

Item 7.**Development Application: 5-11 Bridge Street, Sydney – D/2025/1335****File Number:** D/2025/1335**Summary**

Date of Submission:	5 January 2026
Applicant:	Giovanni Cirillo
Architect/Designer:	Design Madgwick
Owner:	I-FUND PTY LTD ATF I-FUND DISCRETIONARY TRUST
Planning Consultant:	Planning Lab
Heritage Consultant:	Urbis
Cost of Works:	\$2,469,500.00
Zoning:	SP5 - Metropolitan Centre zone. The proposal is defined as a 'pub' and is permissible in the zone subject to development consent.
Proposal Summary:	This application seeks development consent for the internal fit out to part of the state-listed heritage item (Burns Philp Building) with an associated change of use from a restaurant to a pub operating with a hotel (general bar) licence. The proposed trading hours will be between 10.00am and 2.00am (the following day), Mondays to Sundays, inclusive. The premises will have a maximum patron capacity of 160 people and 16 staff members. The tenancy this application relates to is located on the eastern portion of the ground and mezzanine levels. The premises is currently vacant and was previously used as a licensed restaurant. This application has been referred to the Local Planning Panel as the proposal is for a new licensed premises that will require a hotel (general bar) licence under the Liquor Act 2007.

Summary Recommendation: The development application is recommended for approval, subject to conditions.

Development Controls:

- (i) Environmental Planning and Assessment Act 1979
- (ii) Environmental Planning and Assessment Regulation 2021
- (iii) Heritage Act 1977
- (iv) SEPP (Industry and Employment) 2021
- (v) SEPP (Biodiversity and Conservation) 2021
- (vi) Sydney Local Environmental Plan 2012
- (vii) Sydney Development Control Plan 2012
- (viii) Central Sydney Development Contributions Plan 2020

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings
- C. Plan of Management

Recommendation

It is resolved that consent be granted to Development Application Number D/2025/1335 subject to the conditions set out in Attachment A to the subject report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

- (A) The development, subject to conditions, is consistent with the objectives of the SP5 Metropolitan Centre Zone.
- (B) The proposal exhibits design excellence and generally satisfies the objectives and provisions of the Sydney Local Environmental Plan 2012, subject to conditions.
- (C) The proposal is consistent with the relevant objectives of the Sydney Development Control Plan 2012, subject to conditions.
- (D) Subject to the recommended conditions of consent, the proposed development has acceptable impacts on the heritage significance of the site.
- (E) Subject to the recommended conditions of consent, the proposed development will have an acceptable impact on the amenity of the site locality and will not result in unreasonable adverse environmental impacts to adjoining sites. Conditions of consent are recommended to ensure the premises are managed in accordance with the endorsed Plan of Management and relevant standards.

Background

The Reason the Application is Reported to the Local Planning Panel

1. The application is reported to the Local Planning Panel for determination as it is identified in Schedule 3 of the Local Planning Panels Direction of 3 March 2024 as being within the following category:
 - (a) Sensitive Development
2. The development application falls within the category of Sensitive Development as the development is for the purposes of a new licensed premises that will require a hotel (general bar) licence under the Liquor Act 2007.

The Site and Surrounding Development

3. The site has a legal description of Lot 100 in DP 876814, and Lots 1-15 in SP 57011, and is known as 5-11 Bridge Street, Sydney. It is irregular in shape with area of approximately 887 sqm. It has a primary street frontage of 33 metres to Bridge Street and a secondary street frontage of 57 metres to Bridge Lane on the west and south. The site is located close to the intersection of Bridge Street and George Street.
4. The site contains a 3-storey sandstone commercial building with a basement level, originally completed in c.1901.
5. The tenancy this application relates to is located on the eastern portion of the ground and mezzanine levels. This tenancy is currently accessible to pedestrians by an individual entry stair from Bridge Street. The premises is currently vacant and contains existing fit out originally approved under development consent D/2022/30 for its previous use as a restaurant.
6. The surrounding area is characterised by a mixture of land uses, primarily being commercial office buildings with ground floor and basement level retail uses. A hotel accommodation premises and a multi-storey residential apartment building are located close to the site. The residential apartment building is located approximately 30 metres to the north-west of the site at 4 Bridge Street.
7. The site, known as the Burns Philp Building, is identified as a heritage item of state significance on the Sydney Local Environmental Plan 2012 (item no. LEP #I1679) and under the Heritage Act 1977 (SHR #00347). The site is also adjoined by two heritage items of state significance, the Metropolitan Hotel (SHR #00663) to the west and Liner House (SHR #00589) to the east. Several heritage items of local significance also surround the site to the north and south-east.
8. The site is located within the Central Sydney locality and is part of the Bridge Street/Macquarie Place/Bulletin Place Special Character Area. The building facade and Bridge Street frontage are included in the Bridge Street signage precinct. The site is not identified as being subject to flooding.
9. A site visit was carried out on 28 January 2026. Photos of the site and surrounds are provided below.



Figure 1: Aerial view of site and surrounds



Figure 2: The site viewed from Bridge Street. The approximate extent of the subject tenancy is outlined in red.



Figure 3: The step entrance of the tenancy from Bridge Street (left). The vestibule space of the entrance (right). A new neon business identification sign is being proposed on the eastern-side blank wall of the vestibule space.

