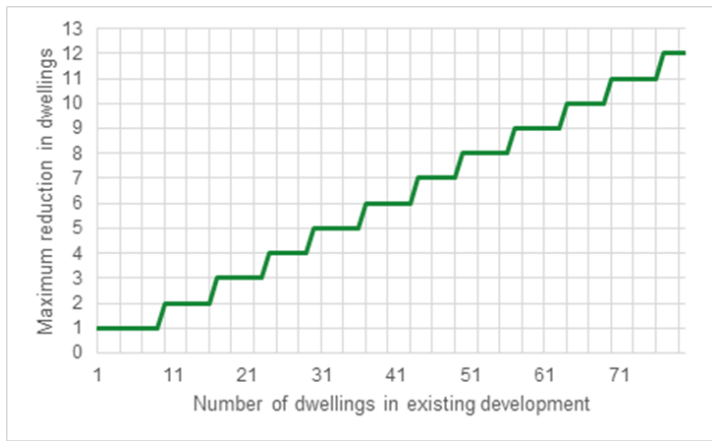
2.1. Introduce a development standard to minimise the loss of housing stock

The proposed LEP clause will minimise the loss of diverse housing stock resulting from the consolidation of existing dwellings, or the demolition of existing dwellings for the construction of new dwellings, across the City.

The clause includes a development standard which limits the loss of housing stock through redevelopment of existing residential flat buildings or mixed-use developments to one dwelling or 15 per cent of dwellings, whichever is the greater. The 15 per cent is rounded to the nearest whole number.

The figure below illustrates the maximum loss of dwellings through redevelopment of existing buildings under the proposed clause. In practice, loss of dwellings through redevelopment of existing buildings containing up to nine dwellings would be capped to one dwelling. This minimises the cumulative impact of loss of housing diversity through smaller-scale redevelopments while also maintaining flexibility by allowing for the occasional merging of two dwellings into one.

Figure 1. Maximum loss of dwellings under the proposed clause



2.2 Rationale for applying a 15% maximum rate of dwelling reduction

A tipping point analysis was undertaken to determine the appropriate maximum rate of dwelling reduction that should be permitted under the clause. The analysis applies rates of five, 10, and 15 per cent against recent development application examples. Figure 2 below illustrates how these rates influence the maximum allowable loss of dwellings.

Figure 2. Impact of applying different maximum rates

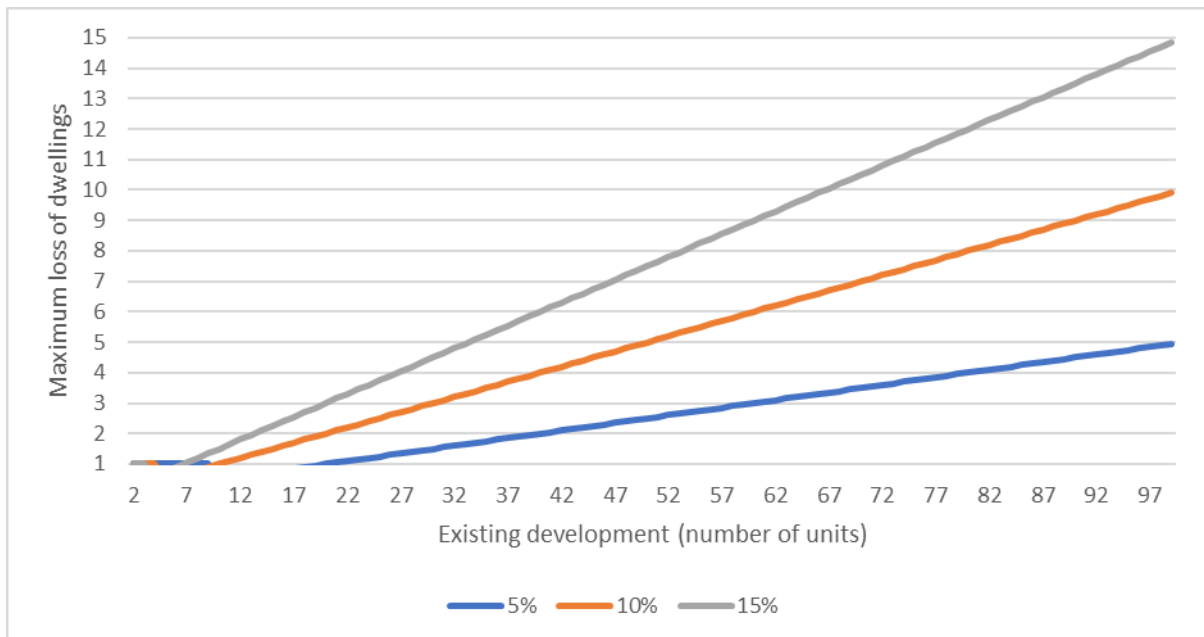


Figure 2 shows that where a five percent maximum would be applied, dwelling loss is limited to one dwelling for existing developments with up to 29 dwellings. Where a 15 per cent maximum is applied, dwelling loss is limited to one dwelling for existing developments with up to 10 units. This minimum allowance supports limited circumstances where an owner of two apartments may seek to combine them.

Considerations that formed part of the tipping point analysis are outlined below:

- Minimum of 20 per cent 3 bedroom units:** The tipping point analysis also tested whether a development can achieve a 20 per cent minimum dwelling mix for three or more bedroom apartments. The 20 per cent minimum dwelling mix is proposed to be introduced into Sydney DCP 2012 as part of the City's Policy and Housekeeping Planning Proposal and draft DCP, that is expected to be publicly exhibited later in 2024. This requirement aligns with broader goals for housing diversity by ensuring adequate provision for different household sizes. If it comes into effect, a development application would need to comply with this requirement as well as any future dwelling retention rate.

- *Six real scenarios tested:* The tipping point analysis was applied to six scenarios based on real development applications in the City of Sydney. The characteristics of these scenarios are summarised below:
 - proposed loss of dwellings ranged from 18 to 70 per cent;
 - three scenarios comprised entirely of studio apartments; and
 - average apartment size increased from around 300 to 450 per cent.
- *Examples involved creation of new floor space:* Usually, the redevelopment of existing unit blocks occur where the floor space ratio control has not been fully utilised. This is reflected in the six scenarios, where each development application proposed to increase gross floor area by 18 to 166 per cent. Generally, it's easier to minimise dwelling loss when there's a bigger increase in gross floor area.
- *New units meet minimum apartment size:* It is more difficult to maintain a mix of dwelling sizes while minimising dwelling loss when the average apartment size in the existing development is lower. As part of this analysis, apartments had to meet minimum internal area standards: 35 square metres for studios, 50 square metres for 1-bedroom units, 70 square metres for 2-bedroom units, and 90 square metres for 3-bedroom units.

The tipping point analysis started with the most restrictive dwelling retention rule of 5 per cent and gradually relaxed it until all six development scenarios could meet the rule while still providing a mix of dwelling sizes for different households. The results are summarised below:

- Applying a maximum reduction of dwellings of five and 10 per cent was unable to achieve the required dwelling mix in two of the six scenarios. This was due to the average apartment size of the existing developments being between 32 and 34 sqm, which is below the minimum apartment size of 35 square metres, a minimum requirement for the tipping point analysis.
- Applying a maximum reduction of dwellings of 15 per cent was able to achieve the required dwelling mix across all scenarios.

The intention of the tipping point analysis is to reach a percentage that maximises retention of dwellings while also achieving a diverse mix of dwelling sizes. At 15 per cent, this has been achieved. By going beyond 15 per cent, while this can achieve a diverse mix of dwelling sizes it leads to an increasingly unacceptable reduction on housing supply.

2.3. Does zoning trigger consideration of the provision?

Zoning of a site does not affect the applicability of the provision. Applicability of the provision is triggered by existing land-use. The provision applies to sites currently containing residential floor space, irrespective of whether it is stand-alone residential or mixed-use, or is proposed to contain a mix of residential and non-residential uses. In such cases, the resulting development would be required to retain a specific number of dwellings, determined by the number of dwellings in the existing development. This ensures that regardless of zoning, developments must maintain a certain level of residential housing, reflecting the existing composition of the site.

2.4. Allow flexibility for non-residential development

The development standard will not apply to any residential floor space that is to be converted to a non-residential use. This is to provide flexibility for the ongoing provision of services and businesses, particularly in mixed use and local centre zones, and to avoid those zones transforming to residential only precincts over time.

Where a mixed use development is proposed, the restriction on the loss of dwellings will apply to the residential floor space that is not being converted to a non-residential use.

For example, a proposal to halve the number of dwellings in a residential flat building containing 20 dwellings just because a ground floor unit is being converted to a shop would not be approved. The number of dwellings in the remaining residential floor space could not be reduced by more than one or 15 per cent of the dwellings occupying that floor space.

2.5. Allow for exceptional circumstances

The drafting of this clause as a numerical development standard enables the use of Clause 4.6 where the proponent can demonstrate sufficient planning grounds to justify contravening the development standard. One example of where this may be required is where a heritage item is being reinstated to its original layout for form.

There may also be scenarios where constraints around the built form mean application of this clause would conflict with the need to align with other planning controls in Sydney LEP 2012 and Sydney DCP 2012 and the apartment design guide in general.

2.6. No impact on floor space

This clause does not have an impact on permissible floor space for residential development. If a redevelopment of a residential flat building is able to achieve a higher gross floor area than the existing built form on the site, the clause only applies to the existing number of units, meaning that the developer has the option of building to the minimum number of units allowed under this clause, while also building within a much larger building envelope.

In such a circumstance it would still be possible to increase the average apartment size within the new development while maintaining or increasing the number of dwellings.

2.7. Application of dwelling retention provision: different scenarios and development types

The following worked examples show how the provision described in the planning proposal would apply to different scenarios and development types including:

- residential flat buildings;
- where there is a non-residential component; and
- where residential floor space is converted to non-residential floor space.

The proposed provision is easy to apply to scenarios where residential floor space is proposed to stay the same or increase irrespective of its composition with non-residential uses. This is where the 15 per cent rule is used to determine maximum dwelling loss. In all examples below, regardless of the composition of residential to non-residential uses, the residential floor space stays the same or increases.

Example 1: Conversion of residential flat building to residential flat building

Existing Situation: 100 apartments within 4000 sqm.

Proposed Conversion: Reduction to 85 units with an increased gross floor area of 5,000 sqm.

Compliance Assessment: The proposed conversion meets the requirement, ensuring that the reduction in dwellings does not exceed the allowable 15 per cent under the provision.

Example 2: Conversion from residential flat building to mixed-use development

Existing Situation: 100 apartments within 4000 sqm.

Proposed Conversion: 4500 sqm residential containing 85 units plus 500 sqm ground floor retail.

Compliance Assessment: The reduction to 85 units complies with the provision. The addition of retail does not affect the allowable reduction in dwellings.

