

# **Attachment A**

**Planning Proposal – Oxford Street LGBTIQ+  
Heritage Items**

# Planning Proposal – Oxford Street LGBTIQA+ Heritage Items



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# 1. Background

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## 1.1. History

The Sydney Local Environmental Plan 2012 (SLEP 2012) came into effect on 14 December 2012, consolidating the Sydney, Leichhardt and South Sydney plans into one comprehensive plan in the new NSW Government's Standard Instrument format.

Continuous review is necessary to ensure the SLEP 2012 continues to deliver positive outcomes for the local economy, residents and visitors and remains consistent with the vision set out in the *City of Sydney's City Plan Local Strategic Planning Statement and Sustainable Sydney 2030-2050 Continuing the Vision*.

Since the SLEP 2012 has been in force, the City of Sydney has made heritage-related amendments and additions to improve its operation, accuracy and ensure its diverse history is adequately acknowledged.

In 2022, a review of the planning controls applying to Oxford Street was implemented to facilitate the growth of the cultural and creative sectors, protect heritage and character and support the day and night-time economies for the local community and visitors.

Community consultation indicated that people value the strong connection between Oxford Street and LGBTIQA+ communities and wanted to see its social and cultural heritage recognised and maintained. This led to the development of the Oxford Street LGBTIQA+ Social and Cultural Place Strategy with five priority areas. The first priority (Priority 1) focused on recognising historic LGBTIQA+ places and spaces.

In response, the City of Sydney engaged TKD Architects in 2022 to complete a heritage study investigating sites within the Oxford Street precinct. Their study focussed on places with historic and contemporary connections to the LGBTIQA+ community.

Recommendations made by TKD Architects included the revision of heritage inventory sheets for 14 existing heritage items and the Oxford Street Heritage Conservation Area to include relevant information about this community; this has been completed.

The study also recommended the inclusion of five additional sites within Schedule 5, Part 1 of the SLEP 2012. Two of these items were outside the study area. However, the remaining three, which constitute the subject of this planning proposal, are being recommended for listing.

The additions in this Planning Proposal will ensure the City's planning control framework is up to date and reflects current planning strategies.

## 1.2. Introduction

This Planning Proposal – Sydney Local Environment Plan – Oxford Street LGBTIQ+ Heritage Items (planning proposal) explains the intent of, and justification for, proposed amendments to the SLEP 2012. It 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.

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:

- 134 Oxford Street, Darlinghurst – Oxford Hotel
- 124 (part of 124-128 Oxford Street) Oxford Street, Darlinghurst – Palms
- 85-91 Oxford Street, Darlinghurst - Universal

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## 1.3. Background

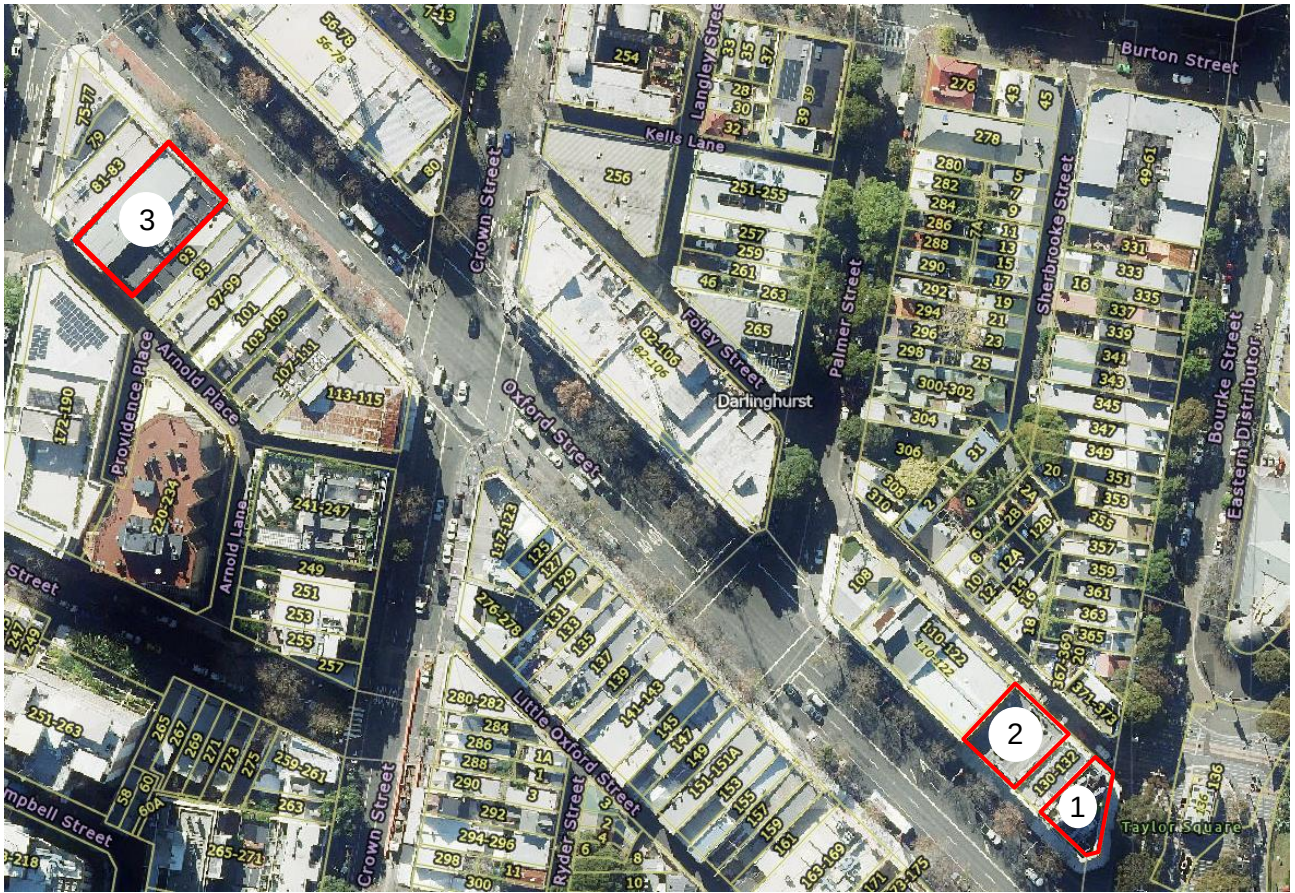
### Site identification

This planning proposal relates to the following land and structures:

