

# Modification of Development Consent

Section 4.55(1A) of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



David Glasgow  
Team Leader  
**Key Sites and TOD Assessments**

Sydney

3 March 2026

File: EF25/8859

## SCHEDULE 1

<b>Development consent:</b>	<b>SSD 49295711</b> granted by the Deputy Secretary as delegate of the Minister for Planning and Public Spaces on 4 December 2024
<b>For the following:</b>	Redevelopment of former Harbourside Shopping Centre, comprising: <ul style="list-style-type: none"><li>• construction of a 50-storey development (RL 170) including tower, podium and basement levels for residential accommodation, office and retail;</li><li>• parking for cars, motorcycles, service vehicles and bicycles;</li><li>• provision of hard and soft landscaping and through site links;</li><li>• electricity and stormwater infrastructure; and</li><li>• consolidation and stratum subdivision of the site</li></ul>
<b>Applicant:</b>	Mirvac Retail Sub SPV Pty Ltd
<b>Consent Authority:</b>	Minister for Planning and Public Spaces
<b>The Land:</b>	Harbourside Shopping Centre, Darling Harbour  Lots 1-10, 12-15 and 17 DP 776815, part Lot 2015 DP 1234971 and Lot 300 DP 836419
<b>Modification:</b>	Modification 6 to amend approved construction hours to permit specified out-of-hours construction activities, including: <ul style="list-style-type: none"><li>• internal fit-out works and associated deliveries;</li><li>• limited concrete pours;</li><li>• crane climbing and dismantling; and</li><li>• certain utility service works.</li></ul>

## SCHEDULE 2

1. Part A Administrative Conditions, Condition A2 is modified by inserting the **bold and underlined** words/numbers and deleting the **~~bold and struck out~~** words/numbers as follows:

### Terms of Consent

- A2. The development must only be carried out:
- (a) in compliance with the conditions of this consent;
  - (b) in accordance with all written directions of the Planning Secretary;
  - (c) generally in accordance with the EIS, RtS and RRFI
  - (d) As amended by, and generally in accordance with, the following modification applications:
    - (i). Section 4.55(1A) Modification Application report prepared for SSD 49295711 MOD 1 by Ethos Urban dated 14 May 2024;
    - (ii). Section 4.55(1A) Modification Application – SSD 49295711 Mod 3 Harbourside Shopping Centre Redevelopment' dated 29 November 2024 and as amended by the Response to Request for Additional Information dated 3 March 2025 and email from Ethos Urban dated 7 March 2025.
    - (iii). Section 4.55(1A) Modification Application report prepared for SSD 49295711 MOD 2 by Ethos Urban dated 17 September 2024 and Response to Request for Additional Information prepared by Ethos Urban and dated 30 October 2024 and 9 January, 24 February, 20 March, 25 March and 27 March 2025;
    - (iv). Section 4.55(1A) Modification Application reported prepared for SSD 49295711 MOD 4 by Ethos Urban dated 23 April 2025 and Response to Request for Information prepared by Ethos urban and dated 26 June 2025.
    - (v). Section 4.55(1A) Modification Application report prepared for SSD 49295711 MOD 5 by Ethos Urban dated 27 May 2025 and Response to request for information prepared by Ethos Urban dated 12 August 2025.
    - (vi). Section 4.55(1A) Modification Application report prepared for SSD 49295711 MOD 7 by Ethos Urban dated 11 September 2025 and Response to Request for Information prepared by Ethos Urban dated 5 November 2025.
    - (vii). Section 4.55(1A) Modification Application report prepared for SSD 49295711 MOD 9 by Ethos Urban dated 13 October 2025.
    - (viii). **Section 4.55(1A) Modification Application report prepared for SSD 49295711 Mod 6 by Ethos Urban dated 6 June 2025 and Response to Request for Information prepared by Ethos Urban dated 13 October 2025 and 27 October 2025.**
  - (e) in accordance with the approved plans in the table below (except where amended by the conditions of consent):