Example 3: Conversion of mixed-use development to residential flat building

Existing Situation: 2500 sqm residential containing 50 apartments and 500 sqm retail.

Proposed Conversion: 43 units within 5000 sqm, no non-residential floor space.

Compliance Assessment: The reduction to 43 units complies with the provision. No new non-residential components are introduced.

Example 4: Conversion of mixed-use development to mixed-use development (reduced units)

Existing Situation: Mixed-use development with 50 units, comprising residential and retail space. Residential area: 2500 sqm. Retail area: 500 sqm.

Proposed Conversion: Reduction to 43 units with 4500 sqm residential area and 500 sqm retail.

Compliance Assessment: The reduction to 43 units complies with the provision, ensuring that the reduction in dwellings does not exceed the allowable 15%.

Example 5: Conversion of Mixed-Use with reduced residential floor space

Example 5 illustrates a mixed-use development with 50 units, consisting of 2,000 sqm residential area and 1,000 sqm retail space. As a result of the proposed redevelopment, there is no change to floor space, however 2,000 sqm will be allocated to retail and residential floor space will be halved to 1,000 sqm. The proposed number of units is also proposed to fall to 22 units.

The proposed clause allows the loss of dwellings up to a maximum of 15% of existing units, but exceptions allow conversion of residential space to non-residential use. Despite exceeding the 15% limit, due to reallocating residential space for retail, development consent can still be granted under this provision.

The method of calculating maximum loss of dwellings is shown below:

- Step 1: Adjust the number of units affected by the provision based on the loss in residential floor space. As the residential floor space is halved ($1000/2000 = 50\%$), the dwelling retention rule applies to 25 units.
- Step 2: Apply the dwelling retention rule to the 25 units. The maximum allowable loss is 4 units.
- Step 3: Determine if the maximum loss exceeds the number of units below 25. With proposed units reduced to 22 (3 lower than 25), the proposal complies.

Justification

Evidence base behind development standard

The City is meeting its housing targets set out by the Department of Planning and Environment. The need to provide additional housing is exacerbated by the current housing supply shortage. The loss of dwellings in the eastern part of the City is making it more challenging to deliver additional housing supply.

Nine development applications are currently under consideration as at November 2023 involving the loss of 124 dwellings, concentrated in the eastern area of the LGA. In addition to this, at least 63 dwellings have been lost since the start of 2018, across the City due to this type of development again, mostly concentrated in the east.

The majority of these lost dwellings involve the redevelopment of residential flat buildings containing relatively affordable studios and one-bedroom apartments with larger apartments.

The City aims to ensure that the overall supply of housing will not be compromised by developments involving a net loss while also allowing for renewal of older building stock.

A detailed justification for the development standard is provided as an appendix to this planning proposal.

Background

Based on recent development applications received, the City's eastern suburbs, including Potts Point, Rushcutters Bay and Elizabeth Bay, have seen the development of larger apartments. Developments have been at the expense of smaller and more affordable studio and one bedroom apartments.

The area has historically been popular to live in, given its proximity to Central Sydney, the harbour and to amenities and public transport. The housing stock has been dominated by less-expensive smaller studios or one bedroom apartments which has allowed the area to remain relatively affordable to those on lower incomes.

Due to the attractiveness of the area and the lack of larger apartments, there has been increased speculative activity in the area, with existing residential flat buildings being targeted for redevelopment, often replacing affordable smaller apartments with fewer, larger apartments. This has a detrimental impact on the availability of smaller and more affordable dwellings.

Scenario analysis – with and without the proposed clause

A scenario analysis was developed, using six development applications, recently approved or currently under assessment in the eastern part of the City. They contain between 12 and 80 apartments with average apartment sizes of 32 to 95 square metres.

Table 1. Recent development applications

Example	1	2	3	4	5	6
Existing residential floor area (m2)	2592	2928	804	432	1306	1938
Proposed residential floor area	3717	3456	1331	1149	1580	3758

Example	1	2	3	4	5	6
Existing average apartment size (m2)	32	95	34	36	82	42
Average dwelling size without net dwelling loss clause (m2)	133	384	133	192	122	171
Average dwelling size with dwelling loss clause (m2)	55	133	67	115	113	96
Existing number of dwellings	80	31	24	12	16	46
Proposed number of dwellings without net dwelling loss clause	28	9	10	6	13	22
Proportion of dwellings lost (%)	65	71	58	50	19	52
Proposed minimum number of dwellings with net dwelling loss clause	68	26	20	10	14	39

Table 1 shows six recent examples of development applications received by the City relating to the redevelopment of residential flat buildings that result in a net reduction in the number of dwellings. They propose increases in the total residential floor area of between 18 and 166 per cent, and a reduction in the number of dwellings of between 19 and 71 per cent. Across these examples, it is a net dwelling loss of 121 dwellings.

The types of apartments currently being lost are smaller, unlikely to be replaced and are relatively affordable. Average existing apartment sizes in four of the above examples range from 32 to 42 square metres and are being replaced with apartments averaging 133 to 192 square metres. In contrast, developments under this proposed clause would result in average apartment sizes that are larger than existing but smaller than proposed in the example development applications. This will ensure that dwelling diversity can be maintained and that redevelopment of apartment buildings maintains smaller apartments while still offering the opportunity to provide some larger dwellings in a redeveloped building.

The potential for additional gross floor area and the ability to reduce the number of dwellings by 15 per cent means diversity and minimum amenity standards can still be achieved. This is particularly important where existing buildings exclusively consist of studio apartments, sometimes with average apartment sizes below 35 square metres.

Allowing flexibility

The drafting of the clause as a numerical development standard enables the use of Clause 4.6 variations.

The nature of development that this clause applies to may require some flexibility. There may be rare instances where a residential flat building may be proposed for redevelopment where the

apartment sizes are too small to enable a redevelopment that is appropriate for current minimum design standards.

Matters for consideration

This section provides a response to the 'matters for consideration' described in Table 3 of the Local Environmental Plan Making Guideline, published by the Department of Planning and Environment in August 2023, that are to be taken into account when describing, evaluating and justifying a planning proposal.

Section A – Need for the planning proposal

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

Yes, this planning proposal aims to give effect to Priority L3 of the City of Sydney Local Strategic Planning Statement. The LSPS acknowledges that as infill development opportunities shrink, and urban renewal areas are built out, there is less opportunity to build more homes in the area. It acknowledged the need to retain and attract residents on lower incomes. This is more difficult when well-located, smaller and relatively affordable dwellings are lost in redevelopment.

Specifically, it gives effect to Action L3.2 to ensure that the dwelling mix supports a diverse community.

The planning proposal gives effect to the LSPS by ensuring that development does not reduce housing stock while also responding to the need to retain and attract residents on lower incomes.

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

Without a change to the planning controls the market is expected to continue reducing the number of dwellings on sites with a continuing loss of smaller and relatively affordable well-located dwelling units.

Section B - Relationship to the strategic planning framework

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

A Metropolis of Three Cities – the Greater Sydney Region Plan

A Metropolis of Three Cities – the Greater Sydney Region Plan is the NSW Government's overarching strategic document for growth and change in Sydney. The 20 year plan with a 40 year vision seeks to transform Sydney into a metropolis of three cities being the Western Parkland City, the Central River City and the Eastern Harbour City. The City of Sydney LGA is positioned within the Eastern Harbour City.

The plan identifies key challenges facing Sydney including a population increase to eight million by 2056, 817,000 new jobs by 2036 and a requirement for 725,000 new homes.

The plan aspires to deliver the following outcomes:

- liveability – enhancing cultural and housing diversity and designing places for people;
- productivity – developing a more accessible and walkable city and creating conditions for a stronger economy;
- sustainability – valuing green spaces and landscape, improving efficiency of resources and creating a resilient City; and
- infrastructure – ensuring infrastructure supports new developments and governments, community and businesses collaborate to realise the benefits of growth.

To achieve the vision, the plan proposes 10 directions, 40 objectives and associated strategies. This planning proposal is consistent with the following objectives of the Greater Sydney Region Plan:

- Objective 10: Greater Housing Supply – the Plan identifies housing targets for the Eastern City, which the City forms part of. The planning proposal directly responds to this by ensuring that development does not result in a reduction in housing supply.
- Objective 11: Housing is more diverse and affordable – this planning proposal directly responds to the rental and purchasing affordability challenges identified in the Plan including the limited availability of smaller dwellings to meet the growing proportion of small households as well as the growing distance between areas where housing is affordable and the location of employment and education opportunities.

Eastern City District Plan

The Greater Sydney Commission released the District Plans for the Greater Sydney Metropolitan Region in March 2018. The District Plans set out how A Metropolis of Three Cities – the Greater Sydney Region Plan applies to local areas. The City of Sydney is in the Eastern City District.

The district plan has set a 20-year strategic target for housing and employment growth within the district, including a 2036 target of 157,500 dwellings and a short-term (5 years) housing target of 46,550 new dwellings. In the City of Sydney LGA, 18,300 dwellings are to be delivered.

This planning proposal is consistent with the following planning priorities of the Eastern City District Plan

- Planning Priority E5: Providing housing supply, choice and affordability, with access to jobs, services and public transport This planning proposal gives effect to this priority by ensuring that development does not result in a reduction in housing supply and diversity.

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

Sustainable Sydney 2030-2050 “Continuing the Vision”

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. This planning proposal is aligned with the following relevant strategic directions and objectives:

Direction 10 – Housing for all, including:

- Objective 10.4 Every neighbourhood has a mix of housing accommodating diverse and growing communities. It sets the goal that by 2036 there will be 156,000 private dwellings and 17,500 non-private dwellings.

City Plan 2036 - Local Strategic Planning Statement

The City of Sydney Local Strategic Planning Statement (planning statement), adopted by Council in February 2020, sets out the land use planning context, 20-year vision and planning priorities to positively guide change towards the City’s vision for a green, global and connected city. The planning statement explains how the planning system will manage that change to achieve the desired outcomes and guides future changes to controls.

In giving effect to the planning statement, this planning proposal delivers on Priority L3 - New homes for a diverse community and Action L3.2 to increase the mix of dwelling types.

Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Not applicable

Is the planning proposal consistent with the applicable State Environmental Planning Policies?

This planning proposal is consistent with all applicable State Environmental Planning Policies (SEPPs) and Regional Environmental Plans (REPs), as summarised in Table 1.