- 134 Oxford Street, Darlinghurst, Lot 1 DP 107573
- 124 (part of 124-128 Oxford Street) Oxford Street, Darlinghurst, Lot 1 DP 900900
- 85-91 Oxford Street, Darlinghurst, Lot 1 DP 816233

The relevant structures, Lot and DP boundaries subject to this planning proposal are outlined in red in Figure 1.





**Figure 1.** Structures relevant to this planning proposal: (1) 134 Oxford Street, Darlinghurst, (2) 124 (part of 124-128 Oxford Street) Oxford Street, Darlinghurst and (3) 85-91 Oxford Street, Darlinghurst.



### 134 Oxford Street, Darlinghurst – Oxford Hotel

The building at 134 Oxford Street, Darlinghurst is a substantial three storey building with a basement level occupying a prominent corner site. Its exterior demonstrates the influence of the Federation Free Style with Classical details. Its site and the sites in its immediate vicinity have been continually licensed for hotel purposes since the late 1850s. It is amongst the earliest sites on Oxford Street to have a continuous association with the liquor trade. The Oxford Hotel has some historic associations with the development of Sydney's rock music scene during the second half of the 1970s and historic associations with Sydney's gay community, having traded to the gay male community continuously since 1982. It is amongst Sydney's longest operating LGBTIQ+ venues.



**Figure 2.** Oxford Hotel at 134 Oxford Street, Darlinghurst

### 124 Oxford Street, Darlinghurst – Palms

The building at 124 (part of 124-128 Oxford Street) Oxford Street is a simply detailed, flat-roofed brick commercial building, originally built in 1913 but substantially modified in 1975. It is comprised of two storeys with basement level. The face brickwork on the front façade is now painted in a rainbow colour scheme (and has been since around 2013), with brickwork unpainted to the rear. The building has historic significance as a component of the streetscape shaped by the Municipal Council of Sydney's resumption and widening of Oxford Street in the early twentieth century. The basement of the building became a gay nightclub in the late 1970s, which it remains to the present day. The significance of the place lies chiefly in its consistent usage as a commercial building, and as an important social and entertainment space for the LGBTIQ+ community.



