

## Relevant Information for Central Sydney Planning Committee

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**FILE:** D/2025/406 **DATE:** 21 August 2025

**TO:** The Central Sydney Planning Committee

**FROM:** Graham Jahn AM, Chief Planner / Executive Director City Planning,  
Development and Transport

**SUBJECT:** Information Relevant To Item 4 – Development Application: 65 Martin Place,  
Sydney - D/2025/406

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### Alternative Recommendation

It is resolved that consent be granted to Development Application Number D/2025/406 subject to the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strike through~~):

#### (6) USE OF HERITAGE CONSULTANT

- (a) The nominated heritage consultant, being Samantha Polkinghorne (Director | Heritage) of NBRS must work with the consultant team throughout the design development, contract documentation and construction stages of the project. The heritage consultant is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition. The heritage consultant is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project.
- (b) Throughout the documentation and construction stages of the approved works the heritage consultant is to:
  - (i) Undertake site inspections of not less than fortnightly intervals ***or as determined by the nominated heritage consultant or Council.***

- (ii) Maintain an illustrated diary of site inspections that includes photographs of the works, details of heritage advice and decisions arising out of each inspection and any further physical evidence uncovered during the works.
- (iii) Compile a final report, including the diary, verifying how the heritage conditions have been satisfied, and the works completed in accordance with the Conservation Management Plan.

Note: Upon completion of the works, the heritage consultant is to submit a final report for approval by Council prior to the re-occupation of the building.

### **Reason**

To ensure that the implementation of the approved development is carried out in a manner that does not have adverse heritage impacts.

## **(12) COMPLIANCE WITH CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN**

- (a) All relevant performance parameters, including but not limited to requirements, engineering assumptions and recommendations such as the management controls in Section 5.2.1 and noise and vibration monitoring in Sections 5.2, the Stage 1 Remediation Scope Construction Noise and Vibration Management Plan, reference 20240258.3/0605A/R1/SN, dated 6 May 2025 and prepared by Acoustic Logic (council's reference 2025/272555) must be implemented.
- (b) Prior to the commencement of any noise and vibration generating works, a final construction methodology must be assessed and certified by a Suitably Qualified Acoustic Consultant\* (see definition below) to be in accordance with the requirements of (a) above, and a copy of ***an updated Construction Noise and Vibration Management Plan incorporating the*** certified final construction methodology submitted to and approved by Council's ~~Area Planning Manager~~ ***Executive Director City Planning Development & Transport***.

*Note: Suitably Qualified Acoustic Consultant* means a consultant who possesses the qualifications to join the Australian Acoustical Society, Institution of Engineers Australia (grade of member) or the Association of Australasian Acoustical Consultants (grade of member firm).

- (c) Where all control measures have been implemented and the resultant noise and/or vibration levels at any neighbouring receiver exceed the Council's applicable criteria stated in the Construction Hours/Noise Code 1992 and are giving rise to sustained complaints then the contractor must provide regular, appropriate and sustained periods of respite in consultation with Council's Health and Building Unit. Such periods must be set and agreed to by Council's Health and Building Unit.
- (d) Approval to vary the authorised noise and vibration levels must be received in writing by the proponent from Council prior to activities being undertaken that exceed sanctioned emission levels.

## Reason

To ensure all parties are aware of the supporting documentation that applies to the development.

### (26) DILAPIDATION REPORT

- (a) Subject to the receipt of permission of the affected landowner, dilapidation report/s, including a photographic survey of 225-227 Macquarie Street Sydney (and any other properties identified by the qualified structural engineer engaged to undertake the report) are to be prepared by an appropriately qualified structural engineer prior to commencement of works. A copy of the dilapidation report/s together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Registered Certifier and the Council prior to the **commencement of works** ~~issue of a Construction Certificate~~.

#### UPON COMPLETION OF DEMOLITION

- (b) A second Dilapidation Report/s, including a photographic survey must then be submitted at least one month after the completion of demolition works. A copy of the second dilapidation report/s, together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Principal Certifier and the Council prior to the issue of any Occupation Certificate or the re-occupation of the building, whichever is earlier.

Any damage to buildings, structures, lawns, trees, sheds, gardens and the like **resulting from works approved by this consent and undertaken on the development site** must be fully rectified by the applicant or owner, at no cost to the affected property owner.

Note: Prior to the commencement of the building surveys, the applicant/owner must advise (in writing) all property owners of buildings to be surveyed of what the survey will entail and of the process for making a claim regarding property damage. A copy of this information must be submitted to Council.

## Reason

To ensure that dilapidation reports are prepared and to identify damage to adjoining/nearby properties resulting from building work on the development site.

### (27) PUBLIC DOMAIN DILAPIDATION REPORT

Prior to **the commencement of works** ~~an approval for demolition and preparatory works being granted or the issue of any Construction Certificate, whichever is earlier~~, a photographic recording of the public domain site frontages is to be prepared as described in the Public Domain Manual and submitted for approval by Council's Public Domain Unit. The City's *Public Domain Manual* is available for download from the City's website at <https://www.cityofsydney.nsw.gov.au/>

The submission is to include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive license to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

### Reason

To establish and document the condition of the public domain for comparison as building work progresses and is completed.

## (29) TRANSPORT FOR NSW REQUIREMENTS

- (a) Prior to the **commencement of works** ~~issue of a Construction Certificate~~, a hygienist report confirming asbestos will be contained on site and Sydney Trains' staff and patrons will not be exposed is to be prepared by a suitably qualified person.
- (b) No crane loads are to be erected over the station box at any time.
- (c) Any pedestrian access arrangements and or changes need to be discussed with Martin Place Station staff.

Note: Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team. In this instance the relevant interface team is Central Interface, and they can be contacted via email on [Central\\_Interface@transport.nsw.gov.au](mailto:Central_Interface@transport.nsw.gov.au).

## Background

In correspondences dated 19 August 2025, the applicant submitted a request to modify some of the recommended conditions. The requested modifications are acceptable as discussed below:

Requested Modification	Comments
Condition (6)(b)(i) to allow flexibility for the nominated heritage consultant to determine the inspection frequency	Flexibility is reasonable to allow the inspection frequency to be adjusted to respond to progress onsite.
Condition (12)(b) to also require the submission of an updated Construction Noise and Vibration Management Plan	The requirement to submit a certified final construction methodology is unchanged. The applicant only wishes to also submit an updated CNVMP to ensure consistency across all documentation.
Conditions (26)(a), (27), and (29) to replace any remaining references to 'construction certificate' with 'commencement of works'	As some works can be carried out prior to the issue of a construction certificate, it is appropriate to refer to the commencement of works as the start of the approved

Requested Modification	Comments
	development. The requested modification is administrative in nature.
Condition (26)(b) to clarify that the applicant is only required to rectify damages caused by the approved development	The clarification is consistent with the intent of the condition.

Prepared by: Bryan Li, Senior Planner

Approved



**GRAHAM JAHN AM**

Chief Planner / Executive Director City  
Planning, Development and Transport