State Environmental Planning Policy	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Consistent – no amendment contained in this planning proposal will hinder the application of this SEPP.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Consistent – no amendment contained in this planning proposal will hinder the application of this SEPP.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Consistent – no amendment contained in this planning proposal will hinder the application of this SEPP.
State Environmental Planning Policy (Housing) 2021	Consistent – the amendments in this planning proposal will continue to support the delivery of diverse housing types, consistent with the principles of this SEPP.
State Environmental Planning Policy (Industry and Employment) 2021	Consistent – no amendment contained in this planning proposal will hinder the application of this SEPP.
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	Not applicable.
State Environmental Planning Policy (Planning Systems) 2021	Consistent – no amendment contained in this planning proposal will hinder the application of this SEPP.
State Environmental Planning Policy (Precincts—Central River City) 2021	Not applicable to this proposal
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	Consistent – no amendment contained in this planning proposal will hinder the application of this SEPP.
State Environmental Planning Policy (Precincts—Regional) 2021	Not applicable to this proposal
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	Not applicable to this proposal
State Environmental Planning Policy (Primary Production) 2021	Not applicable to this proposal
State Environmental Planning Policy (Resilience and Hazards) 2021	Consistent – no amendment contained in this planning proposal will hinder the application of this SEPP.

State Environmental Planning Policy	Comment
State Environmental Planning Policy (Resources and Energy) 2021	Not applicable.
State Environmental Planning Policy (Sustainable Buildings) 2022	Consistent – no amendment contained in this planning proposal will hinder the application of this SEPP.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Consistent – no amendment contained in this planning proposal will hinder the application of this SEPP.

Table 2 Consistency with Ministerial Directions

Is the planning proposal consistent with applicable Section 9.1 Ministerial Directions?

This planning proposal is consistent with all Ministerial Directions issued under section 9.1 of the Environmental Planning and Assessment Act 1979, as summarised in Table 2.

Ministerial Direction	Comment
Focus area 1: Planning Systems	
1.1 Implementation of Regional Plans	Consistent. This planning proposal supports the Region Plan, as discussed in detail under question 3 (above) of this planning proposal.
1.2 Development of Aboriginal Land Council land	Not applicable
1.3 Approval and Referral Requirements	Consistent. This planning proposal does not include concurrence, consultation or referral provisions or identify any developments as designated development.
1.4 Site Specific Provisions	Not applicable as the planning proposal does not apply to a particular development to be carried out.
1.4A Exclusion of Development Standards from Variation	Consistent. This planning proposal does not propose to exclude the development standard from the operation of clause 4.6.
Focus area 1: Planning Systems – Place-based	
1.5 Parramatta Road Corridor Urban Transformation Strategy	Not applicable
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable

Ministerial Direction	Comment
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable
1.10 Implementation of the Western Sydney Aerotropolis Plan	Not applicable
1.11 Implementation of Bayside West Precincts 2036 Plan	Not applicable
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable
1.14 Implementation of Greater Macarthur 2040	Not applicable
1.15 Implementation of the Pyrmont Peninsula Place Strategy	Consistent. This Planning proposal does not hinder the application of the Pyrmont Peninsula Place Strategy.
1.16 North West Rail Link Corridor Strategy	Not applicable
1.17 Implementation of the Bays West Place Strategy	Not applicable
1.18 Implementation of the Macquarie Park Innovation Precinct	Not applicable
1.19 Implementation of the Westmead Place Strategy	Not applicable
1.20 Implementation of the Camellia-Rosehill Place Strategy	Not applicable
1.21 Implementation of South West Growth Area Structure Plan	Not applicable
1.22 Implementation of the Cherrybrook Station Place Strategy	Not applicable
Focus area 2: Design and Place	No directions in place
Focus area 3: Biodiversity and Conservation	

Ministerial Direction	Comment
3.1 Conservation Zones	This planning proposal is consistent
3.2 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. This planning proposal is consistent with this direction because it does not change existing provisions that facilitate conservation.
3.3 Sydney Drinking Water Catchments	Not applicable
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
3.5 Recreation Vehicle Areas	Not applicable
3.6 Strategic Conservation Planning	Not applicable
3.7 Public Bushland	Consistent. This planning proposal does not affect public bushland.
3.8 Willandra Lakes Region	Not applicable
3.9 Sydney Harbour Foreshores and Waterways Area	Consistent. The proposed amendments do not affect the Sydney Harbour Foreshores and Waterways Area.
3.10 Water Catchment Protection	Not applicable.
Focus area 4: Resilience and Hazards	
4.1 Flooding	Consistent. The proposed amendments does not rezone any land within a flood planning area.
4.2 Coastal Management	Consistent. The planning proposal applies to land within the coastal zone, however this change does not rezone land nor does it enable increased development or more intense land-use. It is consistent with all relevant Acts, manuals, guidelines and plans identified in Ministerial Direction 4.2.
4.3 Planning for Bushfire Protection	Not applicable
4.4 Remediation of Contaminated Land	Consistent. The proposed amendments do not change the zoning of any land.

Ministerial Direction	Comment
4.5 Acid Sulfate Soils	Consistent. The proposed amendments do not hinder the acid sulfate soil provisions in Sydney LEP 2012
4.6 Mine Subsidence and Unstable Land	Not applicable
Focus area 5: Transport and Infrastructure	
5.1 Integrating Land Use and Transport	Consistent. This planning proposal supports this direction by ensuring dwelling density is maintained in areas well serviced by public transport and within close walking distance to services.
5.2 Reserving Land for Public Purposes	Not applicable
5.3 Development Near Regulated Airports and Defence Airfields	Consistent. The proposed amendments will not adversely impact the safe and effective operation of nearby airports nor constitute an obstruction and potential hazard to aircraft flying in the vicinity.
5.4 Shooting Ranges	Not applicable
Focus area 6: Housing	
6.1 Residential Zones	Consistent. See discussion below.
6.2 Caravan Parks and Manufactured Home Estates	Not applicable.
Focus area 7: Industry and Employment	
7.1 Employment Zones	This planning proposal is consistent. It does not make changes to zoning or reduce the total potential floor space area for employment uses and related public services.
7.2 Reduction in non-hosted short-term rental accommodation period	Not applicable
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
Focus area 8: Resources and Energy	
8.1 Mining, Petroleum Production and Extractive Industries	Not applicable
Focus area 9: Primary Production	

Ministerial Direction	Comment
9.1 Rural Zones	Not applicable
9.2 Rural Lands	Not applicable
9.3 Oyster Aquaculture	Not applicable
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable

Table 2 Consistency with Ministerial Directions

Housing Diversity

This Direction seeks to encourage housing diversity to address future needs that minimises adverse environmental impacts and makes efficient use of existing infrastructure. It lists matters that the planning proposal must include. Matters relevant to this planning proposal include:

- broaden the choice of building types and locations available in the housing market;
- make more efficient use of existing infrastructure and services;
- reduce the consumption of land for housing and associated urban development on the urban fringe; and
- not contain provisions which will reduce the permissible residential density of land.

This planning proposal contains provisions to ensure that the number of dwellings and residential diversity is not reduced where sites containing dwellings are proposed for redevelopment. This directly supports the ministerial direction by maintaining dwelling diversity in the City.

Importantly, it protects the availability of relatively affordable, smaller apartments close to the Sydney CBD, an area which has the highest rents and housing demand.

Section C - Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

No. it is unlikely that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of this planning proposal.

Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

No.

Has the planning proposal adequately addressed any social and economic effects?

This planning proposal will result in positive social and economic effects through the maintenance of relatively affordable housing supply close to infrastructure and public transport in an area that has a limited supply of housing.

Section D - Infrastructure (Local, State and Commonwealth)

Is there adequate public infrastructure for the planning proposal?

The planning proposal does not increase the density of development in the area. Local infrastructure will be delivered in accordance with the City of Sydney Development Contributions Plan 2015 and 2020, community infrastructure provisions of the LEP and Council's long term capital works program.

What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

To be determined in further consultation with public authorities following Gateway determination.

Community consultation

~~This planning proposal shall be exhibited in accordance with the requirements of the gateway determination once issued by the Department of Planning and Environment.~~

~~It is anticipated that public exhibition of the planning proposal will be for a period of at least 20 working days, which is consistent with the Environmental Planning and Assessment Act 1979 and the Local Environmental Plan Making Guideline dated August 2023.~~

~~The public exhibition documentation will be available on the City of Sydney website, in accordance with the City's Community Engagement Strategy and Participation Plan 2023.~~

~~Consultation with the necessary state and federal agencies, authorities and other relevant organisations will be undertaken in accordance with the conditions contained in the gateway determination.~~

This planning proposal was updated in accordance with the gateway determination issued by the Department prior to public exhibition.

Community consultation was undertaken in accordance with the requirements of the gateway determination.

The planning proposal was publicly exhibited from 11 July 2024 to 23 August 2024, meeting the requirements for a complex planning proposal under the Department's Local Environmental Plan Making Guideline.

Notification of the public exhibition of this planning proposal was made by letter to over 30,000 property owners, on the City of Sydney website, by direct email, QMS screen billboards and via advertisement on social media platforms. All exhibition material was made available on the City of Sydney website.

Consultation with public authorities or government agencies was not required by the gateway determination.

Project timeline

This planning proposal is categorised as a Complex planning proposal as per the Local Environmental Plan Making Guidelines dated August 2023, the anticipated timeframe for the completion of the planning proposal is as follows:

Stage	Timeframe
Gateway Request	December 2023
Commencement / gateway determination	February 2024 April 2024
Government agency consultation	March – April 2024
Public exhibition	March – April 2024 July-August 2024
Review of issues raised in submissions	April – June 2024 August-October 2024
Post-exhibition reporting	August 2024 November 2024
LEP drafting	September – October 2024 November 2024 – January 2025
LEP made	November 2024 February 2025
LEP notification	November 2024 February 2025

Appendix

Drafting instructions

Introduce clause 6.XX of Sydney LEP 2012 as follows:

6.XX Dwelling retention

(1) The objective of this clause is to minimise the loss of housing ~~diversity~~ resulting from the consolidation of existing dwellings or the demolition of existing housing for the construction of **fewer** new dwellings.

(2) Subject to subsection (3) below, development consent or consent to an application to modify a development consent must not be granted for development (including demolition) to an existing residential flat building, or an existing mixed-use development that contains three or more dwellings, unless the consent authority is satisfied that the number of dwellings will not be reduced by the greater of:

- (a) 1 dwelling; or
- (b) 15% of dwellings in the development (rounded to the nearest whole number).

(3) Despite subsection (2) above, development consent or consent to an application to modify a development consent may be granted for development (including demolition) to an existing residential flat building or a mixed-use development that contains shop top housing where the decrease in dwellings will occur as a result of a change of use of residential floor space to a non-residential use.

Amend Clause 1.8A (X) Savings provisions relating to development applications as follows (changes shown in **bold**):

1.8A (X) The amendments made to this plan by Sydney Local Environmental Plan 2012 **Sydney Local Environmental Plan 2012 (Amendment No XX)** do not apply to—

- (a) a concept development application or a development application made but not finally determined before the commencement of the amendments, or
- (b) a development application made after the commencement of the amendments, if the development application is subsequent to, and made in reliance on, a concept development application in relation to the same development that was—
 - (i) made but not finally determined before the commencement of the amendments, or
 - (ii) granted development consent before the commencement of the amendments.