**Figure 3.** Palms at 124 Oxford Street, Darlinghurst.

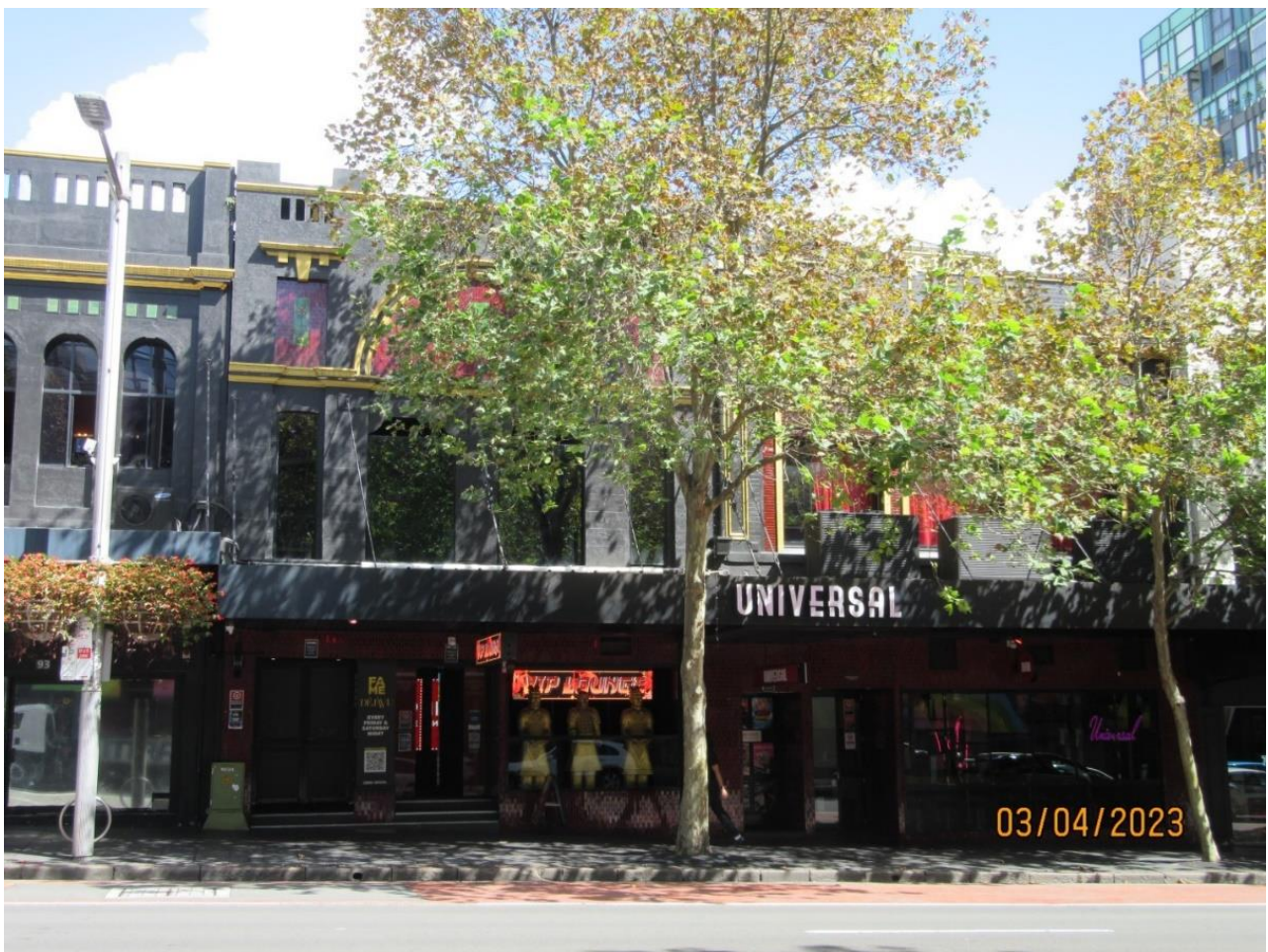


### 85-91 Oxford Street, Darlinghurst – Universal

The building at 85-87 Oxford Street is a two-storey commercial building that has been extensively modified internally and externally. It was designed in the Inter War Free Classical style, which was prevalent during the 1920s. The building at 89-91 Oxford Street was designed as a building containing two shops with flats above and was designed in the Federation Free Style. For both buildings, the first-floor sections its Oxford Street façades are substantially intact.

The buildings at 85-91 Oxford Street provide evidence for Oxford Street's consolidation and development in the years before and after World War I, marking the shift to a more commercial and business-orientation. The buildings are also evidence of the development of Oxford Street as an important focus of LGBTIQ+ commercial and social activity from the end of the 1970s onwards.

Universal (85-91 Oxford Street) is a rare example of a LGBT nightclub that has operated almost continuously since 1978.

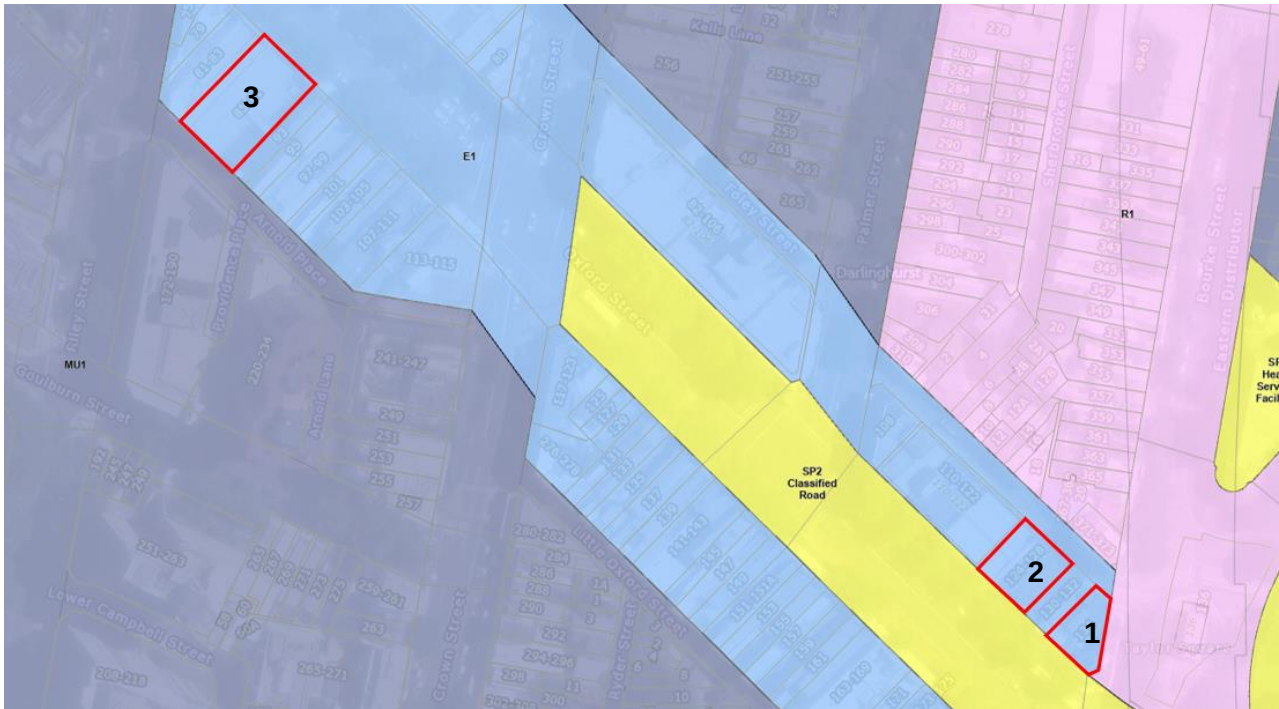


**Figure 4.** Universal at 85-91 Oxford Street, Darlinghurst.

## 1.4. Planning context

### Land Zoning

The three proposed heritage items occupy land zoned E1, Local Centre.



**Figure 5.** Extract from Zoning map in the SLEP 2012 showing zoning controls: (1) 134 Oxford Street, Darlinghurst, (2) 124 (part of 124-128 Oxford Street) Oxford Street, Darlinghurst and (3) 85-91 Oxford Street, Darlinghurst.