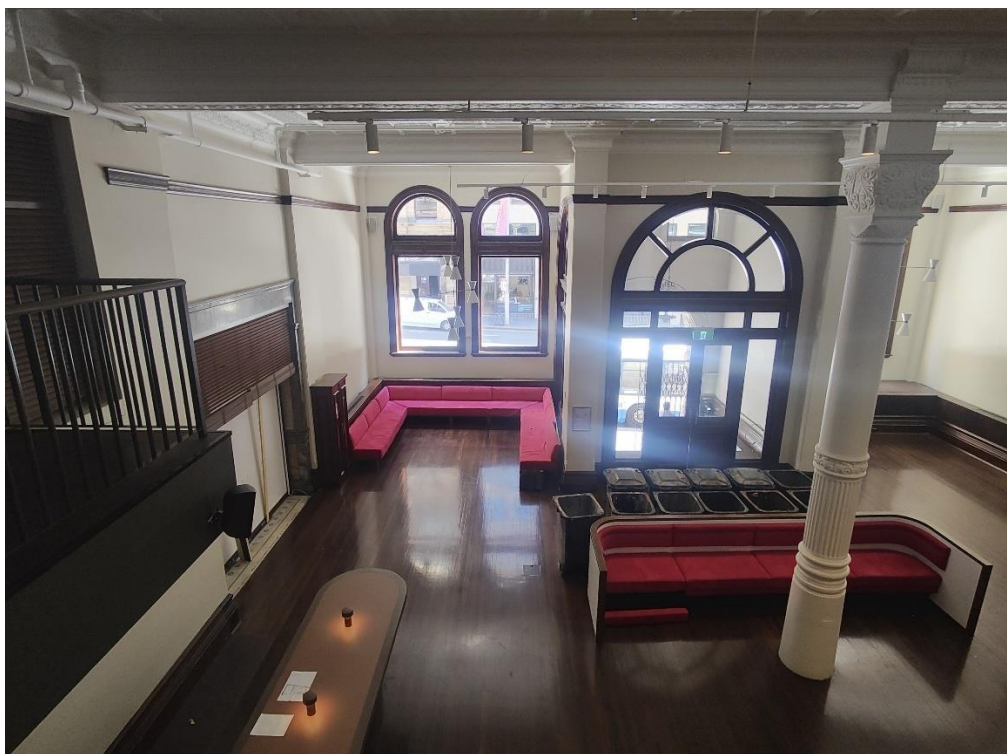


Figure 4: The internal space of the tenancy viewed from the mezzanine level facing north towards Bridge Street



Figure 5: The existing fit out on the ground floor level of the subject tenancy facing west

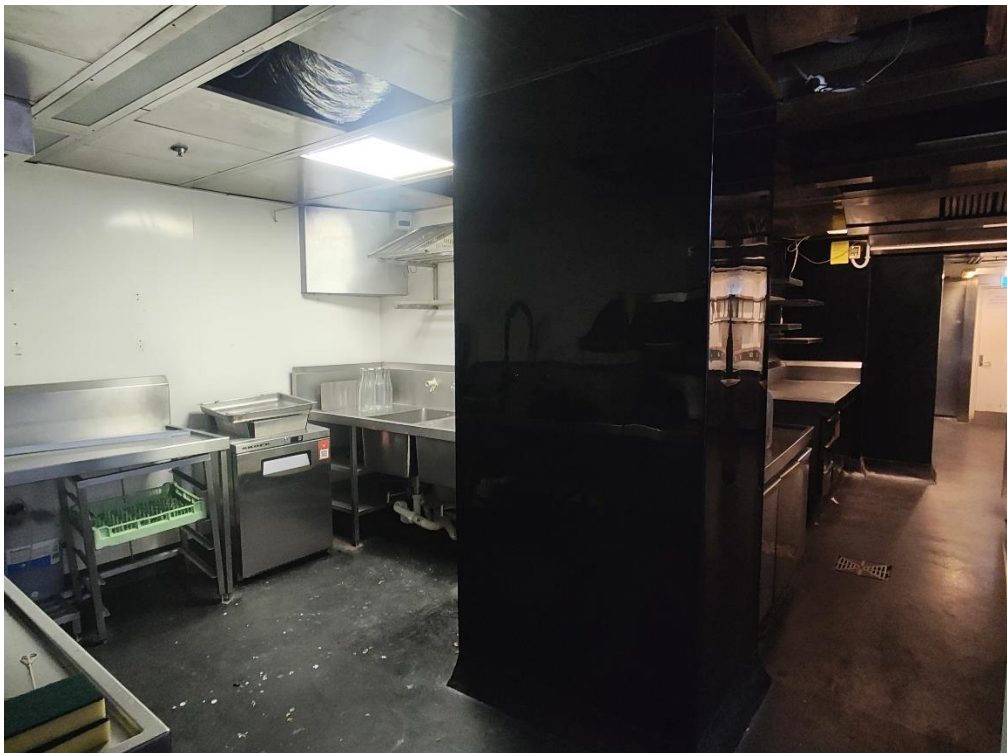


Figure 6: The existing kitchen fit out on the ground floor level of the subject tenancy



Figure 7: The existing staircase to be retained connecting the ground and mezzanine levels



Figure 8: The existing fit out on the mezzanine level of the subject tenancy facing north-west

History Relevant to the Development Application

Development Applications

10. The following applications are relevant to the current proposal:
- **D/2013/1514** – Development consent was granted on 30 October 2013 for the continued use of the ground floor and mezzanine levels as a licensed restaurant for 120 patrons, including the fit-out of a new commercial kitchen.
 - **HWC/2017/131** – Heritage works (exemption from development consent) was granted on 18 May 2017 for alterations and additions comprising a cosmetic refurbishment to the existing approved restaurant.
 - **HWC/2021/300** – Heritage works (exemption from development consent) was partially granted on 21 October 2021 for heritage works relating to the alterations of a restaurant to replace the previous tenancy fit-out. The remainder of the works for which consent was not granted under this application were lodged under the subsequent development application D/2022/30.
 - **D/2022/30** - Development consent was granted on 25 January 2022 for internal alterations to the existing licensed restaurant.

Compliance Action

11. The site has previously been subject to a compliance action that was relevant to the subject application. On 13 March 2026, Council officers were informed that unauthorised works were being undertaken at 5-11 Bridge Street based on noises emanating from the tenancy. This matter was referred to the Council's Health and Building Unit for investigation. The outcome was finalised on the 17 March 2026, and no further action was undertaken.

Amendments

12. Following a preliminary assessment of the proposed development by Council officers, a request for amendments was sent to the applicant on 6 February 2026. This application was referred to the City's Licensed Premises Unit who had no objections to the application, subject to amendments to the Plan of Management to address the requirements of the Sydney Development Control Plan 2012, Schedule 3, Section 3.2.
13. The applicant responded to the request on 11 February 2026, and submitted an updated Plan of Management via the NSW Planning Portal.

Proposed Development

14. The application seeks consent for the following:
- the change of use from a restaurant to a pub operating with a hotel (general bar) licence

- proposed trading hours will be between 10.00am and 2.00am (the following day), Mondays to Sundays, inclusive
- a maximum patron capacity of 160 people and 16 staff members
- internal fit out works to the tenancy as shown in the architectural drawings, including:
 - the removal of non-heritage elements including partitions, finishes, fittings, and mechanical housings
 - new bars with associated shelving and fixtures, to the ground floor and mezzanine levels
 - new joinery, partitions, flooring, finishes and decorative treatments
 - alterations to the dining area including raised dining plinths to part of the ground floor level
 - new kitchen counters, including the installation of a solid fuel grill and associated exhaust ventilation
 - new lighting and audiovisual fixtures
 - new balustrade to the mezzanine level
- ceiling hung wall mounted neon signage located in the entry vestibule
- four (4) new window decal signs located in the windows facing Bridge Street and one (1) new window decal sign in the window to the entry vestibule
- two (2) new wall plaque signage on both sides of the tenancy entryway to replace the existing plaques

15. Plans and elevations of the proposed development are provided below.

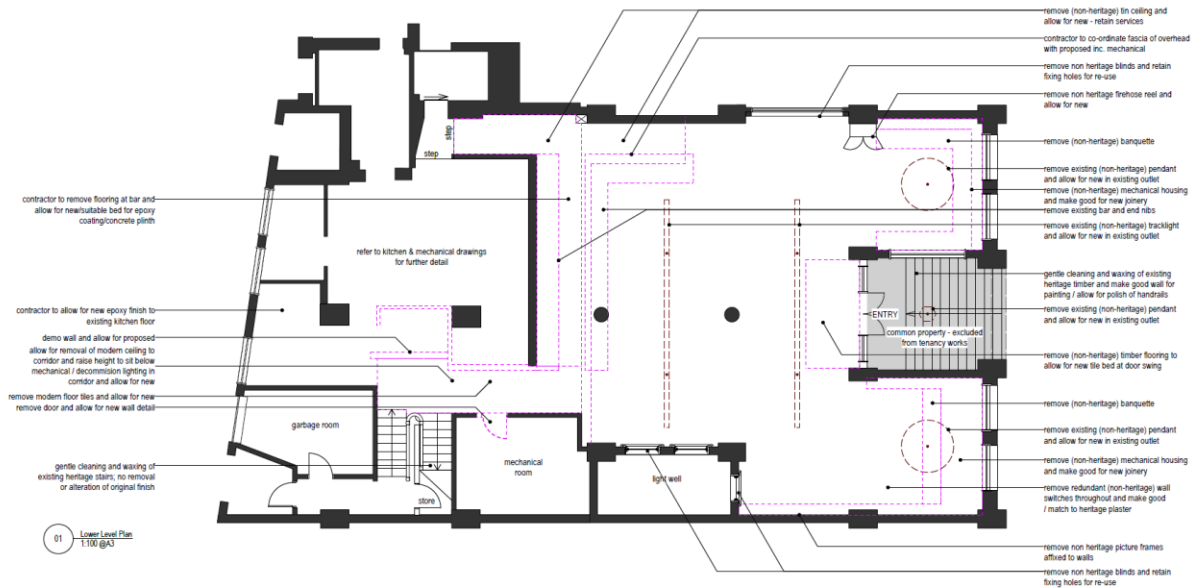


Figure 9: Proposed ground floor demolition plan

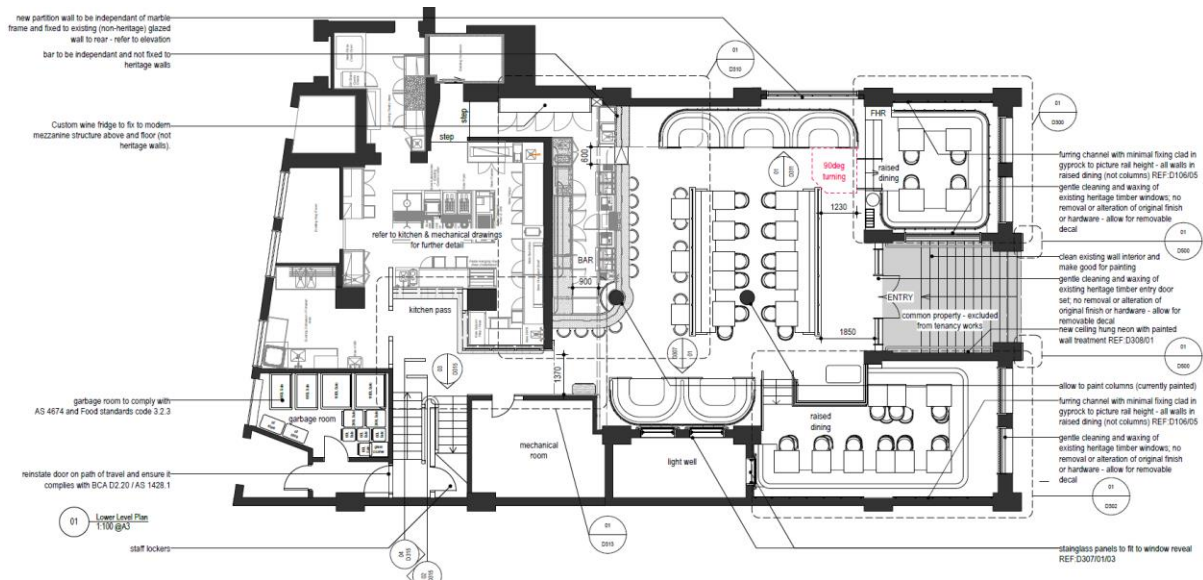


Figure 10: Proposed ground floor layout plan

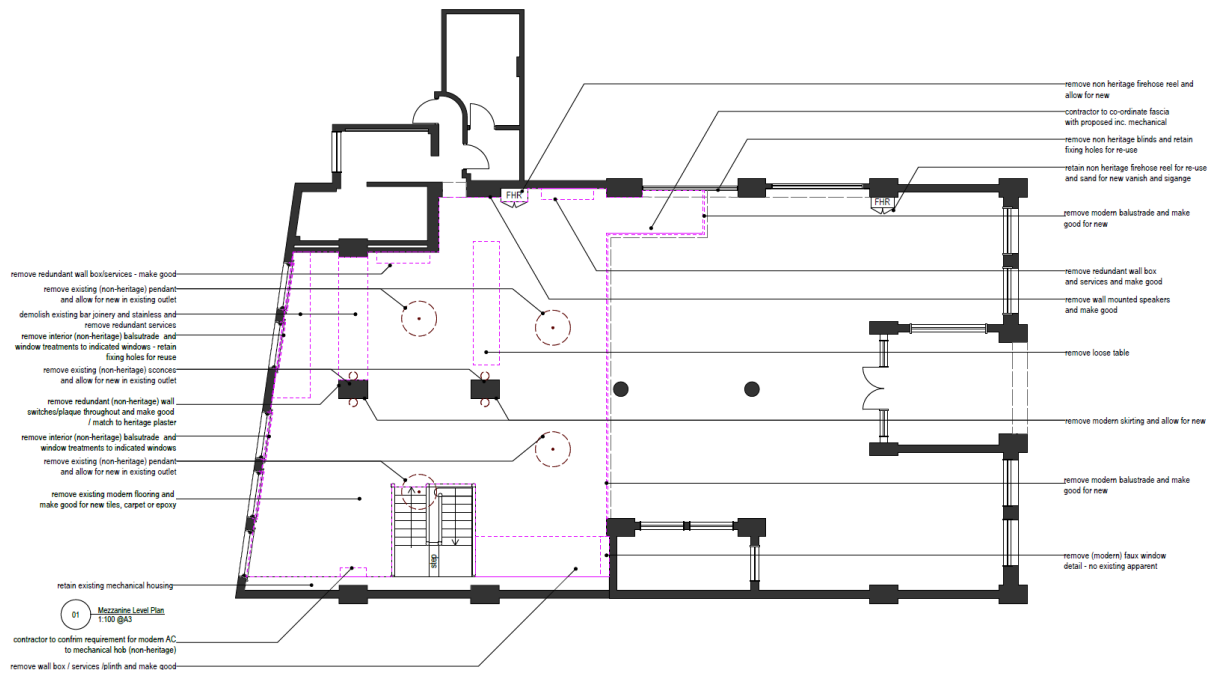


Figure 11: Proposed mezzanine level demolition plan

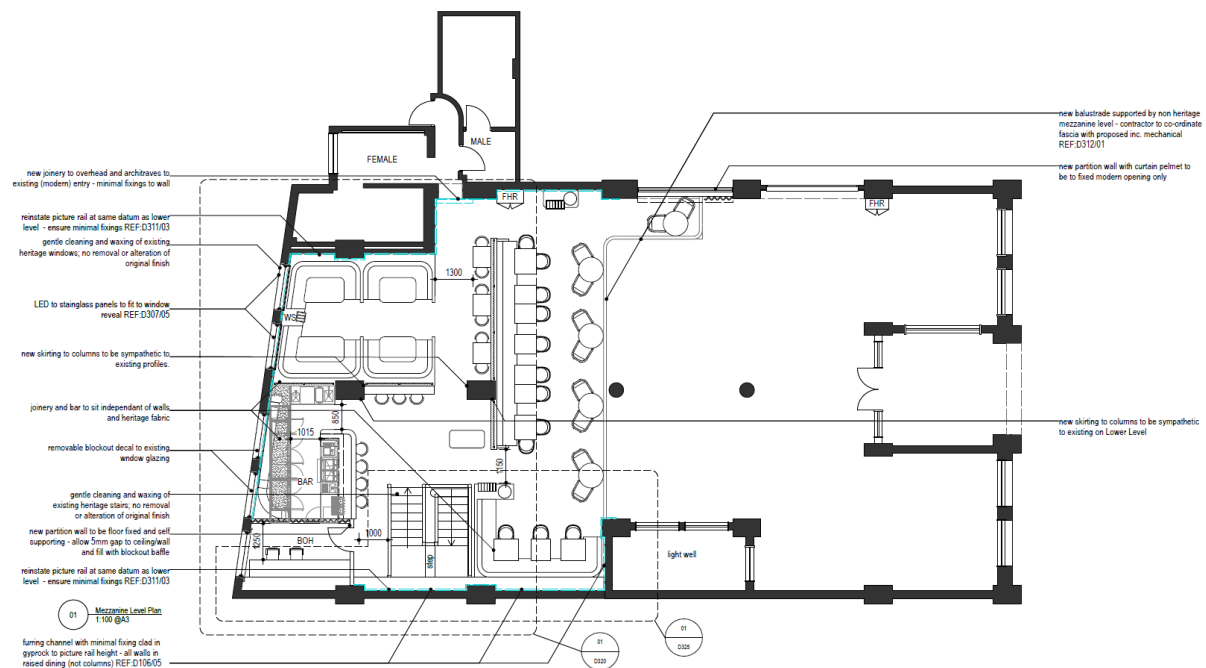


Figure 12: Proposed mezzanine level layout plan

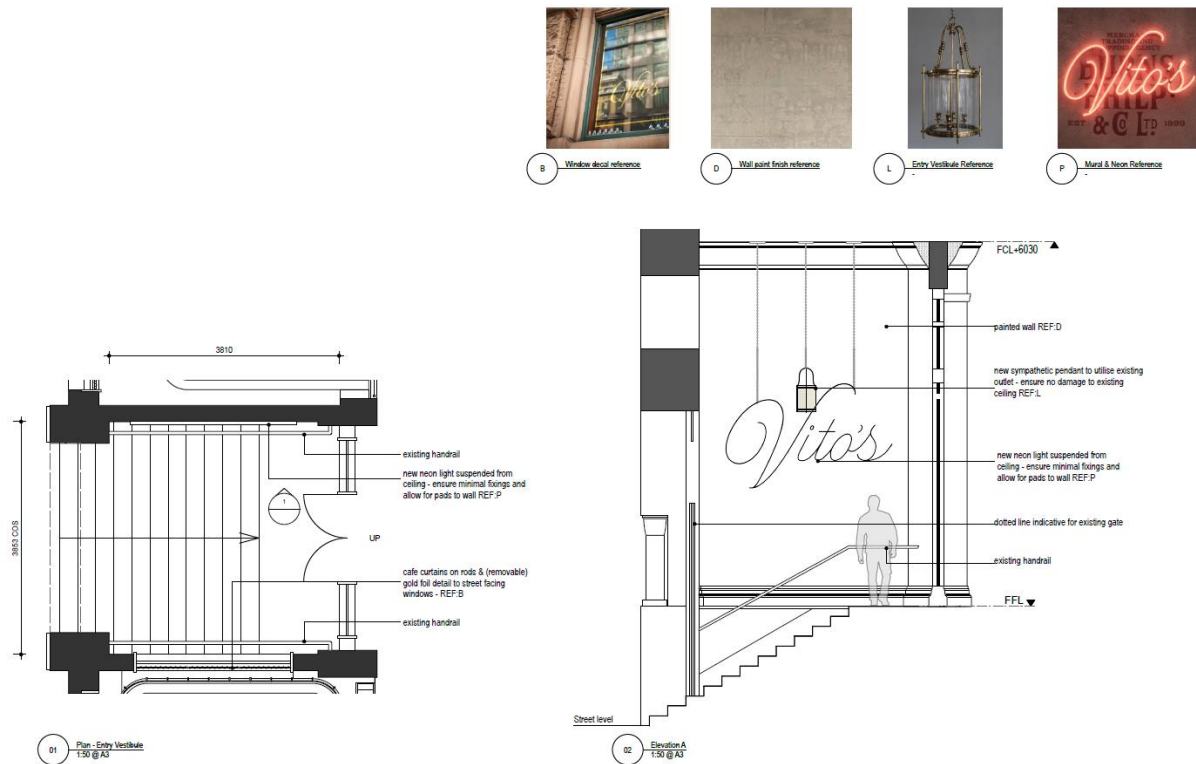


Figure 13: Proposed ceiling hung wall mounted neon signage located in the entry vestibule

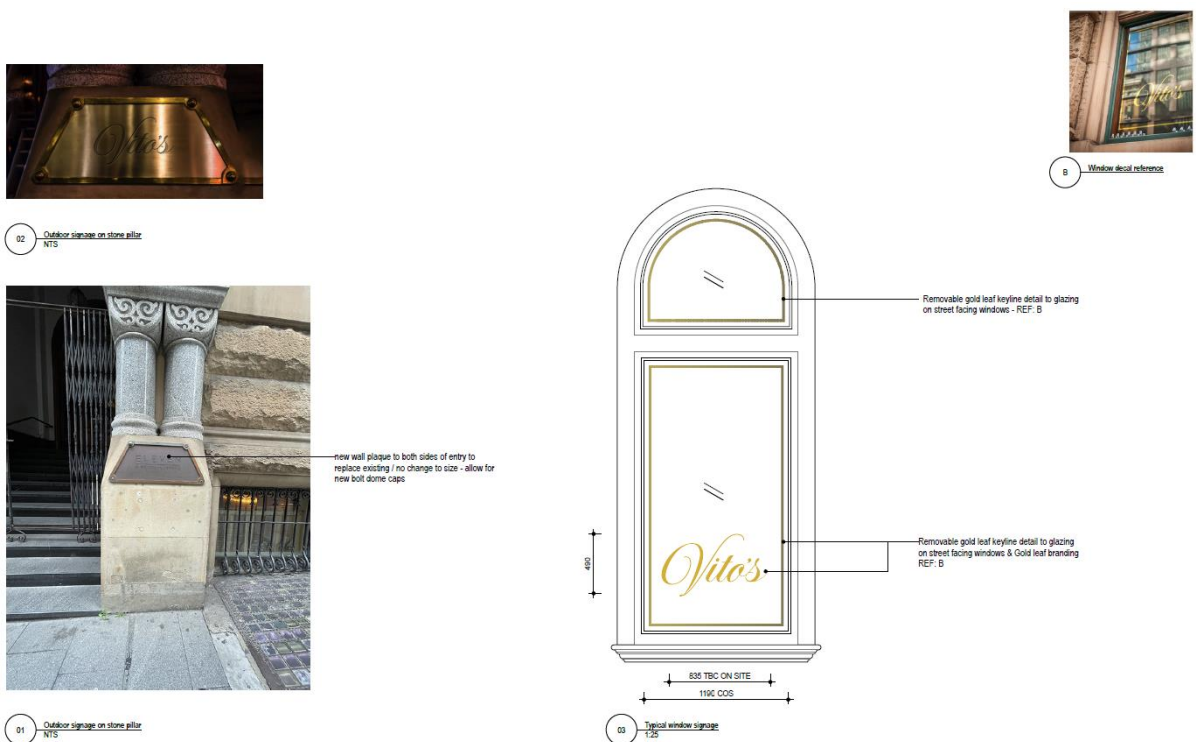


Figure 14: Proposed plaque and window decal signage

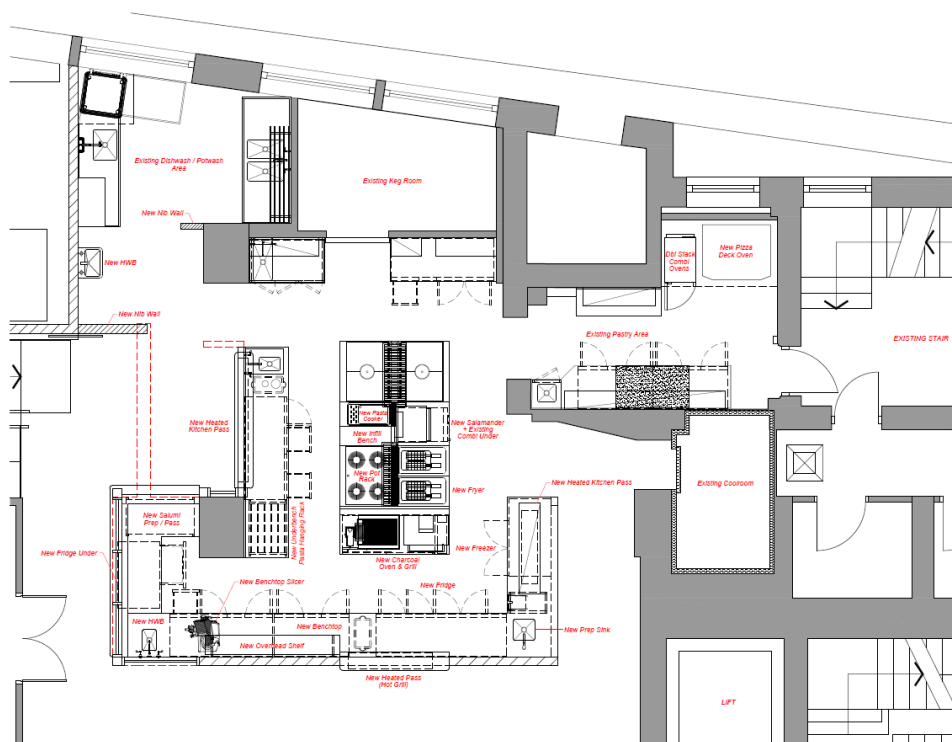


Figure 15: Proposed ground level kitchen floorplan

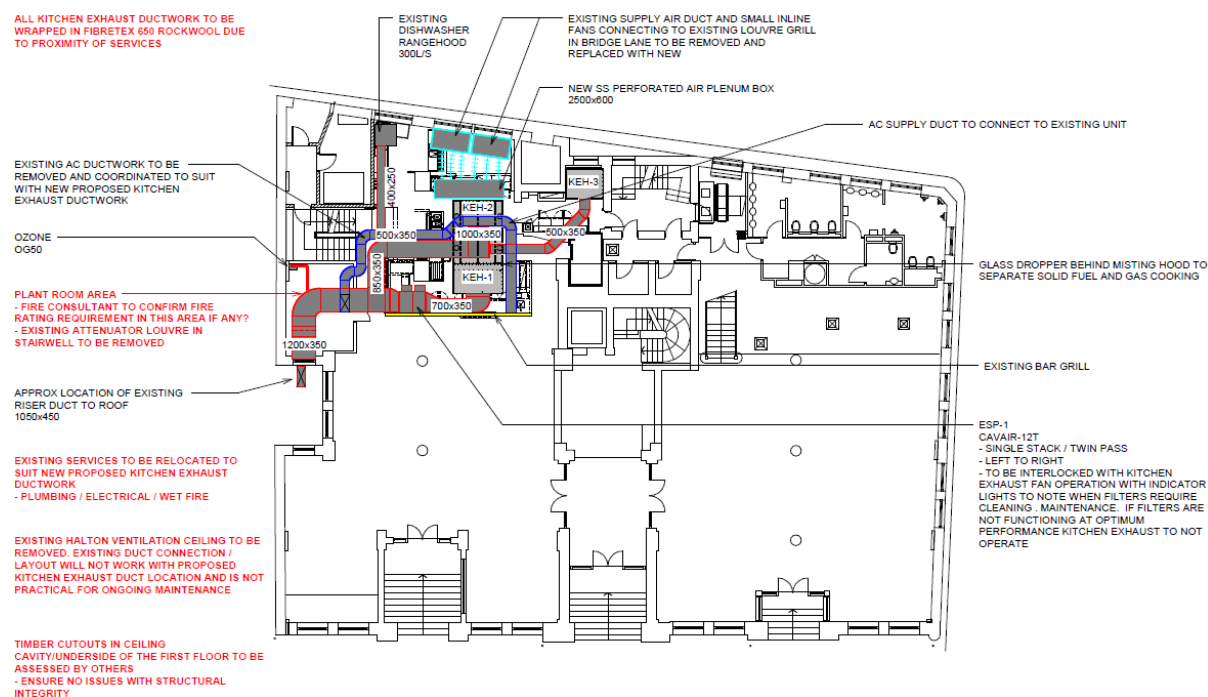


Figure 16: Proposed ventilation system for ground level kitchen

Assessment

16. The proposed development has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

Heritage Act 1977

17. The subject site is listed as an item known as the 'Burns Philp Building' on the State Heritage Register under the Heritage Act 1977 (SHR #00347).
18. An existing Conservation Management Plan has been prepared for 5-11 Bridge Street, dated January 2000, and prepared by Conybeare Morrison and Partners.
19. As integrated development requiring approval under the Heritage Act 1977, a copy of the application was referred to the Heritage Council on 12 January 2026 in accordance with Clause 42 of the Environmental Planning and Assessment Regulation 2021. In correspondence dated 10 February 2026, the Heritage Council advised that it would be appropriate for the City of Sydney's Heritage Specialist to use its delegation to issue the General Terms of Approval as the proposal would not have a major adverse impact to the site's heritage value.
20. A copy of the application was referred to the City of Sydney's Heritage Specialist as a delegate of the Heritage Council on 10 February 2026. In correspondence dated 20 February 2026, the City of Sydney's Heritage Specialist was advised that the exhibition period had been completed and that no submissions were received.
21. On 20 February 2026, the City of Sydney's Heritage Specialist as a delegate of the Heritage Council of NSW, issued the General Terms of Approval subject to recommended conditions which are included in Attachment A. See further details under the sub-heading Heritage in the 'Discussion' section below.

State Environmental Planning Policies

State Environmental Planning Policy (Industry and Employment) 2021 – Chapter 3

Advertising and Signage

22. The aim of SEPP (Industry and Employment) 2021 – Chapter 3 Advertising and Signage is to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high-quality design and finish.
23. The proposed signage has been considered against the objectives of the policy and an assessment against the provisions within the assessment criteria set out in Schedule 5 is provided in the table below.