Attachment C

Resolutions of Council and the Central Sydney Planning Committee
--

Resolution of Council

11 December 2023

Item 9.7

Public Exhibition - Planning Proposal - Sydney Local Environmental Plan and Development Control Plan - Policy and Housekeeping Amendments (LEP/DCP Update)

It is resolved that:

- (A) Council approve Planning Proposal – Sydney Local Environmental Plans - Policy and Housekeeping Amendments 2023, shown at Attachments A, A1 and A2 to the subject report for submission to the Department of Planning and Environment with a request for a Gateway Determination and public consultation and exhibition in accordance with any conditions imposed under the Gateway Determination;
- (B) Council seek authority from the Department of Planning and Environment to exercise the delegation of all functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect the Planning Proposal – Sydney Local Environmental Plans - Policy and Housekeeping Amendments 2023;
- (C) Council approve Planning Proposal - Sydney Local Environmental Plans – Dwelling Retention shown at Attachment B to the subject report for submission to the Department of Planning and Environment with a request for Gateway Determination and public consultation and exhibition in accordance with any conditions imposed under the Gateway Determination;
- (D) Council seek authority from the Department of Planning and Environment to exercise the delegation of all functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect Planning Proposal – Sydney Local Environmental Plan 2012 - Dwelling Retention;
- (E) Council approve draft Sydney Development Control Plan 2012 - Policy and Housekeeping Amendments 2023 at Attachments C, C1 and C2 to the subject report for public exhibition with the Planning Proposal – Sydney Local Environmental Plans - Policy and Housekeeping Amendments 2023 subject to the following insertion:

Indoor air quality in new residential development

Objectives

- (a) Reduce indoor air pollutants associated with the onsite combustion of gas to improve air quality.

Provisions

- (1) Gas cooktops, gas ovens or gas internal space heating systems are not permitted in new residential development; instead, electric systems should be installed;
- (F) Council approve updates to City of Sydney Competitive Design Policy, Guidelines for Waste Management in New Developments, and Landscape Code shown at Attachments D, E and F to the subject report for public exhibition with the Planning Proposal – Sydney Local Environmental Plans - Policy and Housekeeping Amendments 2023 and draft development control plan;
- (G) Council rescind the Green Roofs and Wall Policy as shown at Attachment G to the subject report;
- (H) authority be delegated to the Chief Executive Officer to make any minor amendments to Planning Proposal – Policy and Housekeeping Amendments 2023 shown at Attachments A, A1 and A2 to the subject report prior to public exhibition to correct any drafting errors or to ensure consistency with the Gateway Determination;
- (I) authority be delegated to the Chief Executive Officer to make any minor amendments to Planning Proposal – Dwelling Retention shown at Attachment B to the subject report prior to public exhibition to correct any drafting errors or to ensure consistency with the Gateway Determination; and
- (J) authority be delegated to the Chief Executive Officer to make any minor amendments to the draft Sydney Development Control Plan 2012 - Policy and Housekeeping Amendments 2023 and other development guidelines, codes and policies shown at Attachments C - F to the subject report, prior to public exhibition to correct any drafting errors or ensure consistency with the Planning Proposal – Sydney Local Environmental Plans - Policy and Housekeeping Amendments 2023.

Carried unanimously.

X039444

Resolution of Central Sydney Planning Committee

7 December 2023

Item 9

Public Exhibition – Planning Proposal – Sydney Local Environmental Plan and Development Control Plan – Policy and Housekeeping Amendments (LEP/DCP Update)

Moved by the Chair (the Lord Mayor), seconded by Councillor Worling –

It is resolved that:

- (A) the Central Sydney Planning Committee approve Planning Proposal – Sydney Local Environmental Plans - Policy and Housekeeping Amendments 2023, shown at Attachments A, A1 and A2 to the subject report for submission to the Department of Planning and Environment with a request for a Gateway Determination and public consultation and exhibition in accordance with any conditions imposed under the Gateway Determination;
- (B) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 4 December 2023, that Council seek authority from the Department of Planning and Environment to exercise the delegation of all functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect the Planning Proposal – Sydney Local Environmental Plans - Policy and Housekeeping Amendments 2023;
- (C) the Central Sydney Planning Committee approve Planning Proposal - Sydney Local Environmental Plans - Dwelling Retention shown at Attachment B to the subject report for submission to the Department of Planning and Environment with a request for Gateway Determination and public consultation and exhibition in accordance with any conditions imposed under the Gateway Determination;
- (D) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 4 December 2023, that Council seek authority from the Department of Planning and Environment to exercise the delegation of all functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect Planning Proposal – Sydney Local Environmental Plan 2012 - Dwelling Retention;

- (E) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 4 December 2023, that Council approve draft Sydney Development Control Plan 2012 - Policy and Housekeeping Amendments 2023 at Attachments C, C1 and C2 to the subject report for public exhibition with the Planning Proposal – Sydney Local Environmental Plans - Policy and Housekeeping Amendments 2023;
- (F) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 4 December 2023, that Council approve updates to City of Sydney Competitive Design Policy, Guidelines for Waste Management in New Developments, and Landscape Code shown at Attachments D, E and F to the subject report for public exhibition with the Planning Proposal – Sydney Local Environmental Plans - Policy and Housekeeping Amendments 2023 and draft development control plan;
- (G) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 4 December 2023, that Council rescind the Green Roofs and Wall Policy as shown at Attachment G to the subject report;
- (H) authority be delegated to the Chief Executive Officer to make any minor amendments to Planning Proposal – Policy and Housekeeping Amendments 2023 shown at Attachments A, A1 and A2 to the subject report prior to public exhibition to correct any drafting errors or to ensure consistency with the Gateway Determination;
- (I) authority be delegated to the Chief Executive Officer to make any minor amendments to Planning Proposal – Dwelling Retention shown at Attachment B to the subject report prior to public exhibition to correct any drafting errors or to ensure consistency with the Gateway Determination; and
- (J) authority be delegated to the Chief Executive Officer to make any minor amendments to the draft Sydney Development Control Plan 2012 - Policy and Housekeeping Amendments 2023 and other development guidelines, codes and policies shown at Attachments C - F to the subject report, prior to public exhibition to correct any drafting errors or ensure consistency with the Planning Proposal – Sydney Local Environmental Plans - Policy and Housekeeping Amendments 2023.

Carried unanimously.

X039444

Attachment D

**Gateway Determination
Dated 5 April 2024**

Gateway Determination

Planning proposal (Department Ref: PP-2024-27): Introduce a new local provision into the Sydney Local Environmental Plan 2012 to minimise the loss of diverse housing stock resulting from the consolidation of existing dwellings, or the demolition of existing dwellings for the construction of new dwellings.

I, the A/Executive Director, Metro East and South 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 Sydney Local Environmental Plan 2012 to Introduce a new local provision in Part 6 of Sydney Local Environmental Plan 2012 to minimise the loss of diverse housing stock should proceed subject to the following conditions.

The Council as planning proposal authority is not authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act.

The LEP should be completed on or before 28 March 2025.

Gateway Conditions

1. Prior to exhibition, the planning proposal is to be updated to include the following:
 - (a) Additional evidence and analysis for clarity and transparency explaining how the proposed numerical standard was selected and why it is the best mechanism to address this housing trend. This should include:
 - i. Further explanation of how the 15% rate of maximum dwelling reduction was identified rather than another rate and how it is the most appropriate to achieve the proposal objectives.
 - ii. Multiple worked examples showing how the provision will apply in different scenarios and development types. This should include:
 - the methodology for how the reduction in overall dwellings on the site would be calculated when there is a non-residential component.
 - scenarios where mixed-use buildings reducing the number of dwellings and some dwellings are converted to non-residential uses, and
 - scenarios for residential flat buildings.
 - iii. Further explanation of how the proposed provision of how a mix of dwelling sizes for a range of households can be achieved.
 - iv. Discussion of how the proposed provision will apply to zones predominately characterised by employment or mixes uses.
 - (b) Address Section 9.1 Ministerial Direction 4.2 – Coastal Management and provide justification to demonstrate how the planning proposal is consistent with the terms of the direction; and

- (c) A proposed provision for savings and transitional arrangements for applications lodged prior to the provision coming into effect.
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 complex 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 30 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 not required with public authorities or government agencies under section 3.34(2)(d) of the Act.
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 may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 5 April 2024



Laura Locke
A/Executive Director, Metro East and South
Planning, Land Use Strategy and Housing
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces

Item 8.

Fire Safety Reports

File No: S105001.002

Summary

The City of Sydney regularly receives building reports from Fire and Rescue NSW in relation to inspections carried out by Fire and Rescue NSW Authorised Officers. These inspection reports are to be reported to Council and Council is required to determine whether to exercise its power to issue fire safety orders under Division 9.3 and Schedule 5 of the Environmental Planning and Assessment Act 1979 (the Act).

In response to Fire and Rescue NSW reports City staff undertake inspections to ensure fire safety measures are in full operation and that building exits are clear and unimpeded. Fire and Rescue NSW inspections revealed fire safety concerns that require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

Fire and Rescue NSW has powers under the Act to carry out inspections of buildings and it is required to forward its findings to the City.

Fire and Rescue NSW reports received by the City are required to be tabled before Council. Attached are details of three reports received by the City from Fire and Rescue NSW. The attachments deal with three properties and includes the Fire and Rescue NSW report and the findings (preliminary or final) by the City's Officer, along with other documentation relevant to that property.

Recommendation

It is resolved that Council:

- (A) note the contents of the Fire Safety Reports Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B to D of the subject report;
- (C) note the contents of Attachment B and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 35-39 Ultimo Road, Haymarket at this time;
- (D) note the contents of Attachment C and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 307 Pitt Street, Sydney at this time; and
- (E) note the contents of Attachment D and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 200-218 Goulburn Street, Surry Hills at this time.

Attachments

- Attachment A.** Fire Safety Reports Summary Sheet
- Attachment B.** Inspection Report - 35-39 Ultimo Road, Haymarket
- Attachment C.** Inspection Report - 307 Pitt Street, Sydney
- Attachment D.** Inspection Report - 200-218 Goulburn Street, Surry Hills

Background

1. The City receives inspection reports and recommendations from Fire and Rescue NSW in relation to inspections carried out on buildings located within the City's local government area.
2. Under the Environmental Planning and Assessment Act 1979, (the Act), Fire and Rescue NSW has the power to carry out inspections of buildings to determine if the building has adequate provision for fire safety and/or is compliant with legislation.
3. On average, the City receives approximately 50 such reports each year. They can arise from any Fire and Rescue NSW inspection of a property, including reactive inspections where a third party has reported a concern relating to fire safety in a building..
4. When Fire and Rescue NSW carries out such an inspection, a report and any recommendations must be provided to the City.
5. Under the Act, Council is then required to table the report and make a determination as to whether it will exercise its power to issue a Fire Safety Order 1 or 2 in Schedule 5, Part 2 of the Act.
 - (a) Fire Safety Order 1 requires a person to do or stop doing certain specified things to improve fire safety;
 - (b) Fire Safety Order 2 requires a person to cease conducting an activity on premises where that activity constitutes, or is likely to constitute, a life-threatening hazard or a threat to public health or public safety.
6. Attached are the details of 3 reports received from Fire and Rescue NSW, including recommendations for further action, relating to three properties. The properties have also been reviewed by City staff.

