

DATE OF DETERMINATION	24 April 2026
DATE OF PANEL DECISION	23 April 2026
PANEL MEMBERS	Justin Doyle (Chair), Louise Camenzuli, David Kitto, Anthony Krilich
APOLOGIES	None
DECLARATIONS OF INTEREST	All Councillors have a conflict of interest due to council being part owner and council interest.

Papers circulated electronically on 19 January 2026.

Supplementary report circulated on 2 April 2026.

MATTER DETERMINED

PPSSWC-419 – Liverpool – DA-216/2024 - 132 Macquarie Street, Liverpool.

Concept Development Application for: Amalgamation of lots and boundary adjustment to include a portion of Hanwell Serviceway as part of the development site; Confirmation of building envelope to enable the construction of a building comprising: three commercial towers of 11, 17 and 21 levels above a four (4) storey podium; Two and a half (2.5) levels of basement car parking with 200 car parking spaces; Pedestrian through site link connecting George Street and Macquarie Mall.

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at briefings and the matters listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel resolved to defer determination of this DA following a briefing session convened on 2 February 2026 at which outstanding issues were identified for resolution concerning:

- Heritage impacts of the proposal on the significance of the State listed adjacent heritage item St Lukes Church (designed by convict architect Francis Greenway and completed in 1819).
- Design issues raised by Council's Design Excellence Panel including extensive glazing then proposed on the façades shown in the concept drawings.
- Further information required to validate the FSR calculations.

The Applicant submitted updated architectural plans on 16 February 2026 which the Panel is now satisfied resolve each of those matters, and accepts the Council's assessment in that regard.

In particular, the Council and the Panel are satisfied that the submission of the updated plans resolve the conflict in the podium height fronting Macquarie Mall. Imagery of the proposal in the streetscape from several vantage points has also been provided to allow for a better understanding of the integration of the proposed development with the surrounding streetscape, including this image which predicts what the proposed envelopes and design features would look like from St Luke's Church:



Conditions are included to require that issue to be further assessed at the time the final façade design and treatment are finalised through a detailed DA.

Notably Council's concerns about the absence of an archaeological assessment and a signage strategy are also resolved by the inclusion of conditions of consent which will require further investigation of those matters when a detailed DA is made and assessed.

The Panel determined to approve the application for the reasons outlined in the Supplementary Council Assessment Report of 2 April 2026 read together with the Council's Assessment Report of 5 December 2025.

The Council's Supplementary Assessment Report of 2 April 2026 comprehensively addresses the original reasons for the Council's original recommendation for refusal of the development and how each of these reasons has been addressed by the provision of additional information and plans or otherwise by way of appropriate conditions (e.g. conditions 13, 14 and 17, 23 and 24 relating to the outstanding heritage and urban design matters and the wind study). The Panel agrees with the Council's report in each instance.

The FSR non-compliance has been addressed by way of a proposed condition requiring strict compliance with the FSR controls (condition 10), such that the Panel does not need to be satisfied by the arguments put forward in the clause 4.6 variation request.

The Panel accepts that the development otherwise addresses the requirements of Liverpool LEP and applicable State instruments, and in particular is satisfied that the matters essential for an approval of the bonus height and FSR available under clause 7.5A (identified at clause 7.5A(4)) have been satisfied sufficiently for the grant of a concept approval.

CONDITIONS

The development application was approved subject to the conditions in the Council's Supplementary Assessment Report, which the panel is advised the Applicant has agreed to.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition. The panel notes that issues of concern included:

- Overshadowing of solar panels
- Interruption to property access and parking during construction and at completion
- Interruption to business trading during construction

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report.

PANEL MEMBERS	
Justin Doyle (Chair) 	Louise Camenzuli 
David Kitto 	Anthony Krilich 

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-419 – Liverpool – DA-216/2024
2	PROPOSED DEVELOPMENT	Concept Development Application for: Amalgamation of lots and boundary adjustment to include a portion of Hanwell Serviceway as part of the development site; Confirmation of building envelope to enable the construction of a building comprising: three commercial towers of 11, 17 and 21 levels above a four (4) storey podium; Two and a half (2.5) levels of basement car parking with 200 car parking spaces; Pedestrian through site link connecting George Street and Macquarie Mall.
3	STREET ADDRESS	132 Macquarie Street, Liverpool
4	APPLICANT/OWNER	Applicant: HDC Planning Owner: Copping and Vartuli Pty Ltd, FBDM Pty Ltd, Sydrom Pty Limited, Deemhire Pty Limited, Liverpool City Council
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - Liverpool Local Environmental Plan 2008 - Draft environmental planning instruments: Nil - Development control plans: - Liverpool Development Control Plan 2008 - Planning agreements: Nil - Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Nil - Coastal zone management plan: Nil - The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality - The suitability of the site for the development - Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations - The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	- Council assessment report: 5 December 2025 - Council supplementary assessment report: 2 April 2026 - Written submissions during public exhibition: 1 - Total number of unique submissions received by way of objection: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Briefing: 21 October 2024 <u>Panel members</u>: Justin Doyle (Chair), David Kitto, Louise Camenzuli, Ellie Roberston, Jeremy Thomas <u>Council assessment staff</u>: Nabil Alaeddine <u>Applicant representatives</u>: Gilbert Blandin de Chalain - Briefing: 23 June 2025 <u>Panel members</u>: David Kitto (Chair), Louise Camenzuli, Bronte Rivers, Anthony Krilich <u>Council assessment staff</u>: Nabil Alaeddine <u>Applicant representatives</u>: Gilbert Blandin de Chalain - Final Briefing - Deferral: 2 February 2026 <u>Panel members</u>: David Kitto (Chair), Louise Camenzuli, Anthony Krilich

		○ <u>Council assessment staff</u>: Nabil Alaeddine, Darren Laybutt (Consultant), Ben Patterson ○ <u>Applicant representatives</u>: Gilbert Blandin de Chalain, Nick Zappia
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report