### Heritage context

The three proposed heritage items are located in the Ryder Street Heritage Conservation Area. They are also in the vicinity of several individually items listed on the SLEP 2012:

#### 134 Oxford Street, Darlinghurst – Oxford Hotel

The site is in close proximity to the following heritage items:

- *Former Electrical substation (No.6) including interior* on Oxford Street (I400)
- *Underground lavatory including interior* on Oxford Street (I401)
- *Court House Hotel including interior* on Oxford Street (I415)
- *Commercial building including interior* on Oxford Street (I414)

#### 124 Oxford Steet, Darlinghurst – Palms

The site is adjacent to the *Commercial building group (112-122 Oxford Street) including interior* on Oxford Street (I397). It is also in close proximity to the following heritage items:

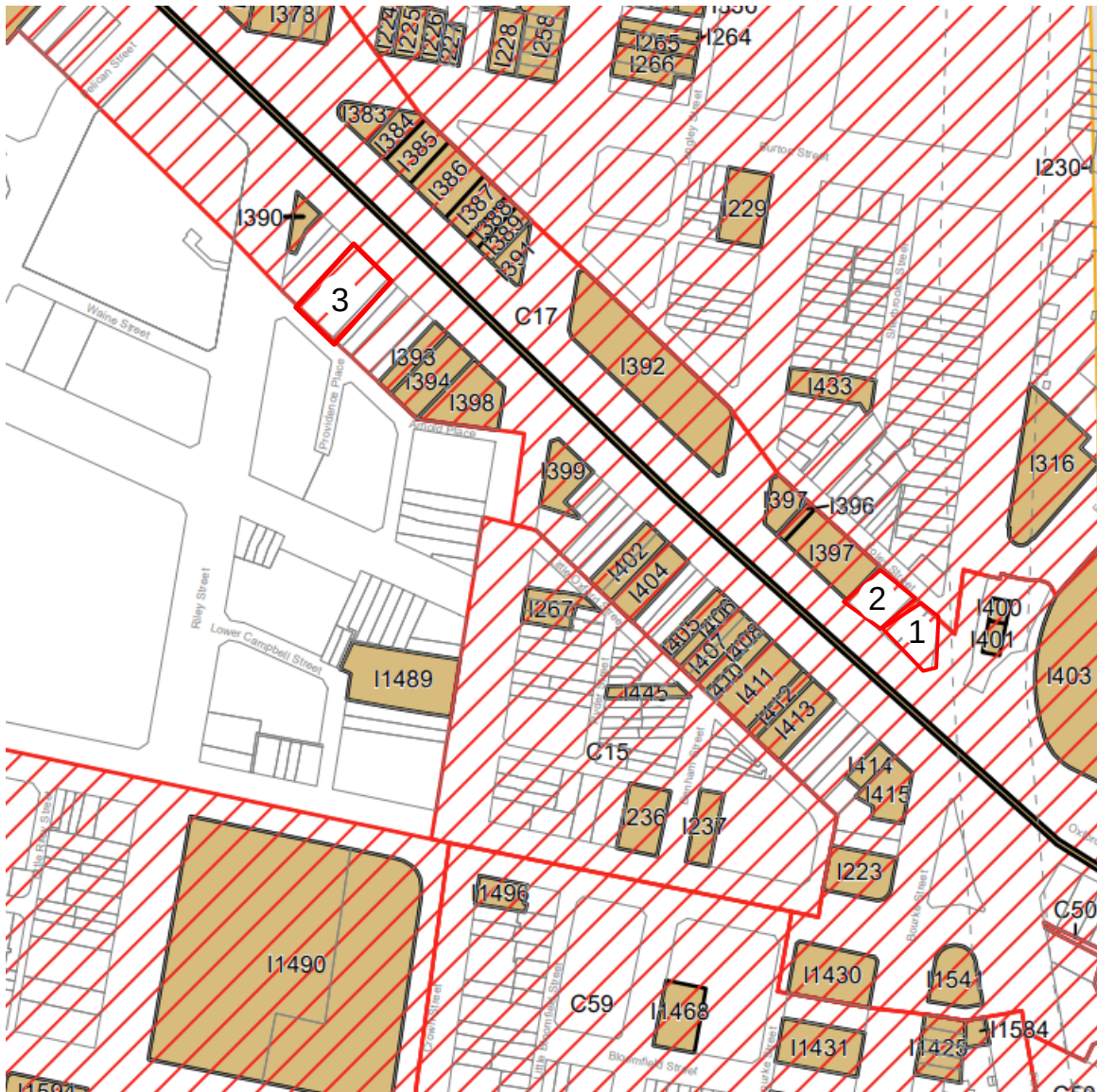
- *Commercial building (110 Oxford Street) including interior* on Oxford Street (I396)
- *Former CBC Bank including interior* on Oxford Street (I413)
- *Commercial building “Fraser & Hughes” including interior* on Oxford Street (I412)
- *Commercial building including interior* on Oxford Street (I411)
- *Commercial building facade including interior* on Oxford Street (I410)



### 85-91 Oxford Street, Darlinghurst – Universal

The site is in close proximity to the following heritage items:

- *Brighton Hotel including interior* on Oxford Street (I390)
- *Commercial building “Oxford House” including interior* on Oxford Street (I393)
- *Commercial building (58–60 Oxford Street) including interior* on Oxford Street (I385)
- *Commercial building (62–66 Oxford Street) including interior* on Oxford Street (I386)
- *Commercial building “Daniel’s” (68–70 Oxford Street) including interior* on Oxford Street (I387)



**Figure 6.** Extract from the SLEP 2012 Heritage Map (HER\_15) showing heritage items adjacent to: (1) 134 Oxford Street, Darlinghurst, (2) 124 (part of 124-128 Oxford Street) Oxford Street, Darlinghurst and (3) 85-91 Oxford Street, Darlinghurst.