Relevant Legislation

7. Environmental Planning and Assessment Act 1979.

GRAHAM JAHN, AM

Chief Planner / Executive Director City Planning, Development and Transport

Andrew Thomas, Executive Manager Planning and Development

Attachment A

Fire Safety Reports Summary Sheet
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Fire Safety Reports Summary Sheet
Cl.17, Schedule 5 of the Environmental Planning and Assessment Act 1979, reports to Council, S105001.002

Total number of properties tabled: 3

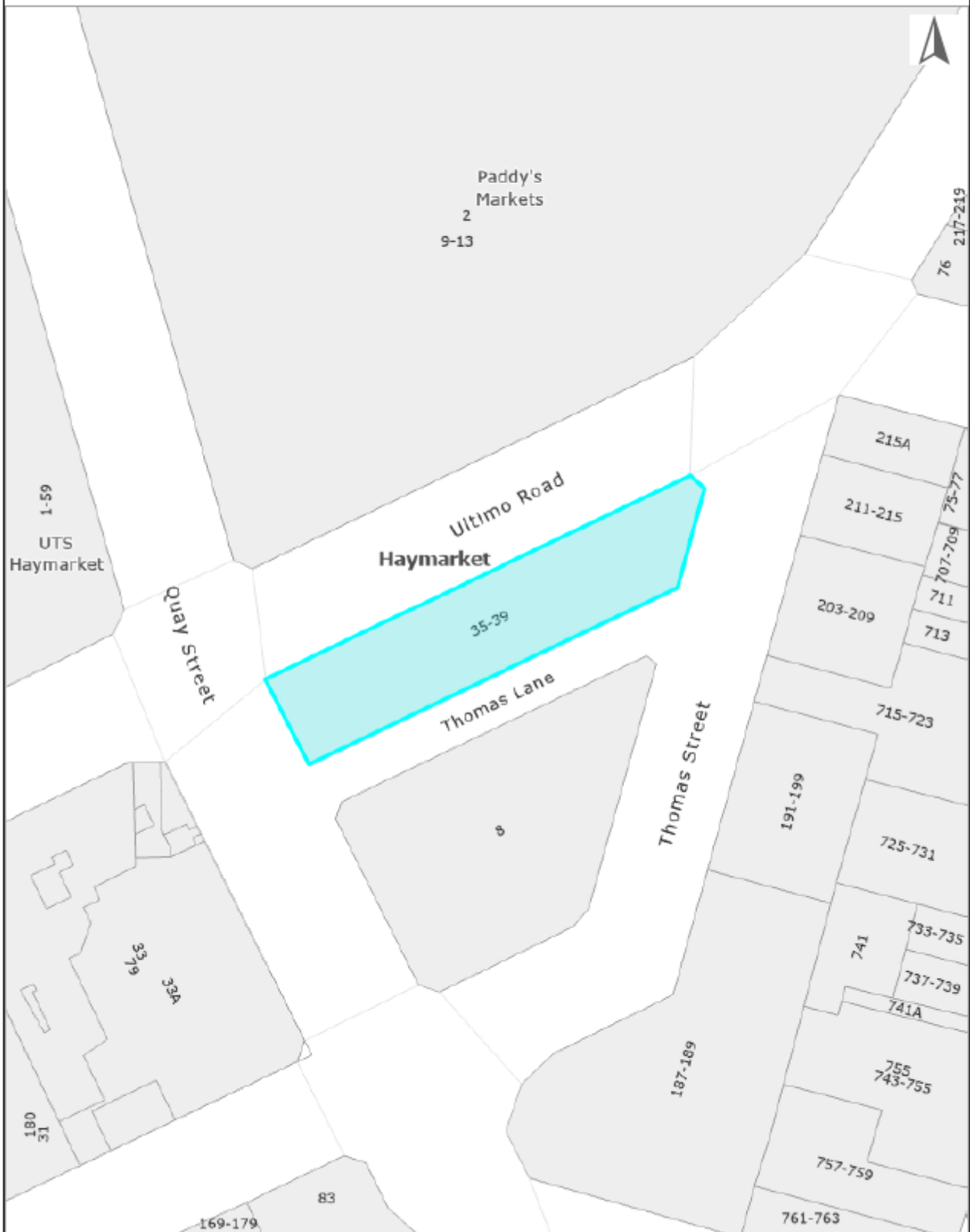
Report – November 2024

Summary table

Att. (A-D)	Premises Specifics	Actions/ Recommendation
A	Not applicable – Summary Sheet	Summary of clause 17, Schedule 5 matters tabled at Council meeting.
B	35-39 Ultimo Road, Haymarket	Premises inspected; owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
C	307 Pitt Street, Sydney	Premises inspected; owners have previously been issued with a Fire Safety Order; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
D	200-218 Goulburn Street, Surry Hills	Premises inspected; matters raised have been rectified, no further action required.

Attachment B

**Inspection Report
35-39 Ultimo Road, Haymarket**



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Notes

2/10/2024

Council Investigation Officer Inspection and Recommendation Report
Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act 1979
(the Act)

File: CSM 3228240

Officer: M. Hassan

Date: 10 October 2024

Premises: The Ultimo Hotel, 35 – 39 Ultimo Road, Haymarket

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 3 September 2024 with respect to matters of fire safety.

The premises is known as The Ultimo Hotel and is used predominately for hotel accommodation. The building contains 5 storeys and includes restaurants, shops, a bank and a loading dock on the ground floor level and a licenced karaoke venue in the basement level. The remainder of the building is used for hotel accommodation.

The second and third floor levels of the building are currently vacant and undergoing building works under valid consents.

The premises is a Heritage Item under Schedule 5 of the City of Sydney Local Environmental Plan 2012.

The premises is rectangular in shape and is bounded by Ultimo Road to the North, Thomas Street to the East, Thomas Lane to the South and Quay Street to the West. The building is surrounded by residential and commercial buildings.

An inspection of the premises undertaken by a Council Investigation Officer on 3 October 2024 in the presence of the General Manager and the owner's Fire Safety Contractor revealed that there were no significant fire safety issues occurring within the building.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2021.

Council investigations have revealed that whilst there are several minor fire safety "maintenance and management" works to attend to such as, clearing faults on the fire indicator panel, installing a smoke detection and alarm system zone block plan, installing compliant sprinkler/hydrant block plans and test and boost pressure signage and removing obstructions to a box containing spare sprinkler heads, the overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

It is considered that the above fire safety works are of a degree which can be addressed by routine corrective maintenance actions undertaken by the owner's fire service contractor through written instruction from Council.

Observation of the external features of the building did not identify the existence of potential combustible composite cladding on the façade of the building.

Chronology:

Date	Event
03/09/2024	FRNSW correspondence received regarding premises 35 – 39 Ultimo Street, Haymarket
03/10/2024	An inspection of the subject premises was undertaken with the General Manager and the Owners Fire Safety Contractor. The inspection revealed that the building contained the following fire safety deficiencies: 1. There were several faults on the fire indicator panel. The General Manager advised that the faults are present because smoke detectors located in areas of the building undergoing building and fit out work have been isolated to avoid false alarms. 2. The smoke detection and alarm system lacked a zone block plan. 3. The combined sprinkler/hydrant block plan lacked information required by Australian Standards AS 2118.1-1999 and AS 2419.1-2005. 4. The fire hydrant booster lacked boost and test pressure signage required by AS 2419.1-2005. 5. The box containing the spare sprinklers located in the loading dock was obstructed by a heavy desk.
04/10/2024	A corrective action letter was issued on the owners of the building requiring the owners to rectify the maintenance issues identified during the inspection by 2 December 2024.

FIRE AND RESCUE NSW REPORT:

Fire and Rescue NSW conducted an inspection of the subject premises on 15 May 2024 after receiving an enquiry about the adequacy of the egress provisions in connection with the premises.

Issues

The report from FRNSW detailed a number of issues, in particular noting the following:

Ref	Issue	City response
1A.A	The pressure gauge located on the upstream (town main) side of the pumpset was a compound gauge and will not show the required pressure being applied to the hydrant pumpset contrary to the requirements of Clause 9.3.1 of Australian Standard (AS) 2419.1-2005.	A compliant pressure guage has been installed on the upstream side of the pumpset.
1A.B	A rudimentary block plan was installed at the booster cabinet. The block plan is a combined fire hydrant and fire sprinkler block plan which contains insufficient information to assist firefighters during operations and is contrary to the requirements of AS 2419.1 – 2005.	This matter has been addressed under the corrective action letter dated 4 October 2024.
1A.C	FRNSW notes that Council issued a modified fire safety order in 2015, requiring an upgrade of the hydrant and sprinkler booster assemblies which included the installation of new block plans and boost & test pressure signage in accordance with Clause 7.10 and 7.11 of AS2419.1-2005. In this regard, the fire safety schedule issued in relation to the modified fire safety order does not include detail of the hydrant and sprinkler booster assembly upgrades and therefore the ongoing maintenance of the booster assembly cannot be ensured.	The lack of boost and test pressure signage has been addressed under the corrective action letter dated 4 October 2024. Furthermore, Council's current fire safety schedule for the building includes the requirements of the Modified Fire Safety Order in the standard of performance for the sprinkler and hydrant systems in the building and therefore FRNSW concerns have been addressed.
1B.A	14 isolations were present on the Fire Detection Control and Indicating Equipment. At the time of the inspection, multiple refurbishments were being undertaken in multiple sole occupancy units at the premises.	This matter has been addressed under the corrective action letter dated 4 October 2024.

Ref	Issue	City response
2A.	The fire rated door, between the ground floor lobby and the loading dock was chocked open with a plastic wedge, preventing the door from self-closing, contrary to the requirements of Clause C4D6 of the National Construction Code 2022, Volume 1 Building Code of Australia (NCC). FRNSW were advised that the door is often held open to permit unimpeded access to and from the loading dock. FRNSW advised the manager that holding the door open would be permissible if an automatic hold-open device was installed, connected to the Smoke Detection and Alarm System.	The subject door was wedged open as construction workers were transporting materials from the loading dock to the first-floor level which was undergoing major building works under a valid consent. When I advised the construction workers that they could be fined for leaving the door opened, they removed the plastic wedge from under the door and closed the door.
3A.	The latch operating device to the fire rated door, between the ground floor lobby and the loading dock did not comply with the requirements of Clause D3D26 of the NCC. In this regard a security sleeve is installed.	The subject door is not an exit door, or a door located in the path of travel to an exit and therefore is not required to comply with the requirements of D3D26 of the NCC.