Provision	Compliance	Comment
1. Character of the area	Yes	The proposed signage is generally consistent with the character of the area, subject to conditions. The proposed signage is also consistent with the provisions of the Bridge Street signage precinct in Section 3.16.12.3 of the Sydney Development Control Plan 2012.
2. Special areas	Yes	The proposed signage does not detract from the amenity or visual quality of the locality, subject to conditions.
3. Views and vistas	Yes	The proposed signage does not obscure or compromise any important views. It does not dominate the skyline and has no impact on the viewing rights of other advertisers.
4. Streetscape, setting or landscape	Yes	The proposed signage is of an appropriate scale, proportion and form and provides a positive contribution to the streetscape and setting of the area.
5. Site and building	Yes	The scale, proportion and positioning of the proposed signage is acceptable, and the materiality is compatible with the finishes and colours of the building.
6. Associated devices and logos	Yes	Not applicable.
7. Illumination	Yes	Conditions of consent are recommended to ensure that the illumination does not result in unacceptable glare, affect safety or detract from the amenity of any residential accommodation.
8. Safety	Yes	The proposed signage will not reduce the safety for pedestrians, cyclists or vehicles on public roads or areas.

24. The proposed signage is consistent with the objectives of SEPP (Industry and Employment) 2021 – Chapter 3 Advertising and Signage as set out in Clause 3.1 and satisfies the assessment criteria specified in Schedule 5.

Sydney Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 6 Water Catchments

25. The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SEPP. The SEPP requires the Sydney Harbour Catchment Planning Principles to be considered in the carrying out of development within the catchment.
26. The site is within the Sydney Harbour Catchment and eventually drains into Sydney Harbour. However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway and therefore, apart from the objective of improved water quality, the objectives of the SEPP are not applicable to the proposed development.

Local Environmental Plans

Sydney Local Environmental Plan 2012

27. An assessment of the proposed development against the relevant provisions of the Sydney Local Environmental Plan 2012 is provided in the following sections.

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the SP5 Metropolitan Centre zone. The proposed development is defined as a 'pub' and is permissible with consent in the zone. The proposal generally meets the objectives of the zone.

Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	Yes	A maximum building height of 55m is permitted. The proposed development does not alter the existing height of the building.
4.4 Floor space ratio	Yes	A maximum floor space ratio of 8:1 is permitted. The proposed development does not alter the existing floor space ratio of the building.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site is a state heritage item Burns Philp Building (SHR #00347). The site is also adjacent to the state heritage items Metropolitan Hotel (SHR #00663) and Liner House (SHR #00589). The proposed development will not have detrimental impacts on the heritage significance of the heritage items. Refer to the discussion section below.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 4 Design excellence		
6.21 Design excellence	Yes	The proposed development is of a high standard and uses materials and detailing which are compatible with the existing development along the street and will contribute positively to the character of the area. The development achieves the principle of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The development therefore achieves design excellence.

Part 7 Local provisions – general

Provision	Compliance	Comment
7.14 Acid Sulfate Soils	Yes	The site is located on land with class 5 Acid Sulfate Soils. The application does not propose works requiring the preparation of an Acid Sulfate Soils Management Plan.

Development Control Plans

Sydney Development Control Plan 2012

28. An assessment of the proposed development against the relevant provisions within the Sydney Development Control Plan 2012 is provided in the following sections.

Section 2 – Locality Statements

29. The site is located within the Central Sydney locality and the Bridge Street/Macquarie Place/Bulletin Place Special Character Area. The proposed development is in keeping with the unique character and the design principles of the locality.

Section 3 – General Provisions

Provision	Compliance	Comment
3.2. Defining the Public Domain	Yes	The subject site is identified in the Active Frontages map as Category 2, requiring at least 70% of the ground floor frontage to be transparent glazing. The proposed window signage will maintain over 70% clear glazing and the proposed internal works at the ground floor will not obstruct views into and out of the premises, subject to conditions. The existing building façade will remain substantially unchanged under the proposed development.
3.9 Heritage	Yes	The site is a state heritage item Burns Philp Building (SHR #00347). The site is also adjacent to the state heritage items Metropolitan Hotel (SHR #00663) and Liner House (SHR #00589). The proposed development will not have detrimental impacts on the heritage significance of the heritage items. Refer to discussion section below.
3.12 Accessible Design	Yes	No changes are being proposed to the existing stepped entryway for the tenancy, and no changes are proposed for the existing internal staircase connecting the ground floor and mezzanine levels. As such there is no requirement to make the tenancy wheelchair accessible under the scope of works for this application. A condition is recommended to ensure that both levels comply with the BCA

Provision	Compliance	Comment
		through the relevant compliance pathways prior to the issue of any Construction Certificate.
3.13 Social and Environmental Responsibilities	Yes	The proposed development provides adequate passive surveillance and is generally designed in accordance with the CPTED principles.
3.14 Waste	Yes	A condition has been recommended to ensure the proposed development complies with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development.
3.15 Late Night Trading Management	Yes	The premises is located in a Late Night Management Area and the use is defined as a category A premises. The proposed trading hours are between 10.00am and 2.00am (the following day), Mondays to Sundays, and the patron capacity is 160 people. Refer to the discussion section below.
3.16 Signage and Advertising	Yes	The proposed development includes the provision of: - One (1) ceiling hung wall mounted neon signage located in the entry vestibule. - Four (4) new window decal signs located in the windows facing Bridge Street and one (1) new window decal sign in the window to the entry vestibule. - Two (2) new wall plaque signage on both sides of the tenancy entryway to replace the existing plaques. The proposed neon signage is not located on the facade of the building, and is not directly visible from the street frontage, being located within the entry vestibule. Business identification signs are generally not permitted on the facades

Provision	Compliance	Comment
		of buildings located within the Bridge Street signage precinct. However, the proposed window decal signs are considered acceptable in this instance as they will retain views into the tenancy and are similar in scale and position to the signs of previous occupants. The new wall plaque signs are classified as changing the content of existing approved signage. As such the requirement of a signage strategy for this heritage building has been waived as the proposed signage to the tenancy is minor in nature and satisfies the objectives of Section 3.16 of the DCP and the Bridge Street signage precinct.
3.18 Acoustic Amenity	Yes	The acoustic report submitted with this application demonstrates the proposal is capable of compliance with the relevant acoustic criteria. Conditions of consent have been recommended to ensure noise emissions are in accordance with the Council's controls.

Discussion

Heritage

30. As detailed above, the proposed development consists of works within the curtilage of the state heritage item, Burns Philp Building (SHR #00347). The site is also adjacent to the state heritage items Metropolitan Hotel (SHR #00663) and Liner House (SHR #00589). Several heritage items of local significance also surround the site. The proposed alterations to the tenancy will not have any impact on surrounding heritage items.
31. In its assessment, the City of Sydney's Heritage Specialist identified several significant heritage elements which will need to be protected and/or retained. These elements are as follows:
 - (a) Original timber floorboards under the existing floating floor
 - (i) The original timber flooring remains under the current timber flooring. The raised dining plinths and the new tiled flooring to be overlayed over the original timber floorboards are not to cause damage to this significant fabric.

- (b) Wall skirting joinery
 - (i) All existing wall skirting joinery is to be retained. The existing skirting on the mechanical enclosure joinery at the northern part of the interior is to be salvaged and reused for new wall skirting.
 - (c) The separation of the mezzanine level
 - (i) The existing mezzanine level is separate from the rear windows and has balustrades at the gaps. The separation at the mezzanine level is to be retained so that the windows and their architraves which extend to the ground floor are not affected.
 - (d) The southern (currently blocked out) window of the light-well
 - (i) The submitted architectural plans (Drawing D121) suggested that this window is a modern faux window. However, the 2000 Conservation Management Plan indicates the original windows are generally intact with obscure glass or leadlight detailing. An on-site inspection by the City's Heritage Specialist identified that its architrave details matched other light-well windows, and they believed it was original. As such this element should be retained.
32. A condition of consent is recommended that the above heritage elements are to be retained.

Late Night Trading

33. The premises is classified as a Category A - High Impact Premises in accordance with Section 3.15 of the Sydney Development Control Plan (DCP) 2012 and is located within a Late-Night Management Area. The DCP permits indoor base trading hours for the area between 6.00am and 12.00am midnight, with extended indoor trading up to 24 hours permitted on a trial basis.
34. The proposed trading hours are between 10.00am and 2.00am (the following day), Mondays to Sundays, inclusive.
- (a) The hours between 10.00am and 12.00am midnight are recommended to be permanent.
 - (b) The extended hours between 12.00am midnight and 2.00am are recommended to be subject to an initial 2-year trial period.

Noise

35. The proposal is accompanied by an acoustic report titled 'Licensed Venue, 11 Bridge Street, Sydney - Acoustic Impact Assessment', prepared by PWNA, reference 250607, and dated 16 October 2025.
36. The site is predominantly surrounded by commercial and retail premises. The acoustic report identified two sensitive noise receivers located in the vicinity of the venue:
- (a) The hotel accommodation premises, 'Establishment Hotel' located approximately 30 metres to the south-east of the site at 5 Bridge Lane.

- (b) The multi-storey 'Cliveden' residential apartment building located approximately 30 metres to the north-west of the site at 4 Bridge Street.
37. The acoustic assessment in the report has been based on the predicted noise levels of the premises. The predicted noise levels were made with the assumptions that amplified music was being played in the internal area, and that the premises was at maximum occupancy during the hours of 7.00am to 2.00am to cover the proposed trading hours between 10.00am and 2.00am (the following day).
38. The acoustic report made the following recommendations:
- (a) The premises must adhere to the maximum patron capacity of 160 people (not including staff members) at any one time.
 - (b) Background music can be played in the dining area with a maximum noise level of 85dBAL_{Aeq} (15-minute) within the venue.
 - (c) Removal of glass or waste should be done internally and must not be taken after 10:00pm and before 7:00am.
 - (d) A contact number must be displayed for the purposes of receiving any complaints if they arrive.
 - (e) Signs must be displayed at all exits reminding patrons to be mindful of noise when leaving the premises.
39. The acoustic report and proposal as detailed in the statement of environmental effects has been reviewed by the Council's Environmental Health Officer. Upon review of the application, the requirements of the City's acoustic criteria, and the NSW Environmental Protection Authority's Noise Policy for Industry (2017) have been addressed.
40. The proposal is able to comply with the criteria, subject to the conditions of consent. A condition of consent is recommended to ensure that the premises operates in accordance with the approved acoustic report.

Mechanical Ventilation

41. The proposal seeks to install a new solid-fuel grill with an associated exhaust ventilation system. The applicant provided plans for the proposed kitchen layout and the proposed ventilation system. This application was referred to the Council's Environmental Health Officer who raised no objections to the proposal.
42. Conditions of consent are recommended to ensure that odour management, and the cleaning and maintenance of the proposed mechanical ventilation system is appropriately managed.

Consultation

Internal Referrals

43. The application was discussed with Council's:
- (a) Environmental Health Unit

- (b) Licenced Premises Unit
 - (c) Heritage and Urban Design Unit
 - (d) Waste Management Unit
44. The above advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the recommended conditions of consent.

External Referrals

NSW Heritage Council

45. Pursuant to the Heritage Act 1977, the application was referred to the NSW Heritage Council on 12 January 2026 for concurrence. In correspondence dated 10 February 2026, the Heritage Council advised that it would be appropriate for the City of Sydney's Heritage Specialist to use its delegation to issue the General Terms of Approval. A copy of the application was referred to the City of Sydney's Heritage Specialist as a delegate of the Heritage Council on 10 February 2026.
46. In correspondence dated 20 February 2026, the City of Sydney's Heritage Specialist was advised that the exhibition period had been completed and that no submissions were received.
47. General Terms of Approval were issued by City of Sydney's Heritage Specialist as a delegate of the Heritage Council on 20 February 2026 and have been included in the schedules within the recommended conditions of consent.

NSW Police

48. The application was referred to NSW Police for comment.
49. NSW Police provided a response to this referral on the 24 March 2026, indicating that they had no objection to the proposal. In this response they suggested the inclusion of several conditions to ensure public safety. These conditions related to the use of surveillance cameras, incident recording, neighbourhood amenity, onsite availability of consent and management documents, adherence to the Plan of Management, and queuing procedures. All the measures outlined in these conditions have already been included in the approved Plan of Management and are not considered necessary to be included in the recommended conditions of consent.

Advertising and Notification

50. In accordance with the City of Sydney Community Participation Plan 2025, the proposed development was notified for a period of 28 days between 12 January 2026 and 10 February 2026. A total of 520 properties were notified and no submissions were received.

Financial Contributions

Levy under Section 7.12 of the Environmental Planning and Assessment Regulation 2000

51. The Central Sydney Development Contributions Plan 2020 applies to the site. The cost of the development is over \$250,000. The development is therefore subject to a s7.12 contribution under this Plan. A condition relating to this contribution has been included in the recommended conditions. The condition requires the contribution to be paid prior to the issue of a construction certificate.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

52. The site is located within the Central Sydney affordable housing contribution area. As the development is not creating more than 100sqm of gross floor area and is not for a change of use to residential or visitor/tourist accommodation, the development is excluded and is not subject to a Section 7.13 contribution.

Housing and Productivity Contribution

53. The development is not subject to a Housing and Productivity Contribution under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2024.
54. While the site is located with the Greater Sydney region, the development is not a type of commercial development to which the Housing and Productivity Contribution applies, consisting of the refurbishment of an existing commercial tenancy with no change to its gross floor area.

Relevant Legislation

55. Environmental Planning and Assessment Act 1979.
56. Heritage Act 1977.

Conclusion

57. This application seeks development consent for the internal fit out to part of the state-listed heritage item (Burns Philp Building) with an associated change of use from a restaurant to a 'pub' operating with a hotel (general bar) licence.
58. The proposed development consists of works within the curtilage of the state heritage item, Burns Philp Building (SHR #00347). Subject to the recommended conditions of consent, the proposed alterations to the tenancy will have an acceptable impact on the heritage significance of the site.

59. The development is located within a Late-Night Management Area. The proposed hours of operation are consistent with the planning controls, subject to management and operational conditions recommended to protect the amenity of the surrounding area. Any extended hours after 12.00am midnight are recommended to be subject to an initial 2-year trial period.
60. The proposed development has been assessed as being consistent with the applicable planning controls and is supported subject to the imposition of conditions in Attachment A.

ANDREW THOMAS

Executive Manager Planning and Development

Anthony Kwee Kartawardana, Cadet Planner