## 1.5. Heritage assessment

In 2022, as part of a coordinated response to the Oxford Street LGBTIQ+ social and cultural place strategy, the City of Sydney engaged TKD Architects to complete a heritage study investigating sites within the Oxford Street precinct with historic and contemporary connections to the LGBTIQ+ community. Their study recommended that the inventory sheets for 14 existing heritage items and the Oxford Street Heritage Conservation Area be revised to include relevant information about this community; this has been completed.

The study also recommended the inclusion of five additional sites within Schedule 5, Part 1 of the SLEP 2012. Two of these items were outside the study area. However, the remaining three, which constitute the subject of this planning proposal, are being recommended for listing. The findings of each heritage assessment are presented below.

The heritage study prepared by TKD Architects is included in **Appendix B1**. Draft inventory sheets for each building, also prepared by TKD Architects, are included in **Appendix B2**, **Appendix B3** and **Appendix B4**.

### Heritage assessment findings

#### 134 Oxford Street, Darlinghurst – Oxford Hotel

The heritage assessment concluded that the Oxford Hotel meets the threshold for local significance in terms of:

- Criterion (a) Historic significance: The site and its surroundings have been continuously occupied by a hotel, linked by continuity of licensing, since the late 1850s. Additionally, the Oxford Hotel has had some historic associations with the development of Sydney's rock music scene and historic associations with Sydney's gay community.
- Criterion (b) Historical association: The building has strong associations with architect Ernest Lindsay Thompson, a prominent and prolific designer of hotels in metropolitan Sydney during the first third of the twentieth century
- Criterion (c): Aesthetic / creative / technical achievement: Although modified, the exterior of the building demonstrates characteristics of the Federation Free Style and is distinctive in character. The Oxford Hotel is a prominent element in the streetscape that makes an important contribution to the Taylor Square townscape, notwithstanding modifications to its exterior.
- Criterion (d) Social, cultural and spiritual: The Oxford Hotel is significant because of its associations with Sydney's gay community for over forty years. It has been a popular venue for the community and has provided a range of facilities. It may also have social significance because of its associations with Sydney's rock music scene during the second half of the 1970s
- Criterion (g) Representative: The Oxford Hotel, although it has been modified externally and internally, is a representative Federation era hotel. Its exterior is representative of the Federation Free Style.

The heritage study concluded that the building at 134 Oxford Street, Darlinghurst meets the threshold for local heritage significance for its historic, associative, aesthetic, social and representative values and warrants potential listing as a heritage item on the SLEP 2012.

124 (part of 124-128 Oxford Street) Oxford Street, Darlinghurst – Palms

The heritage assessment concluded that the Palms meets the threshold for local significance in terms of:

- Criterion (a) Historic significance: The building is evidence of the demolition, widening and reconstruction of the built form along the north side of Oxford Street from 1909 to 1914 by the Municipal Council of Sydney. The building became a gay nightclub in the late 1970s which it remains to the present day and is important evidence of the development of Oxford Street as an important focus of LGBTIQA+ commercial and social activity from the end of the 1970s.
- Criterion (d) Historical association: The building has been associated with Sydney's LGBTIQA+ community, particularly the gay male section, since the opening of Palms Nightclub circa 1977.
- Criterion (f) Rare: The site is a rare example of a LGBT nightclub that has operated almost continuously since the late 1970s.

The heritage study concluded that the building at 124 (part of 124-128 Oxford Street) Oxford Street, Darlinghurst meets the threshold for local heritage significance for its historic, associative and rare values and warrants potential listing as a heritage item on the SLEP 2012.

85-91 Oxford Street, Darlinghurst – Universal

The heritage assessment concluded that Universal meets the threshold for local significance in terms of:

- Criterion (a) Historic significance: 85-91 Oxford Street, particularly the first floor sections of their facades, provide evidence of the consolidation and development of the street in the years before and after World War I. As Tropicana, Club 85, then Midnight Shift and now Universal, the buildings are important evidence of the development of Oxford Street as an important focus of LGBTIQA+ commercial and social activity from the end of the 1970s onwards.
- Criterion (b) Historical association: The site is associated with prominent architectural firm of Morrow & De Putron, prominent jeweller and shoe maker, William Berkman and architect A W Warden.
- Criterion (c) Aesthetic / creative / technical achievement: The first floor section of 89-91 Oxford Street's facade has aesthetic significance as an example of Federation Free Style commercial architecture while the first floor section of 85-87 Oxford Street's facade is a distinctive example of Inter War Free Classical commercial architecture.
- Criterion (d) Social, cultural, and spiritual: The buildings at 85-91 Oxford Street have been associated with Sydney's LGBTIQA+ community, particularly the gay male section, since the opening of Tropicana in 1978.
- Criterion (f) Rare: The buildings are a rare example of a LGBT nightclub that has operated almost continuously since 1980.
- Criterion (g) Representative: The upper sections of the facades of 85-91 Oxford Street are representative of suburban commercial architecture constructed during the second and third decades of the twentieth century in Sydney.

The heritage study concluded that the building at 85-91 Oxford Street, Darlinghurst meets the threshold for local heritage significance for its historic, associative, aesthetic, social and rare values 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 significance of each building is appropriately recognised, considered and managed in the context of any future plans or redevelopment at each site.





## 2. Objectives and intended outcomes

The objectives of this planning proposal are to recognise the significance of the three buildings in Darlinghurst by listing them as individual heritage items under Schedule 5, Part 1 of SLEP 2012.

## 3. Explanation of provisions

To achieve the proposed outcomes, this planning proposal includes amendments to the SLEP 2012.

### 3.1. SLEP 2012 Heritage Schedule Amendments

The planning proposal seeks to amend the SLEP 2012, Schedule 5, Part 1 by inserting the following items as shown below in **Table 2**. Text to insert is shown as **bold underline**.