FRNSW Recommendations

FRNSW have made a number of recommendations within their report. In general, FRNSW have requested that Council:

1. Review item 1 to 2 of this report and conduct an inspection.
2. Address any other deficiencies identified on “the premises”.
3. Advise them in writing of its determination in relation to this matter in accordance with the provisions of clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979

OFFICER RECOMMENDATIONS:

Issue Order	Issue emergency Order	Issue a compliance letter of instruction	Cited Matters rectified	Continue to undertake compliance action in response to issued Council correspondence	Continue with compliance actions under the current Council Order	Other (to specify)
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As a result of the above site inspection it is recommended that the owners of the building continue to comply with the written fire safety compliance instructions as issued by Council officers to rectify the identified fire safety deficiencies noted by FRNSW.

OFFICIAL



File Ref. No: FRN23/1509 BFS23/2080 8000027742
TRIM Ref. No: D2024/103803
Contact: Inspector Paul Scott

3 September 2024

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
THE ULTIMO HOTEL
35-39 ULTIMO STREET HAYMARKET ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *#On that evening I tried to use the emergency fire exit as a shortcut to go to Woolworths which is across the street at the southern end of the hotel. I entered the southern emergency stairwell and went to the ground floor level. The egress door was locked and could not be opened. I was then trapped in the stairwell and had to phone reception to get someone to let me out. Totally unacceptable and a danger to guests. I would be grateful if this could be investigated and fixed.*

Pursuant to Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW inspected 'the premises' on 15 May 2024.

On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.

Fire and Rescue NSW	ABN 12 593 473 110	www.fire.nsw.gov.au
Community Safety Directorate	1 Amarina Ave	T (02) 9742 7434
Fire Safety Compliance Unit	Greenacre NSW 2190	F (02) 9742 7483
www.fire.nsw.gov.au		Page 1 of 3

OFFICIAL

- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

COMMENTS

The southern egress door identified in the fire safety complaint was found to be operating, was not locked and provided free passage to an open space.

The following items were identified during the inspection:

1. Essential Fire safety Measures

1A. Fire Hydrant System

- A. The pressure gauge located on the upstream (town main) side of the pumpset was a compound gauge and will not show the required pressure being applied to the hydrant pumpset contrary to the requirements of Clause 9.3.1 of Australian Standard (AS) 2419.1-2005.

FRNSW received images from the premises, but these failed to show that a compliant pressure gauge was installed.

- B. A rudimentary block plan was installed at the booster cabinet. The block plan is a combined fire hydrant and fire sprinkler block plan which contains insufficient information to assist firefighters during operations and is contrary to the requirements of AS 2419.1 – 2005.

- C. FRNSW notes that Council issued a modified fire safety order (REF:S0775602-02) in 2015, requiring an upgrade of the hydrant and sprinkler booster assemblies which included the installation of new block plans and boost & test pressure signage in accordance with Clause 7.10 and 7.11 of AS2419.1-2005. In this regard, the fire safety schedule issued in relation to the modified fire safety order (REF: S075602/CDH/2016/549468) does not include detail of the hydrant and sprinkler booster assembly upgrades and therefore the ongoing maintenance of the booster assembly cannot be ensured.

1B. Smoke Detection and Alarm System (SDAS)

- A. 14 isolations were present on the Fire Detection Control and Indicating Equipment. At the time of the inspection, multiple refurbishments were being undertaken in multiple sole occupancy units at the premises.

2. Compartmentation and Separation

OFFICIAL

- 2A. The fire rated door, between the ground floor lobby and the loading dock was chocked open with a plastic wedge, preventing the door from self-closing, contrary to the requirements of Clause C4D6 of the National Construction Code 2022, Volume 1 Building Code of Australia (NCC). FRNSW were advised that the door is often held open to permit unimpeded access to and from the loading dock. FRNSW advised the manager that holding the door open would be permissible if an automatic hold-open device was installed, connected to the Smoke Detection and Alarm System.
3. Egress
- 3A. The latch operating device to the fire rated door, between the ground floor lobby and the loading dock did not comply with the requirements of Clause D3D26 of the NCC. In this regard a security sleeve is installed.

FRNSW believes that there are inadequate provisions for fire safety within the building.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 to 2 of this report and conduct an inspection.
- b. Address any other deficiencies identified on "the premises".

Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting. This matter is referred to Council as the appropriate regulatory authority. FRNSW awaits the Council's advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Please do not hesitate to contact Inspector Paul Scott of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call (02) 9742 7434 if there are any questions or concerns about the above matters. Please refer to file reference FRN23/1509 BFS23/2080 8000027742 regarding any correspondence concerning this matter.

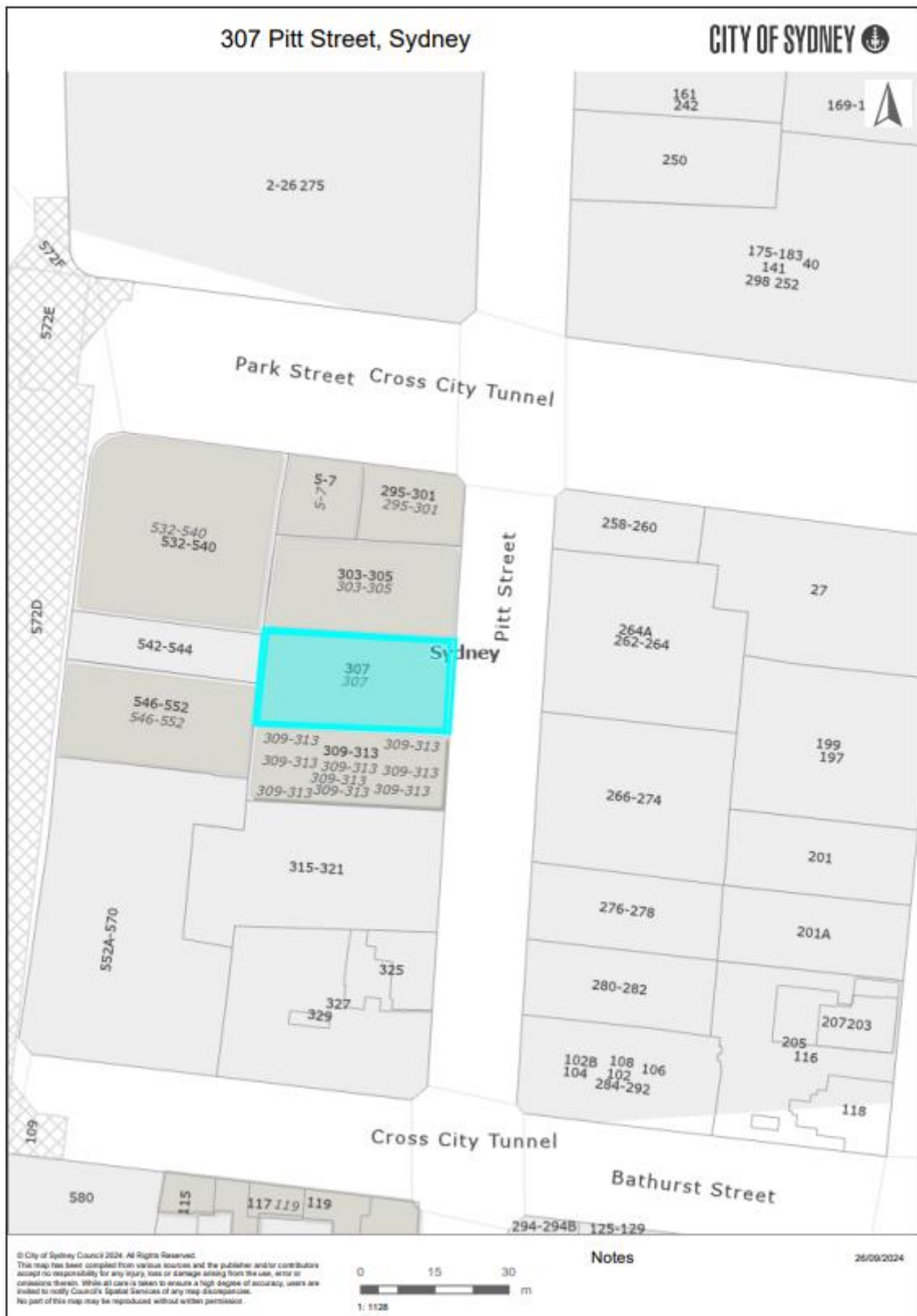
Yours faithfully



Paul Scott
Team Leader Fire Safety Compliance
Fire Safety Compliance Unit

Attachment C

**Inspection Report
307 Pitt Street, Sydney**



Council Investigation Officer Inspection and Recommendation Report
Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act 1979
(the Act)

File: CSM 3229780

Officer: Luke Jeffree

Date: 8 October 2024

Premises: 307 Pitt Street, Sydney

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 5 September 2024 with respect to matters of fire safety. This building is owned and partly occupied by Council.

The premises consists of a 15-storey commercial building with vacant ground floor retail tenancy and basement floor situated on the western side of Pitt Street and approximately 35m south of Park Street within the Sydney Central Business District.

The building was constructed in approximately 1965 under historic building ordinances. Under the current National Construction Code (NCC) the building has a rise in storeys of 14 and an effective height of more than 25 metres.

The building is subject to a Council Fire Safety Order issued on 9 May 2019. The Fire Safety Order was modified in May 2024. Prior to this, FRNSW were consulted by the City regarding the proposed modification and raised no objection. Works are progressing in accordance with the terms of the current Order which is due for completion by 1 December 2025.

An inspection of the premises undertaken by a Council Investigation Officer in the presence of relevant Council staff and Council's consultant fire engineer which revealed that there were no significant fire safety issues occurring within the building.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Observation of the external features of the building did not identify the existence of any combustible composite cladding on the façade of the building.

Chronology:

Date	Event
05/09/2024	FRNSW correspondence received regarding premise 307 Pitt Street, Sydney
12/09/2024	A desktop review carried out by Council Investigation Officer confirmed the following; Fire Safety Order and modified Order are currently issued on the building which require both prescriptive and fire engineered upgrading works
24/09/2024	The consultant fire engineer's responses to items raised in FRNSW's correspondence) was provided by relevant staff to Council's Investigation Officer. The Officer reviewed this document along with FRNSW correspondence and identified several emergency access and signage matters that needed priority remediation.