<b>Architectural plans prepared by Snøhetta and Hassell</b>			
<b>Plan No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
AR-SSDA2-0000_00	E	Cover Sheet	02/04/2025
AR-SSDA2-0100_00	D	Site Plan	06/06/2024
AR-SSDA2-1095_B5	D	General Arrangement Plan – Basement 5 Plan	06/06/2024
AR-SSDA2-1096_B4	D	General Arrangement Plan – Basement 4 Plan	06/06/2024
AR-SSDA2-1097_B3	F	General Arrangement Plan – Basement 3 Plan	25/06/2025
AR-SSDA2-1098_B2	D	General Arrangement Plan – Basement 2 Plan	06/06/2024
AR-SSDA2-1099_B1	D	General Arrangement Plan – Basement 1 Plan	06/06/2024
AR-SSDA2-1100_00	K	General Arrangement Plan – L00 Ground Plan	13/11/2025
AR-SSDA2-1101_00	D	General Arrangement Plan – L01 Plan	06/06/2024
AR-SSDA2-1102_00	E	General Arrangement Plan – L02 Plan	14/07/2025
AR-SSDA2-1103_00	E	General Arrangement Plan – L03 Plan	15/07/2025
AR-SSDA2-1104_00	E	General Arrangement Plan – L04 Plan	22/11/2024
AR-SSDA2-1105_00	D	General Arrangement Plan – L05 Plan	12/06/2024
AR-SSDA2-1106_00	D	General Arrangement Plan – L06 Plan – CV	12/06/2024

AR-SSDA2-1106_01	D	General Arrangement Plan – L06 Plan – CV	12/06/2024
AR-SSDA2-1107_00	D	General Arrangement Plan – L07 Plan – CV	12/06/2024
AR-SSDA2-1107_01	D	General Arrangement Plan – L07 Plan – CV	06/06/2024
AR-SSDA2-1108_00	D	General Arrangement Plan – L08 Plan – LR-A	12/06/2024
AR-SSDA2-1108_01	D	General Arrangement Plan – L08 Plan – LR-A	06/06/2024
AR-SSDA2-1109_00	D	General Arrangement Plan – L09 - L13 Plan – LR-A	08/03/2024
AR-SSDA2-1109_01	C	General Arrangement Plan – L09 Plan – LR-A	22/02/2024
AR-SSDA2-1110_01	C	General Arrangement Plan – L10 Plan – LR-A	22/02/2024
AR-SSDA2-1111_01	C	General Arrangement Plan – L11 Plan – LR-A	22/02/2024
AR-SSDA2-1112_01	C	General Arrangement Plan – L12 Plan – LR-A	22/02/2024
AR-SSDA2-1113_01	C	General Arrangement Plan – L13 Plan – LR-A	22/02/2024
AR-SSDA2-1114_00	B	General Arrangement Plan – L14-L16 Plan LR-A	08/03/2024
AR-SSDA2-1114_01	C	General Arrangement Plan – L14 Plan – LR-A	22/02/2024
AR-SSDA2-1115_01	C	General Arrangement Plan – L15 Plan – LR-A	22/02/2024
AR-SSDA2-1116_01	E	General Arrangement Plan – L16 Plan – LR-A	02/04/2025
AR-SSDA2-1117_00	D	General Arrangement Plan – L17-L26 Plan – LR-B	08/03/2024
AR-SSDA2-1117_01	C	General Arrangement Plan – L17 Plan – LR-B	22/02/2024
AR-SSDA2-1118_01	C	General Arrangement Plan – L18 Plan – LR-B	22/02/2024
AR-SSDA2-1119_01	C	General Arrangement Plan – L19 Plan – LR-B	22/02/2024
AR-SSDA2-1120_01	C	General Arrangement Plan – L20 Plan – LR-B	22/02/2024
AR-SSDA2-1121_01	C	General Arrangement Plan – L21 Plan – LR-B	22/02/2024
AR-SSDA2-1122_01	C	General Arrangement Plan – L22 Plan – LR-B	22/02/2024
AR-SSDA2-1123_01	C	General Arrangement Plan – L23 Plan – LR-B	22/02/2024
AR-SSDA2-1124_01	C	General Arrangement Plan – L24 Plan – LR-B	22/02/2024
AR-SSDA2-1125_01	C	General Arrangement Plan – L25 Plan – LR-B	22/02/2024
AR-SSDA2-1126_01	C	General Arrangement Plan – L26 Plan – LR-B	22/02/2024
AR-SSDA2-1127_00	D	General Arrangement Plan – L27 Plan Mid Plant	08/03/2024
AR-SSDA2-1127_01	C	General Arrangement Plan – L27 Plan Mid Plant	22/02/2024
AR-SSDA2-1128_00	D	General Arrangement Plan – L28 Stair Transfer	08/03/2024
AR-SSDA2-1128_01	C	General Arrangement Plan – L28 Stair Transfer	22/02/2024
AR-SSDA2-1129_00	D	General Arrangement Plan – L29-L37 Plan – MR	08/03/2024
AR-SSDA2-1129_01	C	General Arrangement Plan – L29 Plan – MR	22/02/2024
AR-SSDA2-1130_01	C	General Arrangement Plan – L30 Plan –MR	22/02/2024
AR-SSDA2-1131_01	C	General Arrangement Plan – L31 Plan –MR	22/02/2024
AR-SSDA2-1132_01	C	General Arrangement Plan – L32 Plan –MR	22/02/2024
AR-SSDA2-1133_01	C	General Arrangement Plan – L33 Plan –MR	22/02/2024
AR-SSDA2-1134_01	C	General Arrangement Plan – L34 Plan –MR	22/02/2024
AR-SSDA2-1135_01	C	General Arrangement Plan – L35 Plan –MR	22/02/2024
AR-SSDA2-1136_01	C	General Arrangement Plan – L36 Plan –MR	22/02/2024
AR-SSDA2-1137_01	C	General Arrangement Plan – L37 Plan –MR	22/02/2024
AR-SSDA2-1138_00	D	General Arrangement Plan – L38-L41 Plan – HR	08/03/2024
AR-SSDA2-1138_01	C	General Arrangement Plan – L38 Plan – HR	22/02/2024
AR-SSDA2-1139_01	C	General Arrangement Plan – L39 Plan – HR	22/02/2024