**Table 2:** Proposed amendments to Schedule 5, Environmental heritage, Part 1, heritage items.

| Locality            | Item Name           | Address                                    | Property Description   | Significance | Item no.     |
|---------------------|---------------------|--------------------------------------------|------------------------|--------------|--------------|
| <u>Darlinghurst</u> | <u>Oxford Hotel</u> | <u>134 Oxford Street</u>                   | <u>Lot 1 DP 107573</u> | <u>Local</u> | <u>I2328</u> |
| <u>Darlinghurst</u> | <u>Palms</u>        | <u>124 (part of 124-128 Oxford Street)</u> | <u>Lot 1 DP 900900</u> | <u>Local</u> | <u>I2329</u> |
| <u>Darlinghurst</u> | <u>Universal</u>    | <u>85-91 Oxford Street</u>                 | <u>Lot 1 DP 816233</u> | <u>Local</u> | <u>I2330</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 assessment included at **Appendix B1**. Draft inventory sheets for each building are included at **Appendix B2**, **Appendix B3** and **Appendix B4**. The non-statutory heritage inventory sheets can continue to be updated as new information becomes available.

## 4. Justification

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### 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 a heritage assessment of each building completed as part of a broader heritage study for the Oxford Street precinct focussed on its historic and contemporary connections to the LGBTIQ+ community. The heritage study was prepared by TKD Architects in 2022.

Preparation of the report was an action driven by the Oxford Street LGBTIQ+ Social and Cultural Place Strategy. The Strategy was implemented to facilitate growth of the cultural and creative sectors, protect heritage and character, and support the day and night-time economies for the local community and visitors. Community consultation carried out to inform the Strategy indicated that people value the strong connection between Oxford Street and LGBTIQ+ communities and wanted to see its social and cultural heritage recognised and maintained.

Priority 1 of the Strategy focused on recognising historic LGBTIQ+ places and spaces.

The proposed items identified in this planning proposal were recommended for listing in the TKD Architects 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 TKD Architects are presented below:

#### 134 Oxford Street, Darlinghurst – Oxford Hotel

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 TKD Architects notes:

*The site and its immediate environs have been continuously occupied by a hotel, linked by continuity of licensing, since the late 1850s. Although other sites on Oxford Street, such as that of the Burdekin Hotel, have a longer history of continuous licensing, the site of the Oxford Hotel is still amongst the earliest to have a continuous association with the liquor trade.*

*The Oxford Hotel is associated with the resumption and widening of Oxford Street by the City of Sydney during the second decade of the twentieth century.*

*The Oxford Hotel has some historic associations with the development of Sydney's rock music scene during the second half of the 1970s, when Radio Birdman and other bands performed there.*

*The Oxford Hotel has historic associations with Sydney's gay community, having been a gay male hotel continuously since 1982. It is amongst Sydney's longest operating gay venues.*

**The 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 TKD Architects notes that:

*The Oxford Hotel has a brief association with Trautwein family, which was prominent as hotel licensees and owners during the late nineteenth and first half of the twentieth centuries.*

*The building has strong associations with architect Ernest Lindsay Thompson, a prominent and prolific designer of hotels in metropolitan Sydney during the first third of the twentieth century. He was commissioned by members of the Trautwein family, designing the building for its licensee William Trautwein.*

**The 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 TKD Architects notes:

*Although modified, the exterior of the building demonstrates characteristics of the Federation Free Style and is distinctive in character.*

*The Oxford Hotel is a prominent element in the streetscape that makes an important contribution to the Taylor Square townscape, notwithstanding modifications to its exterior.*

**The 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 TKD Architects notes:

*The Oxford Hotel may have social significance because of its associations with Sydney's rock music scene during the second half of the 1970s.*

*The Oxford Hotel is significance because of its associations with Sydney's gay community for over forty years. In this time it has been a popular venue for the community and has provided a range of facilities.*

**The 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 heritage assessment prepared by TKD Architects notes:

*The Oxford Hotel, although it has been modified externally and internally, is a representative Federation era hotel. Its exterior is representative of the Federation Free Style.*

**The site meets this threshold at a local level.**

**124 (part of 124-128 Oxford Street) Oxford Street, Darlinghurst – Palms Hotel**

Criterion (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 TKD Architects notes:

*124 Oxford Street is of historical significance as evidence of the demolition, widening and reconstruction of the built form along the north side of Oxford Street from 1909 to 1914 by the Municipal Council of Sydney. It forms part of a streetscape on the northern side of the street with consistent setbacks and a similar scale of built form, illustrating the substantial city planning reorganisation and unification that took place within the period.*



*The site also demonstrates the long-established commercial nature of the street, beginning with retail and commerce in the nineteenth century, evolving into retail and entertainment offerings to the present day. The site has been occupied by two prominent grocery stores, Kidman's and McIlraths, before becoming a gay nightclub in the late 1970s which it remains to the present day. For its role as Palms and Scooters, the building is important evidence of the development of Oxford Street as an important focus of LGBTIQ+ commercial and social activity from the end of the 1970s.*

**The 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 TKD Architects notes:

*124 Oxford Street has been associated with Sydney's LGBTIQ+ community, particularly the gay male section, since the opening of Palms Nightclub circa 1977. The place is most well-known for its initial operation as Palms (c1977-c1988) which was revived in 2000 and continues to the present day, though it remained a gay venue in the intervening period as Scooters Bar and Restaurant in the 1980s-1990s.*

**The 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 TKD Architects notes:

*The building at 124 Oxford Street does not have particular rarity value as it is one of many extensively modified, layered buildings in the Sydney Metropolitan area.*

*However, the site of 124 Oxford Street is a rare example of a LGBT nightclub that has operated almost continuously since the late 1970s.*

**The site meets this threshold at a local level.**

**85-91 Oxford Street, Darlinghurst – Universal**

Criterion (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 TKD Architects notes:

*85-91 Oxford Street, particularly the first floor sections of their facades, provide evidence of the consolidation and development of the street in the years before and after World War I. The use of the sites for retailing and commercial activity reflects the shift in activity in Oxford Street following resumption and widening during the 1910s from a street of small businesses with residences above to a more commercial and business-oriented street.*

*As Tropicana, Club 85, then Midnight Shift and now Universal, the buildings are important evidence of the development of Oxford Street as an important focus of LGBTIQ+ commercial and social activity from the end of the 1970s onwards.*

**The 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 TKD Architects notes:

*85-87 Oxford Street is associated with the prominent architectural firm of Morrow & De Putron Morrow & De Putron (later Morrow & Gordon) were responsible for most of the building works on Grace Brothers Broadway, As Morrow and Gordon the firm is known for the Grace Building in York Street (1930).*

*85-87 Oxford Street is associated with William Berkman , a jeweller and shoe maker who was prominent within the Jewish community at Newtown and who commissioned Morrow & De Putron to design the building.*

*89-91 Oxford Street is associated with architect A W Warden, a little-known Sydney architect in practice between 1895 and 1948.*

**The 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 TKD Architects notes:

*The buildings at 85-91 Oxford Street have been extensively modified internally and externally. However, the first floor section of 89-91 Oxford Street's facade has aesthetic significance as an example of Federation Free Style commercial architecture while the first floor section of 85-87 Oxford Street's facade is a distinctive example of Inter War Free Classical commercial architecture. These parts of the buildings make a positive contribution to the visual character of Oxford Street.*

**The 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 TKD Architects notes:

*The buildings at 85-91 Oxford Street have been associated with Sydney's LGBTIQ+ community, particularly the gay male section, since the opening of Tropicana in 1978. The place achieved greater prominence when it re-opened as the Midnight Shift, which traded from circa 1980 to 2017. After a short hiatus it reopened as Universal in 2018 and continues to trade under that name.*

**The 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 TKD Architects notes:

*85-91 Oxford Street are not rare examples commercial buildings erected during the second and third decades of the twentieth century.*

*The pair of buildings at 85-91 Oxford Street is a rare example of a LGBT nightclub that has operated almost continuously since 1980.*

**The 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 heritage assessment prepared by TKD Architects notes:

*The upper sections of the facades of 85-91 Oxford Street are representative of suburban commercial architecture constructed during the second and third decades of the twentieth century in Sydney.*

**The 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 is best achieved through the identification of each building proposed for listing as local heritage items in an environmental planning instrument. The buildings proposed for heritage listing in each amendment currently have no statutory protection as individually listed heritage items on the SLEP 2012 or under the *NSW Heritage Act 1977*.

Progressing local heritage listings for each proposed heritage item will ensure that their local heritage significance is appropriately recognised and managed into the future. It will also ensure formal consultation with 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 Schedule 5, Part 1 of the SLEP 2012.

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## 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 with the community to consider amending and listing these items as having local heritage significance, this planning proposal will address the district plan by respecting the City of Sydney's diverse heritage and fostering great places to bring people together.

The retention, conservation and revised acknowledgement of each building will enhance the character and distinct sense of place on Oxford Street, Darlinghurst.

**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 of Sydney'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 the following buildings as heritage items, thereby facilitating their conservation and allowing future generations to understand Darlinghurst'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 4 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 4:** Consistency with State Environmental Planning Policies.

| State Environmental Planning Policy                            | Comment                                                                                                                                   |
|----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| SEPP (Biodiversity and Conservation) 2021                      | Consistent - amendments in this planning proposal will continue to support the biodiversity and conservation in the local government area |
| SEPP (Building Sustainability Index: BASIX) 2004               | Consistent - no amendments in this proposal will hinder the application of this SEPP.                                                     |
| SEPP (Exempt and Complying Development Codes) 2008             | Consistent - no amendments in this proposal will hinder the application of this SEPP.                                                     |
| SEPP (Housing) 2021                                            | Consistent - no amendments in this proposal will hinder the application of this SEPP.                                                     |
| SEPP (Industry and Employment) 2021                            | Consistent - no amendments in this proposal will hinder the application of this SEPP.                                                     |
| SEPP (Planning Systems) 2021                                   | Consistent - no amendments in this proposal will hinder the application of this SEPP.                                                     |
| SEPP (Precincts–Central River City) 2021                       | Consistent - no amendments in this proposal will hinder the application of this SEPP.                                                     |
| SEPP (Precincts–Eastern Harbour City) 2021                     | Consistent - no amendments in this proposal will hinder the application of this SEPP.                                                     |
| SEPP (Precincts–Regional) 2021                                 | Consistent - no amendments in this proposal will hinder the application of this SEPP.                                                     |
| SEPP (Precincts–Western Parkland City) 2021                    | Consistent - no amendments in this proposal will hinder the application of this SEPP.                                                     |
| SEPP (Primary Production) 2021                                 | Consistent - no amendments in this proposal will hinder the application of this SEPP.                                                     |
| SEPP (Resilience and Hazards) 2021                             | Consistent - no amendments in this proposal will hinder the application of this SEPP.                                                     |
| SEPP (Resources and Energy) 2021                               | Consistent - no amendments in this proposal will hinder the application of this SEPP.                                                     |
| SEPP No 65 - Design Quality of Residential Flat Development    | Consistent - no amendments in this proposal will hinder the application of this SEPP.                                                     |
| SEPP (Transport and Infrastructure) 2021                       | Consistent - no amendments in this proposal will hinder the application of this SEPP.                                                     |
| SEPP (Housing) Amendment (Transport Oriented Development) 2024 | Consistent - no amendments in this proposal will hinder the application of this SEPP.                                                     |

**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 5.

**Table 5:** Consistency of the planning proposal with ministerial directions.

| Ministerial Direction                                                                                                 | Comment                                                                                                                    |
|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| <b>Focus area 1: Planning Systems</b>                                                                                 |                                                                                                                            |
| 1.1 Implementation of Regional Plans                                                                                  | Consistent. No amendments in this proposal will hinder the implementation of Regional Plans                                |
| 1.2 Development of Aboriginal Land Council land                                                                       | Not applicable                                                                                                             |
| 1.3 Approval and Referral Requirements                                                                                | Consistent. No amendment includes concurrence, consultation or referral provisions or identify any designated development. |
| 1.4 Site Specific Provisions                                                                                          | Consistent – see discussion below.                                                                                         |
| 1.4A Exclusion of Development Standards from Variation                                                                | Consistent. This planning proposal does not propose to exclude a development standard from variation under clause 4.6      |
| <b>Focus area 1: Planning Systems – Place-based</b>                                                                   |                                                                                                                            |
| 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                                                                                                             |
| <b>Focus area 2: Design and Place</b>                                                                                 | No directions in place                                                                                                     |
| <b>Focus area 3: Biodiversity and Conservation</b>                                                                    |                                                                                                                            |

| Ministerial Direction                                                                 | Comment                                                                                                                                                                                |
|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.1 Conservation Zones                                                                | Consistent. Amendments in this planning proposal will continue to support the protection and conservation of environmentally sensitive areas in the local government area              |
| 3.2 Heritage Conservation                                                             | Consistent. Amendments in this planning proposal will support the conservation of items, areas, objects and places of environmental heritage significance in the local government area |
| 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                                                                                                                                                                         |
| <b>Focus area 4: Resilience and Hazards</b>                                           |                                                                                                                                                                                        |
| 4.1 Flooding                                                                          | Consistent. No amendments in this proposal will hinder the implementation of this local planning direction                                                                             |
| 4.2 Coastal Management                                                                | Consistent. No amendments in this proposal will hinder the implementation of this local planning direction                                                                             |
| 4.3 Planning for Bushfire Protection                                                  | Consistent. No amendments in this proposal will hinder the implementation of this local planning direction                                                                             |
| 4.4 Remediation of Contaminated Land                                                  | Consistent. No amendments in this proposal will hinder the implementation of this local planning direction                                                                             |
| 4.5 Acid Sulfate Soils                                                                | Consistent. Amendments in this planning proposal are proposed for land classified as Class 5 and will not hinder the implementation of this local planning direction                   |
| 4.6 Mine Subsidence and Unstable Land                                                 | Not applicable                                                                                                                                                                         |
| <b>Focus area 5: Transport and Infrastructure</b>                                     |                                                                                                                                                                                        |
| 5.1 Integrating Land Use and Transport                                                | Consistent. No amendments in this proposal will hinder the implementation of this local planning direction                                                                             |
| 5.2 Reserving Land for Public Purposes                                                | Consistent. No amendments in this proposal will hinder the implementation of this local planning direction                                                                             |
| 5.3 Development Near Regulated Airports and Defence Airfields                         | Not applicable                                                                                                                                                                         |

| Ministerial Direction                                                        | Comment                                                                                                                         |
|------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| 5.4 Shooting Ranges                                                          | Not applicable                                                                                                                  |
| <b>Focus area 6: Housing</b>                                                 |                                                                                                                                 |
| 6.1 Residential Zones                                                        | Consistent. This planning proposal supports and aligns with this local planning direction, particularly objectives (a) and (b). |
| 6.2 Caravan Parks and Manufactured Home Estates                              | Not applicable                                                                                                                  |
| <b>Focus area 7: Industry and Employment</b>                                 |                                                                                                                                 |
| 7.1 Business and Industrial Zones                                            | Consistent. No amendments in this proposal will hinder the implementation of this local planning direction                      |
| 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                                                                                                                  |
| <b>Focus area 8: Resources and Energy</b>                                    |                                                                                                                                 |
| 8.1 Mining, Petroleum Production and Extractive Industries                   | Not applicable                                                                                                                  |
| <b>Focus area 9: Primary Production</b>                                      |                                                                                                                                 |
| 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                                                                                                                  |

## 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 amendments to Schedule 5, Part 1 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.

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## Section D – State and Commonwealth interests

**Q10. Is there adequate public infrastructure for the planning proposal?**

Yes. The SLEP 2012 amendment will 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.

# 5. Mapping

The Heritage Map tile HER\_15 will be updated to shade in brown the location of the three new heritage items. The heritage map extract at **Figure 7** shows the boundary for each proposed heritage item.



**Figure 7.** Proposed heritage boundary for each item (outlined in red and shaded brown), Heritage Map tile HER\_15.

## 6. Community consultation

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### 5.1 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.

## 7. Project timeline

The anticipated timeline for the completion of the planning proposal is as follows:

| Stage                                              | Timeframe     |
|----------------------------------------------------|---------------|
| Gateway request                                    | December 2024 |
| Public exhibition & government agency consultation | April 2025    |
| Consideration of submissions                       | June 2025     |
| Post exhibition consideration of proposal          | August 2025   |
| Draft and finalise LEP                             | October 2025  |

# Appendices

Appendix B1 – Oxford Street LGBTIQA+ Heritage Assessment Report

Appendix B2 – Draft Inventory Sheet - 134 Oxford Street - Darlinghurst, Oxford Hotel

Appendix B3 – Draft Inventory Sheet - 124 (part of 124-128 Oxford Street) Oxford Street, Darlinghurst - Palms

Appendix B4 – Draft Inventory Sheet - 85-91 Oxford Street, Darlinghurst – Universal