Date	Event
25/09/2024	An inspection of the subject premises was undertaken by a Council officers in the presence of relevant staff and the Council's fire engineer. The inspection revealed the following: • Hydrant block plan mentioned in FRNSW's correspondence had been relocated so that it is no longer obscured by hydrant pipework • Back up batteries for the smoke detection and alarm system had been replaced on 28 June 2024 • An exit sign located in the basement was flickering/defective • Maximum occupancy capacity signage required under Term M1.22 of Order Modification dated 22 May 2024 had been removed on level 5 • Door hardware to hydrant pump room & sprinkler valve room were not fitted with locks compatible for FRNSW Also, Council officer verbally requested relevant staff to arrange for further signage to be provided to the entry door of fire control centre and door to hydrant pump-room, change door hardware to hydrant pump room & basement sprinkler valve room (with compatible locks for FRNSW access) and for occupancy capacity signage on level 5 to be re-instated.
03/10/2024	A further inspection of the subject premises was undertaken by a Council officers in the presence of relevant staff. The inspection revealed the following: • Exit sign in the basement has been replaced and is compliant • Temporary signage to doors to hydrant pump room & fire control centre has been installed. Confirmation given that permanent signage has been ordered & is awaiting delivery • Lock to sprinkler valve room door has been replaced and is compliant • A temporary occupancy capacity signage has been installed on level 5. Confirmation given that permanent signage has been ordered & is awaiting delivery • Confirmation given that new lockset (to hydrant pump room door to accommodate 003 key and current lock to hydrant pump room) has been ordered and is awaiting delivery

FIRE AND RESCUE NSW REPORT:

Fire and Rescue NSW conducted an inspection on 14 May 2024 of the subject premises after receiving correspondence concerning the provision for fire safety in connection with the premises.

Issues: The report from FRNSW detailed a number of issues, in particular

Ref.	Issue	City response
1. Essential Fire Safety Measures		
1A.	Fire Hydrant System - The fire hydrant system appears to a hybrid design, original installed in compliance with Ordinance 70 and with a partial upgrade to AS2419.1. The following deviations from AS2419.1-2005 have been identified:	
i.	The block plan indicates that the attack hydrants from level 7 to the basement level are gravity fed from the roof-top tank. It is therefore considered that the attack hydrants would fail to achieve the required pressures and flows as prescribed at Table 2.3 of AS2419.1-2005.	Council's inspection revealed that the current block plan indicates that the attack hydrants are gravity fed from roof-top tank & receive boost pressure from an existing pump. It is confirmed that the fire hydrant system is in the process of being addressed under Term M5.03 of Fire Order Modification dated 22 May 2024 .Also, it is confirmed that the pressure and flows of the partially upgraded system will achieve compliance with Fire Safety Upgrade Report prepared by Fahrenheit Global dated 16 May 2024 and AS 2419.1-2005. Also, Council's consultant fire engineer has responded advising that a new pump has been specified for the required works on site to achieve 700 kPa and that works are underway.
ii.	Boost pressure and test pressure signage was not provided at the booster assembly, contrary to the requirements of Clause 7.10.1 of AS2419.1-2005.	In the process of being addressed under Term M5.03 of Fire Order Modification dated 22 May 2024

Ref.	Issue	City response
iii.	Feed fire hydrants have not been installed onsite adjacent to the booster inlet connections, contrary to the requirements of Clauses 7.4 of AS2419.1-2005.	No action required by the City. Council's consultant fire engineer has responded confirming that feed hydrants are not part of the scope of required works under the modified order.
iv.	The hydrant block plan was partially obscured by hydrant pipework, contrary to the requirements of Clause 7.11 of AS2419.1-2005 which requires a block plan to be fixed where it can be instantly seen.	No action required by the City. Councils' inspection revealed that the existing hydrant block plan has been relocated so that it is no longer obscured by hydrant pipework. An updated block plan will be installed following the completion of works under the modified order.
v.	The hydrant booster assembly is located in a position less than 10m from the external wall of the building, contrary to the requirements of Clause 7.3 of AS2419.1-2005.	No action required by the City. Council's consultant fire engineer has responded confirming that this item is not part of the scope of required works under the modified order.
vi.	The door hardware to the hydrant pump room on level 14, was not fitted with a 003 lock compatible with FRNSW access key, therefore access was not available at the time of inspection to determine whether the hydrant pump system had been maintained and was capable of operating to the standards of performance from when it was first designed and installed.	This access matter is currently being addressed under the modified Order.
vii.	The access door to the hydrant pump room, has not been provided with adequate identification signage, so that it can be readily located by the attending fire brigade, contrary to the requirements of Clause 6.4.1 of AS2419.1-2005.	This signage matter is currently being addressed under the modified Order.
viii	The building has an effective height of more than 25m and has not been provided with a ring main, contrary to the requirements of Clause 8.5.4 of AS2419.1-2005	No action required by the City. Councils consultant fire engineer has responded confirming that a ring main is not possible.

Ref.	Issue	City response
1B	Sprinkler System –	
i.	The sprinkler valve room does not have direct egress to the road or open space, contrary to the requirements of Clause E1D4 and Specification S17C6 of the NCC.	No action required by the City. Council's consultant fire engineer has responded confirming that this item has been addressed in Fire Safety Strategy Report
ii.	A sprinkler booster assembly could not be located at the front of the premises, contrary to the requirements of Clause 4.4.3 of AS 2118.1–1999.	No action required by the City. Council's consultant fire engineer has responded confirming that this item is not part of the works and that compliance of the system is to the original standards (CA 16 System).
iii	The door hardware to the basement sprinkler valve room, was not fitted with a 003 lock compatible with FRNSW access key, therefore access was not available at the time of inspection to determine whether the sprinkler system had been maintained and was capable of operating to the standards of performance from when it was first designed and installed	No action required by the City. Lock to sprinkler valve room door has been replaced and is compliant
1C.	Zone Block Plan – A Zone Block Plan was not provided at the Fire Brigade Panel, contrary to the requirements of Clause 3.10 of AS1670.1-2018.	No action required by the City. Councils' inspection revealed that a Zone Block Plan was provided at the Fire Brigade Panel in accordance with the requirements of Clause 3.10 of AS1670.1-2018.
1D.	Stair Pressurisation – The building has an effective height of more than 25m and the fire-isolated exit does not appear to have been provided with an automatic stair pressurisation system, contrary to the requirements of Clause E2D4 NCC.	This matter covered under the modified Order. Councils consultant Fire Engineer has responded confirming that works (provision of automatic stair pressurisation system) are underway.

Ref.	Issue	City response
1E.	Fire Control Centre – The building has an effective height of more than 25m and has not been provided a fire control centre, contrary to the requirements of Clause E1D15 and Specification 19 of the NCC.	This matter is covered under the modified Order. Council's consultant fire Engineer has responded confirming that that this item has been addressed in FSSUR . Temporary signage to access door to fire control centre has been installed.
1F.	Maintenance – The latest two entries in the maintenance logbook for the Smoke Detection and Alarm System, indicated that the back-up batteries were required to be replaced. It could not be determined at the time of the inspection if the batteries have been replaced. Further investigation by Council may be required.	No action required by the City. Councils' inspection revealed that the back-up batteries were replaced on 28 June 2024
2. Access & Egress		
2A.	Effective Height and Exits – The building has an effective height of more than 25m and is provided with only 1 exit from each storey, contrary to the requirements of Clause D2D3(2) of the NCC.	This matter has been addressed under the modified Order. Also, Council's consultant fire engineer has responded confirming that that this item has been addressed in FSSUR.
2B.	Exit travel distances – The building appears to have excessive travel distances to a single exit at each level including the basement, contrary to the requirements of Clause D2D5 of the NCC.	This matter has been addressed under the modified Order. Also, Council's consultant fire engineer has responded confirming that this item has been addressed in Fire Safety Strategy Report.
3. General		

Ref.	Issue	City response
3A.	Fire Safety Order - It is noted that Council have issued a Fire Safety Order, pursuant to Schedule 5 Part 2 of the EP&A Act, to ensure and promote adequate fire safety and fire safety awareness within the premises. It is understood that the owners of the premises have commenced works to satisfy the terms of the Order and as such, the above items may already have been addressed by the owners through appropriate upgrades or fire engineering solutions in order to achieve an adequate level of fire safety for the occupants of the building. As such, this matter is referred to Council as the appropriate regulatory authority.	Noted. It is confirmed that works to satisfy the terms of the modified order are well underway and are being addressed by the owners through appropriate upgrades and fire engineering solutions in order to achieve an adequate level of fire safety for the occupants of the building

OFFICER RECOMMENDATIONS:

Issue Order	Issue emergency Order	Issue a compliance letter of instruction	Cited Matters rectified	Continue to undertake compliance action in response to issued Council correspondence	Continue with compliance actions under the current Council Order	Other (to specify)
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As a result of a site inspection undertaken by Council's investigation officers it is recommended that the building owners continue to comply with the terms of the existing Fire Safety Order issued under Schedule 5 of the Environmental Planning and Assessment Act, 1979 to address the fire safety deficiencies identified by FRNSW and Council's building officer.

Follow-up compliance inspections are currently being undertaken and will continue to be undertaken by a Council investigation officer to ensure already identified fire safety matters are suitably addressed and that compliance with the terms of Councils existing Fire Safety Order occur.

That the Commissioner of FRNSW be advised of Council's actions and determination.

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File Ref. No: FRN12/1195 - BFS24/1930 - 8000034669
TRIM Ref. No: D2024/105509
Contact: Conor Hackett

5 September 2024

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
307 PITT STREET SYDNEY ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 2 April 2024 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

During an AFA, struggled to find detector as there was no block plan or signage, spoke to manager and he said would try to resolve

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW) inspected 'the premises' on 14 May 2024. On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4).

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.
- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

Fire and Rescue NSW

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Community Safety Directorate
Fire Safety Compliance Unit

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Page 1 of 4

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COMMENTS

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2022 Building Code of Australia – Volume One (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may relate to the building's age or contradict development consent approval. In this regard, it is at council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

The following items were identified during the inspection:

1. Essential Fire Safety Measures

- 1A. Fire Hydrant System - The fire hydrant system appears to a hybrid design, original installed in compliance with Ordinance 70 and with a partial upgrade to AS2419.1. The following deviations from AS2419.1-2005 have been identified:
 - i. The block plan indicates that the attack hydrants from level 7 to the basement level are gravity fed from the roof-top tank. It is therefore considered that the attack hydrants would fail to achieve the required pressures and flows as prescribed at Table 2.3 of AS2419.1-2005.
 - ii. Boost pressure and test pressure signage was not provided at the booster assembly, contrary to the requirements of Clause 7.10.1 of AS2419.1-2005.
 - iii. Feed fire hydrants have not been installed onsite adjacent to the booster inlet connections, contrary to the requirements of Clauses 7.4 of AS2419.1-2005.
 - iv. The hydrant block plan was partially obscured by hydrant pipework, contrary to the requirements of Clause 7.11 of AS2419.1-2005 which requires a block plan to be fixed where it can be instantly seen.
 - v. The hydrant booster assembly is located in a position less than 10m from the external wall of the building, contrary to the requirements of Clause 7.3 of AS2419.1-2005.
 - vi. The door hardware to the hydrant pump room on level 14, was not fitted with a 003 lock compatible with FRNSW access key, therefore access was not available at the time of inspection to determine whether the hydrant pump system had been maintained and was capable of operating to the standards of performance from when it was first designed and installed.