AR-SSDA2-1140_01	C	General Arrangement Plan – L40 Plan – HR	22/02/2024
AR-SSDA2-1141_01	C	General Arrangement Plan – L41 Plan – HR	22/02/2024
AR-SSDA2-1142_00	B	General Arrangement Plan – L42-L45 Plan – HR	08/03/2024
AR-SSDA2-1142_01	C	General Arrangement Plan – L42 Plan – HR	22/02/2024
AR-SSDA2-1143_01	C	General Arrangement Plan – L43 Plan – HR	22/02/2024
AR-SSDA2-1144_01	C	General Arrangement Plan – L44 Plan – HR	22/02/2024
AR-SSDA2-1145_01	D	General Arrangement Plan – L45 Plan – HR	02/04/2025
AR-SSDA2-1146_00	E	General Arrangement Plan – L46 Plan – Subpenthouse	02/04/2025
AR-SSDA2-1146_01	E	General Arrangement Plan – L46 Plan – Subpenthouse	02/04/2025
AR-SSDA2-1147_00	E	General Arrangement Plan – L47 Plan – Penthouse	02/04/2025
AR-SSDA2-1147_01	E	General Arrangement Plan – L47 Plan – Penthouse	02/04/2025
AR-SSDA2-1148_00	E	General Arrangement Plan – L48 Plan – Penthouse/Plant	02/04/2025
AR-SSDA2-1148_01	E	General Arrangement Plan – L48 Plan – Penthouse/Plant	02/04/2025
AR-SSDA2-1148M_00	E	General Arrangement Plan – L48 Mezzanine Plant	02/04/2025
AR-SSDA2-1148M_01	E	General Arrangement Plan – L48 Mezzanine Plant	02/04/2025
AR-SSDA2-1149_00	E	General Arrangement Plan – L49 Roof Plan	02/04/2025
AR-SSDA2-1149_01	E	General Arrangement Plan – L49 Roof Plan	02/04/2025
AR-SSDA2-1900_00	B	Adaptable Apartments	29/06/2022
AR-SSDA2-1900_01	B	Adaptable Apartments	02/04/2025
AR-SSDA2-2000_00	H	General Arrangement Plan – North Elevation	15/07/2025
AR-SSDA2-2000_01	F	General Arrangement Plan – North Elevation – Part 1	19/12/2024
AR-SSDA2-2000_02	G	General Arrangement Plan – North Elevation – Part 2	02/04/2025
AR-SSDA2-2001_00	G	General Arrangement Plan – South Elevation	02/04/2025
AR-SSDA2-2001_01	F	General Arrangement Plan – South Elevation – Part 1	19/12/2024
AR-SSDA2-2001_02	G	General Arrangement Plan – South Elevation – Part 2	02/04/2025
AR-SSDA2-2002_00	G	General Arrangement Plan – East Elevation	02/04/2025
AR-SSDA2-2002_01	F	General Arrangement Plan – East Elevation – Part 1	19/12/2024
AR-SSDA2-2002_02	F	General Arrangement Plan – East Elevation – Part 2	19/12/2024
AR-SSDA2-2002_03	G	General Arrangement Plan – East Elevation – Part 3	02/04/2025
AR-SSDA2-2003_00	G	General Arrangement Plan – West Elevation	02/04/2025
AR-SSDA2-2003_01	F	General Arrangement Plan – West Elevation – Part 1 & 2	19/12/2024
AR-SSDA2-2003_02	G	General Arrangement Plan – West Elevation – Part 3	02/04/2025
AR-SSDA2-3000_00	F	Section A & B	02/04/2025
AR-SSDA2-3001_00	G	Section C	02/04/2025
AR-SSDA2-3001_01	G	Section C – Part 1	02/04/2025
AR-SSDA2-3001_02	F	Section C – Part 2	02/04/2025
AR-SSDA2-3002_00	G	Section D	02/04/2025
AR-SSDA2-3003_00	G	Section E & F	14/07/2025
AR-SSDA2-3004_00	E	Section G & H	19/12/2024
AR-SSDA2-4000_00	B	Typical Façade Details – Podium	16/06/2023
AR-SSDA2-4010_00	A	Typical Façade Details – Retail	03/10/2023
AR-SSDA2-4011_00	A	Typical Façade Details – Retail	03/10/2023
AR-SSDA2-4012_00	A	Typical Façade Details – Retail	03/10/2023

AR-SSDA2-4013_00	A	Typical Façade Details – Retail	03/10/2023
AR-SSDA2-4014_00	A	Typical Façade Details – Retail	03/10/2023
AR-SSDA2-4050_00	B	Typical Façade Details – Tower	28/09/2023
AR-SSDA2-5054_00	A	ADG Storage	20/06/2023
AR-SSDA2-9000_00	B	Materials Board	16/06/2023
SKETCH SK_230605	A	B02 Residential Waste Layout	03/10/2023
GFA Schedule	-	GFA Schedule	-
STG-SSDA2-1100_00	A	SSDA2 Staging Diagram – Ground Plan	20/05/2025
STG-SSDA2-1100_01	A	SSDA2 Staging Diagram – Section Plan	20/05/2025

2. Part E During Construction, Condition E3 is modified by inserting the **bold and underlined** words/numbers and deleting the **~~bold and struck out~~** words/numbers as follows:

HOURS OF CONSTRUCTION

E3. Construction, including delivery of materials to and from the site, may only be carried out between the following hours:

- (a) between 7am and 7pm, Mondays to Fridays inclusive; **and**
- (b) between 7am and 5pm, Saturdays; ~~and~~
- ~~(c) between 5pm and 6pm, Saturdays (internal works only).~~

No work may be carried out on Sundays or public holidays.

3. Part E During Construction, Condition E5 is modified by inserting the **bold and underlined** words/numbers and deleting the **~~bold and struck out~~** words/numbers as follows:

E5. Notification of such construction activities as referenced in Condition E4 must be given to affected residents before undertaking the activities or, in the event of an emergency, as soon as practical afterwards.

**Notification of construction activities as referenced in Condition E5B and Condition E5C must be given to affected residents a minimum of 24 hours prior to undertaking the activity, or in the case of concrete pours be given as close as possible to the commencement of works.**

4. Part E During Construction, Condition E5A is added by inserting the **bold and underlined** words/numbers as follows:

**E5A. No work may be carried out outside of the hours stated in Condition E3, other than those works permitted under Condition E4, Condition E5B and Condition E5C.**

5. Part E During Construction, Condition E5B is added by insertion of the **bold and underlined** words/numbers follow:

**E5B. The following construction activities may be carried out during the specified instances and hours:**

- (a) **Concrete pours between 6pm and 10pm, Monday to Friday for a maximum of two occasions per calendar month where it can be demonstrated to the principal certifier that the work cannot be undertaken during the standard construction hours in Condition E3;**
- (b) **Hoist and crane climbing or dismantling between 8am and 5pm on Sunday for a maximum of two Sundays over the duration of the project;**
- (c) **Delivery of materials associated with the internal fit-out works under E5B (d) from non construction vehicles (e.g. standard delivery trucks or vans), between 7pm and 11pm, Monday to Saturday (excluding Sunday and public holidays), where the deliveries are made directly into the underground loading dock;**
- (d) **Internal fit-out works and service installations/commissioning for up to 24 hours a day (excluding Sunday and public holidays) where the façade is entirely enclosed and works comply with the following;**

- (i). the noise management levels (NMLs) identified in Acoustic Logic's Extended Construction Hours Construction Noise and Vibration Management Plan dated 13 November 2024 (Revision 0);
  - (ii). attended noise verification monitoring must be undertaken at the commencement of Condition E5B(d) works at the eastern boundary of 50 Murray Street to verify noise complies with the NMLs. The results must be documented in a register and provided to the Planning Secretary upon request; and
  - (iii). ongoing unattended noise monitoring must be undertaken upon the commencement of Condition E5B(d) works. The monitoring system must provide real-time feedback with active alerts to the nominated site supervisor where noise levels exceed the applicable NMLs. All alerts must be logged, with a copy provided to the Planning Secretary for information every three months.
- (e) Works detailed in Condition E5B (a) and (b) must comply with the following:
- (i). the maximum predicted external noise levels identified for the relevant works in Acoustic Logic's Extended Construction Hours Construction Noise and Vibration Management Plan dated 13 November 2024 (Revision 0);
  - (ii). attended noise verification monitoring must be undertaken at the commencement of each construction activity at the eastern boundary of 50 Murray Street to verify noise complies with the maximum predicted external noise levels. The results must be documented in a register and provided to the Planning Secretary upon request.
  - (iii). ongoing unattended noise monitoring must be undertaken upon the commencement of Condition E5B construction activities. The monitoring system must provide real-time feedback with active alerts to the nominated site supervisor where noise levels exceed the maximum predicted external noise levels. All alerts must be logged, with a copy provided to the Planning Secretary for information every three months; and
  - (iv). the dates of the concrete pours and climbing/dismantling works under Conditions E5B(a) and E5B(b), and a copy of the principal certifier's agreement in writing under condition E5B(a), must be documented in a register and provided to the Planning Secretary upon request.

6. Part E During Construction, Condition E5C is added by inserting of the **bold and underlined** words/numbers as follows:

**E5C. Construction activities associated with utility service operators may be undertaken in accordance with the following:**

- (a) the relevant utility service provider must have advised the Applicant in writing that undertaking the works during the standard construction hours in Condition E3 would result in a high risk to the operation or integrity of the utility network and that the works cannot reasonably be undertaken within those standard hours;
- (b) the Department must be notified in writing at least 48 hours prior;
- (c) excavation works are to be limited to one instance across the project duration;
- (d) any cable jointing in pits conducted outside the hours specified in Condition E3 is to occur behind an acoustic barrier; and
- (e) compliance with the maximum predicted external noise levels identified in Acoustic Logic's Extended Construction Hours Construction Noise and Vibration Management Plan dated 13 November 2024 (Revision 0).

7. Part E During Construction, Condition E5D is added by inserting of the **bold and underlined** words/numbers as follows:

**E5D. The Planning Secretary may suspend the works specified in Conditions E5B and E5C in the event that noise complaints are received and the complaint(s) are substantiated by the Department's Compliance team. Such works must cease immediately when notification of any such suspension is received by the Applicant, and the works must not re-commence until it can be satisfactorily demonstrated to the Planning Secretary that amelioration measures have been implemented that would resolve the substantiated complaint(s).**

8. Part E During Construction, Condition E7 is modified by inserting the **bold and underlined** words/numbers and deleting the **~~bold and struck out~~** words/numbers as follows:

#### CONSTRUCTION NOISE MITIGATION

- E7. All work, including demolition, excavation and building work, and activities in the vicinity of the site generating noise associated with the preparation for the commencement of work in connection with the development must comply with the City of Sydney Construction Hours/Noise within the Central Business District Code of Practice 1992 and Australian Standard 2436-2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites. All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the CNVMP (required by Condition D29 of this consent), **Extended Noise Construction Hours Construction Noise and Vibration Management Plan dated 13 November 2024 and as amended by the Extended Construction Hours Construction Noise and Vibration Management Plan Addendum dated 27 October 2025.**
9. Part E During Construction, Condition E9 is modified by inserting the **bold and underlined** words/numbers and deleting the **~~bold and struck out~~** words/numbers as follows:
- E9. **Other than the works permitted under Condition E5B and Condition E5C,** The Applicant must ensure all construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under Condition E3.
10. Part E During Construction, Condition E24 is modified by inserting the **bold and underlined** words/numbers and deleting the **~~bold and struck out~~** words/numbers as follows:

#### IMPLEMENTATION OF MANAGEMENT PLANS

- E24. The Applicant must ensure the requirements of the Construction Environmental Management Plan, Construction Pedestrian Traffic Management Plan, Construction Noise and Vibration Management SubPlan, **Extended Construction Hours Construction Noise and Vibration Management Plan dated 13 November 2024 (Revision 0), Extended Construction Hours Construction Noise and Vibration Management Plan Addendum, prepared by Acoustic Logic, dated 27 October 2025 (Revision 4),** Air Quality Management Plan, Heritage Interpretation Plan and Construction Waste Management Plan required by Part B of this consent are implemented during construction.

**The Applicant must also comply with the noise management levels or maximum predicted external noise levels (whichever is applicable) as set out in the Extended Construction Hours Construction Noise and Vibration Management Plan prepared by Acoustic Logic and dated 13 November 2024 (Revision 0).**

**End of modification  
(SSD 49295711 MOD 6)**