- vii. The access door to the hydrant pump room, has not been provided with adequate identification signage, so that it can be readily located by the attending fire brigade, contrary to the requirements of Clause 6.4.1 of AS2419.1-2005.
- viii. The building has an effective height of more than 25m and has not been provided with a ring main, contrary to the requirements of Clause 8.5.4 of AS2419.1-2005

1B. Sprinkler System –

- i. The sprinkler valve room does not have direct egress to the road or open space, contrary to the requirements of Clause E1D4 and Specification S17C6 of the NCC.
- ii. A sprinkler booster assembly could not be located at the front of the premises, contrary to the requirements of Clause 4.4.3 of AS 2118.1-1999.
- iii. The door hardware to the basement sprinkler valve room, was not fitted with a 003 lock compatible with FRNSW access key, therefore access was not available at the time of inspection to determine whether the sprinkler system had been maintained and was capable of operating to the standards of performance from when it was first designed and installed.

1C. Zone Block Plan – A Zone Block Plan was not provided at the Fire Brigade Panel, contrary to the requirements of Clause 3.10 of AS1670.1-2018.

1D. Stair Pressurisation - The building has an effective height of more than 25m and the fire-isolated exit does not appear to have been provided with an automatic stair pressurisation system, contrary to the requirements of Clause E2D4 NCC.

1E. Fire Control Centre – The building has an effective height of more than 25m and has not been provided a fire control centre, contrary to the requirements of Clause E1D15 and Specification 19 of the NCC.

1F. Maintenance – The latest two entries in the maintenance logbook for the Smoke Detection and Alarm System, indicated that the back-up batteries were required to be replaced. It could not be determined at the time of the inspection if the batteries have been replaced. Further investigation by Council may be required.

2. Access & Egress

2A. Effective Height and Exits – The building has an effective height of more than 25m and is provided with only 1 exit from each storey, contrary to the requirements of Clause D2D3(2) of the NCC.

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- 2B. Exit travel distances – The building appears to have excessive travel distances to a single exit at each level including the basement, contrary to the requirements of Clause D2D5 of the NCC.

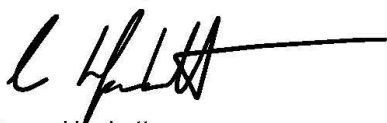
3. *General*

- 3A. Fire Safety Order - It is noted that Council have issued a Fire Safety Order, pursuant to Schedule 5 Part 2 of the EP&A Act, to ensure and promote adequate fire safety and fire safety awareness within the premises (Your Ref: FIRE/2017/91).

It is understood that the owners of the premises have commenced works to satisfy the terms of the Order and as such, the above items may already have been addressed by the owners through appropriate upgrades or fire engineering solutions in order to achieve an adequate level of fire safety for the occupants of the building. As such, this matter is referred to Council as the appropriate regulatory authority.

Please do not hesitate to contact Conor Hackett of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call (02) 9742 7434 if you have any questions or concerns regarding the above matters. Please refer to file reference FRN12/1195 - BFS24/1930 - 8000034669 for any future correspondence concerning this matter.

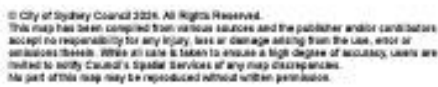
Yours faithfully



Conor Hackett
Senior Building Surveyor
Fire Safety Compliance Unit

Attachment D

**Inspection Report
200-218 Goulburn Street, Surry Hills**

CITY OF SYDNEY 

Notes

13/09/2024

Council Investigation Officer Inspection and Recommendation Report
Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act 1979
(the Act)

File: CSM 3229840

Officer: G. Scotton

Date: 24 September 2024

Premises: 200-218 Goulburn Street, Surry Hills

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 10 September 2024 in relation to the premises with respect to matters of fire safety.

The premises consist of a sixteen-storey building, used primarily for fourteen levels of residential apartments. The entrance level to Riley Street includes access to the foyers to the upper-level residential apartments, and to a café. The building also includes three levels of vehicle parking accessed via Goulburn Street, and offices.

An inspection of the premises undertaken by a Council investigation officer in the presence of the strata manager, revealed there were no significant fire safety issues occurring within the building.

The premises are equipped with numerous fire safety systems, both active and passive, that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current, and the most recent fire safety statement is on display within the lobby.

The subject premises is fitted with external combustible cladding. The City's cladding compliance team have issued a Fire Safety Order requiring cladding removal and replacement. Appropriate precautionary interim fire safety measures are currently in place to assist in safeguarding occupants whilst cladding removal and replacement works are carried out by the NSW Government project remediate scheme, including:

1. Management procedure plans and/or temporary building rules to prevent/manage hot works in certain areas (on balconies/ground level/high risk areas) to mitigate risks during the cladding investigation and construction phase
2. Remove storage (waste/plant and equipment/combustible goods and the like) material from critical potential fire start areas
3. Ask residents to use extreme caution when using barbeques on balcony areas
4. Ensure all fire exits are kept clear and unobstructed at all times
5. Smoking materials are to be vigilantly extinguished and disposed of
6. Ensure any containment netting used in screening or scaffolding is industry compliant
7. Ensure emergency fire fighter site access is properly managed and is kept clear and accessible at all times.

Council investigations have revealed that the overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

Chronology:

Date	Event
10/09/2024	FRNSW correspondence dated 10 September 2024 received regarding the premises known as <i>Alta</i> , in relation to Project Remediate cladding issues and a related FRNSW inspection
13/09/2024	A review of City records showed the fire safety schedule for the premises contains twenty- nine fire safety measures, including an automatic fire detection system, automatic fire suppression/sprinkler system, building occupant warning system, emergency warning and intercommunication system, fire engineering reports, and other fire safety measures typical for a high-rise building.
20/09/2024	Inspection of premises in company with the strata manager, with the details summarised in the issues table below

FIRE AND RESCUE NSW REPORT:

Fire and Rescue NSW conducted an inspection of the subject premises in relation to high-risk combustible cladding on this residential apartment building under the Project Remediate Program.

Issues

The report from FRNSW detailed the following issues:

Issue	City response
1. Fire indicator pane faults/isolations	Inspection revealed fault/isolation restricted to a tenancy fit out only, as subsequently confirmed by the fire safety practitioner .
2. Emergency evacuation system faults	Fire contractor advised faults subsequently cleared, inspection revealed no system faults.
3. Hydrant pumproom key not 003 key type compatible	Inspection revealed pumproom key not 003 key type compatible, strata managing agent has confirmed work order approved to replace lock with 003 compatible key. Strata manager provided evidence of an arrangement in place for FRNSW to access the building for fire-fighting purposes.

COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:

Issue Order (NOI)	Issue emergency Order	Issue a compliance letter of instruction	Cited Matters rectified	Continue to undertake compliance action in response to issued Council correspondence	Continue with compliance actions under the current Council Order	Other (to specify)

Inspections undertaken by a Council investigation officer in company with the manager of the premises revealed that the above recommendations of FRNSW have been adequately complied with.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

OFFICIAL



File Ref. No: FRN22/1311 - BFS22/1915 - 8000035226
TRIM Ref. No: D24/105848
Contact: Mark Knowles

10 September 2024

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance / Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
'ALTA'
200-218 GOULBURN STREET, SURRY HILLS ("the premises")**

In response to the Project Remediate programme being undertaken by the NSW Department of Customer Service, to remove high-risk combustible cladding on residential apartment buildings in NSW, an inspection of 'the premises' on 5 August 2024 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4). The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as reference.
- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

Fire and Rescue NSW

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Page 1 of 3

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COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1)(b) of the EP&A Act and Clause 112 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021).

The following was observed at the time of the inspection:

1. Essential Fire Safety Measures

1A. The Automatic Fire Detection and Alarm System and Sound System and Intercom System for Emergency Purposes:

A. The Fire Indicator Panel (FIP) was displaying:

- i. Two (x2) 'Faults' identified as:
 - EWIS Panel
 - Hydrant Diesel Pump – Stop/Isolate
- ii. Two (x2) 'Isolations' identified as:
 - Hyd Diesel Pump
 - Ground floor restaurant
- iii. Two (x2) 'Active/Non Alarm' events identified as:
 - Hydrant Tank 1 – High Level
 - Hyd Pump Diesel Fault
- iv. The latest entry in maintenance logbook dated 18 July 2024, stated "Hydrant Diesel Pump Isolated" and "Hydrant high indicator ON".

B. The evacuation system control panel was displaying:

- i. 'System Fault' and one (x1) Audio Line Fault (Carpark 2).
- ii. The latest entry in maintenance logbook dated 18 July 2024, stated "Carpark 2 and 3 have audio fault (Need investigation)".

1B. The Fire Hydrant System:

A. Hydrant pumproom & pumpset/s:

- i. The door leading to the roof level pumproom was not fitted with a lock compatible with FRNSW access key and access was not gained at the time of the inspection. Given the faults/isolations that were present of the FIP, the operational status of the hydrant diesel pump could not be verified.

2. Inspection Outcome:

- 2A. The Building Manager was advised of issues identified in Items 1A and 1B above following the inspection.

FRNSW received correspondence from the Building Manager on 7 August 2024, which included comments from the Fire Services Contractor (DA Fire), advising:

During our last site visit for repairs, the hydrant system was fully operational, with both diesel and electric pumps online and functional. Upon completing the pump and control panel replacements on July 15th, both the hydrant diesel and electric pumps were fault-free in the pump room.

However, we are uncertain about the fire indicator panel faults, as there were numerous faults each time we visited.

Our technician noted that during the electric control panel replacement, a panel technician had to rewire the pump faults and stop/start signals in the electric control panel because they were not initially done correctly. He suspects that any faults shown on the fire panel may be related to the diesel control panel wiring. This control panel was previously replaced by someone else, which may have resulted in improper wiring and the current faults.

FRNSW received further correspondence from the Fire Services Contractor (EES Fire) on 30 August 2024, advising:

Please see attached service reports and photos for Alta Apartments.

All faults had been rectified when our tech left site on 16/08/24.

It is noted that the photograph provided indicated the "Hyd Diesel Pump – Stop/Isolate" remained in fault and isolated on the FIP.

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Mark Knowles of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference FRN22/1311 - BFS22/1915 - 8000035226 for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit